

Planning Committee

5 April 2017

Item No	Site/ Video/ Photos	Application Number	Location	Proposal	Rec.	Decision
1	V	16/01043/OULMAJ	Land Off Holts Lane Poulton-Le-Fylde Lancashire	Outline application for the erection of up to 130 dwellings with means of access off Holts Lane (layout, landscaping, scale and appearance reserved), following demolition of existing buildings (re-submission of 16/00233/OULMAJ)	PER	
2	S	17/00069/FUL	Rear Of Former Saracens Head Hotel 200 Park Lane Preesall Poulton-Le-Fylde Lancashire FY6 0NW	Part retrospective application for the erection of a detached dwelling (Resubmission of 16/00356/FUL)	PER	

arm/rg/pla/cr/17/0504nc2

Committee Report**Date: 05.04.2017**

Item Number	01
Application Number	16/01043/OULMAJ
Proposal	Outline application for the erection of up to 130 dwellings with means of access off Holts Lane (layout, landscaping, scale and appearance reserved), following demolition of existing buildings (re-submission of 16/00233/OULMAJ)
Location	Land Off Holts Lane Poulton-Le-Fylde Lancashire
Applicant	Hollins Strategic Land LLP & Tim Claxton Property Ltd
Correspondence Address	C/o Matthew Symons Hollins Strategic Lane Suite 4, 1 King Street Manchester M2 6AW
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr John Studholme****1.0 INTRODUCTION**

1.1 The application is before Members for determination at the request of Councillors R Berry, B Birch and S Bridge. This application is a resubmission of application 16/00233/OUTMAJ which is currently the subject of an appeal against non-determination. Application 16/00233/OUTMAJ was brought to the 1st February 2017 Planning Committee for Members to determine the decision they would have reached had the applicant chosen not to appeal. A site visit was carried out by Members immediately before that February Committee and therefore one is not proposed for this latest application. Instead site photos will be displayed at Planning Committee to remind Members of the site context and its surroundings.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site comprises approx. 4.16ha of predominantly open green field land with no current use. It includes an access track to 71a Holts Lane (a former farm building to the south of the application site, outside the site boundary) as well as a number of dilapidated structures associated with that property and a flood lit paddock. The site has a history of use as a cattery and livery but has been disused for some time. Accordingly, the site can be described as predominantly green field with an element of previously developed land.

2.2 Despite its countryside designation, the site is well contained and has an urban fringe character. To the north, the site is bounded by the urban area and existing residential development off Holts Lane. The eastern site boundary is formed by the railway line, which is on higher ground than the site. Beyond the railway line are the large industrial units of the Poulton Industrial Estate. A watercourse and vegetation form the southern boundary along with 71a Holts Lane, a large red-brick

building that is not rural in appearance. Beyond this, the countryside rises towards woodland. To the west, the site is partly bounded by land which was allocated as public open space in the Local Plan but now forms a sub-station/pumping station, extending the urban area south and further containing the site.

2.3 The application site benefits from being adjacent to an established residential community. A number of local services and facilities are accessible by foot/cycle, including those within Poulton town centre. There are bus stops along Garstang Road East and Poulton train station, the only train station in Wyre, is approx. 1500m from the site.

2.4 The Local Plan identifies the site as being within the countryside, directly adjacent to the main settlement of Poulton-le-Fylde. United Utilities owned overflow pipes and public owned mains sewer surface water drainage run through site. There is a Designated Main River along the southern boundary. There is a Public Right of Way along the western boundary (FP5). The site is classed as Grade 3 agricultural land and could fall into Grade 3a (best and most versatile land). Section 4.0 details the planning history of the sites to the west of this site.

3.0 THE PROPOSAL

3.1 This is an outline application for the erection of up to 130 dwellings following demolition of existing buildings with means of access off Holts Lane. All other matters of layout, landscaping, scale and appearance are reserved for later consideration.

3.2 The outline application submitted seeks to agree only the matter of access to the site. There would be two principle points of vehicular access to the site; both of which would stem off Holts Lane, that it joins Garstang Road East to the north. These access points off Holts Lane are existing. An additional pedestrian access is proposed to the western boundary to connect with the existing public right of way. In the north-east corner of the site the illustrative masterplan suggests a further pedestrian connection via a ramped bridge over the railway line if required at some point in the future by Network Rail.

4.0 RELEVANT PLANNING HISTORY

4.1 The application is a resubmission of application 16/00233/OULMAJ, which was considered by the Planning Committee on 1st February 2017. The Committee resolved that in line with the officer's recommendation in accordance with the advice of LCC Highways it would have been minded to refuse the application. This was for the reason that:

"The applicant has not provided sufficient information to show that the development will not have a severe impact on highway safety and highway capacity on the local highway network. In addition the applicant has failed to show that all reasonable efforts have been taken to maximise efforts to deliver a sustainable development in line with the NPPF. On this basis, the scheme proposed is not considered to represent sustainable development, and as such the proposal is considered to be contrary to the provisions of the National Planning Policy Framework, particularly as set out under paragraphs 14, 17 and 32."

Application 16/00233/OULMAJ is the subject of an appeal against non-determination with an inquiry scheduled to start on 19th April 2017.

4.2 Two nearby sites are of relevance.

4.2.1 Land to the immediate west of this site and south of Brockholes Crescent - outline planning application (16/00742/OUTMAJ) submitted in August 2016 for the development of land for the erection of up to 108 dwellings with all matters reserved except for access, which will be off Brockholes Crescent following demolition of numbers 61 and 63 Brockholes Crescent. Application pending.

4.2.2 Land to the west of the above site (4.2.1) bordered by Carr Head Lane and Oldfield Carr Lane - outline planning permission (14/00607/OUTMAJ) granted after being allowed at appeal for the erection of up to 100 dwellings. Details in respect of Reserved Matters were submitted and approved in November 2016 (16/00444/REMMAJ).

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 (DCLG) on the 27th March 2012. The NPPF 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 following sections are of particular relevance to this application:

5.1.2 Section 4: Promoting sustainable transport - paragraph 30 states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.

5.1.3 Section 6: Delivering a wide choice of quality homes - paragraph 49 requires housing applications to be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date when a 5 year supply of deliverable housing sites cannot be demonstrated. Paragraph 50 requires a wide choice of high quality homes for inclusive and mixed communities, with a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Paragraph 55 promotes sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of communities.

5.1.4 Section 7: Requiring good design - paragraphs 56 and 57 highlight the importance of high quality and inclusive design for all development. Paragraph 61 identifies that securing high quality and inclusive design goes beyond aesthetic considerations...and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

5.1.5 Section 8: Promoting healthy communities - paragraph 70 requires decisions to plan positively for the provision of shared space, community facilities and other local services; guard against the unnecessary loss of valued facilities and services; and ensure an integrated approach to considering the location of housing, economic uses and community facilities.

5.1.6 Section 11: Conserving and enhancing the natural environment - paragraph 109 states the planning system should contribute to enhance the natural and local environment by...minimising impacts on biodiversity. Paragraph 118 identifies principles to conserve and enhance biodiversity including adequate mitigation and compensation.

5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG) 2014:

5.2.1 This online resource was launched on the 6th March 2014. Relevant sections include design and natural environment; the need for landscape character assessments, transport assessments and travel plans; and minimising impacts on biodiversity.

5.3 ADOPTED 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.

5.3.2 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:-

- SP13 Development in the Countryside
- SP14 Standards of Design and Amenity
- TR6 Rail Facilities
- ENV7 Trees on Development Sites
- ENV13 Development and Flood Risk
- ENV15 Surface Water Run-Off
- H13 Open Space in new Housing Developments
- 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 relevant policies are:

- CS1 Spatial Strategy for Wyre: Distribution of Development
- CS2 Spatial Strategy for Wyre: Settlement and Centre Hierarchy
- CS6 Strategy for Poulton-le-Fylde
- CS13 Sustainable Development
- CS14 Quality of Design
- CS16 Transport, Accessibility and Movement
- 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

5.5 WYRE SUPPLEMENTARY PLANNING DOCUMENTS / GUIDANCE

5.5.1 The following Supplementary Planning Guidance is considered to be of relevance to the determination of this application:-
Supplementary Planning Guidance 2 - Trees and Development

5.6 WYRE AFFORDABLE HOUSING VIABILITY STUDY (OCTOBER 2010)

This identified that the level of viability for residential developments across the Borough could sustain a maximum of 30% affordable dwellings, although in some areas and for smaller developments it would be a lesser percentage.

5.7 FYLDE COAST STRATEGIC HOUSING MARKET ASSESSMENT (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 Objectively Assessed Need (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).

6.0 CONSULTATION RESPONSES

6.1 HIGHWAYS ENGLAND (HE) - No objection subject to a condition requiring a Travel Plan and Travel Plan Co-ordinator. Based on the (revised) Transport Assessment and Travel Plan submitted they are unable to find that the proposals in isolation would result in a severe impact on the Strategic Road Network.

6.2 LCC HIGHWAYS - following discussions with the applicant LCC Highways advise that previous objections have been overcome. Detailed comments and analysis are included at 9.5.4.

6.3 NETWORK RAIL - Network Rail is concerned that the proposed development could prejudice its own proposals for the closure of the Holts Lane level crossing and its replacement with a bridge. They suggest that a financial contribution should be made towards the cost of the bridge or land be reserved for the bridge at nil cost to Network Rail. They also set out general advice relating to works near the railway line.

6.4 LCC LEAD LOCAL FLOOD AUTHORITY - no objection to the development proposal subject to conditions in respect of compliance with submitted Flood Risk Assessment (FRA), full details of surface water drainage and SuDS (Sustainable Drainage Systems) management; lifetime drainage; and construction of pond/attenuation basin details. Informatives are suggested.

6.5 LCC EDUCATION - contributions of £660,251.97 for 49 additional primary school places and £406,071.80 for 20 additional secondary school places are sought. These figures were calculated on the basis of information as at 15th December 2016 and assume that all the 130 proposed dwellings would be four bedroom houses. The contribution amounts would have to be reassessed once accurate bedroom information is available. It is proposed to spend the contributions at Carr Head Primary School and Millfield Science and Performing Arts College. Further response dated 16th March 2017 confirms the figures and named schools remain applicable and that less than 5 contributions have been sought to date on either school and so this request would meet the CIL regulations.

6.6 UNITED UTILITIES - no objections subject to standard conditions in respect of foul and surface water and a SuDS management system to be provided, as well as implementation of drainage details outlined in the FRA. Informatives are suggested.

6.7 ENVIRONMENT AGENCY - no objections in principle but comment that the Illustrative Masterplan indicates 2 surface water attenuation ponds close to the Oldfield Carr Lane watercourse. The submitted plans do not clearly identify the extent of the 8 metre easement from the top of the bank of the watercourse and whether any development is within this easement. However, it is acknowledged that the submitted FRA considers this matter and illustrates the 8 metre easement. Informative advice is provided including advice regarding foul drainage.

6.8 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - advised that the same comments apply as for the previous planning application 16/00233/OULMAJ. It is considered there are no known ecological constraints which would prevent the determination of the application, although features of nature conservation value do occur on the site. The implementation of the proposal would not result in Likely Significant Effects on the Morecambe Bay SPA/Ramsar or on features of value on the Wyre Estuary SSSI. Conditions are recommended in order that the proposal can be implemented and operated without detriment to protected species and to ameliorate biodiversity impacts.

6.9 NATURAL ENGLAND (NE) - confirmed that, unless the proposal is amended in a way which significantly affects its impact on the natural environment, the advice in the response on 16/00233/OULMAJ applies equally to this resubmission. (There was no objection to the original proposal and there are no changes which would significantly affect the impact on the natural environment.)

6.10 LANCASHIRE CONSTABULARY - Advice is provided about the need for site security, physical security to ground floor windows and doors in line with Building Regulations, the promotion of natural surveillance and avoidance of parking courts. More detailed advice will be submitted at Reserved Matters stage.

6.11 LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE - recommend a condition requiring archaeological investigation and analysis.

6.12 NATIONAL GRID - National Grid has a major accident hazard pipeline in the vicinity, Peel Hill-Thornton. It is essential that access to the pipeline is not restricted, particularly in the event of an emergency. Therefore, there must be no obstructions within the pipelines maintenance easement strip, which would limit or inhibit essential maintenance works on the pipeline. The BPD (Building Proximity Distance) for the Peel Hill-Thornton Pipeline is 14.5 metres. Informatives suggested.

6.13 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE) - no objection in principle. Full surface water drainage plans to be submitted for approval prior to any commencement of works.

6.14 WYRE BC ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY - confirm that the comments on the previous application apply also to the current one. Conditions are recommended relating to air quality, contamination, noise, vibration and lighting.

6.15 WYRE BC HEAD OF OPERATIONS (TREES) - no objection subject to further consideration of landscaping details at the reserved matters stage. A full tree survey, arboricultural impacts assessment and tree protection plan will also need submitting.

6.16 WYRE BC SERVICE DIRECTOR - PEOPLE AND PLACES (PARKS & LANDSCAPING) - questioned whether a contribution to off-site play area provision would be more appropriate.

7.0 REPRESENTATIONS

7.1 There were objection letters from 13 individual addresses with concerns relating to the following points:

- * Holts Lane traffic is hazardous now and inadequate for access and would be worsened
- * Holts lane is used by railway maintenance vehicles
- * There are inadequate facilities for cycling and public transport
- * The traffic assessments are inaccurate
- * Residential amenity would be adversely affected through loss of light and overlooking of the Holt Lane bungalows
- * The development would be affected by noise from the industrial estate and the railway
- * The environment would be adversely affected with loss of habitat for species including barn owls, bats and great crested newts
- * Local facilities including doctors, schools leisure and shopping are inadequate
- * A lack of local jobs would mean more commuting
- * Ground conditions are poor
- * There is subsidence in the area
- * The area is largely peat and it floods which required the pumping station to deal with current problems
- * The proposals would be out of scale, character and appearance with the area
- * Too much is being built already
- * The proposals should not be considered in isolation from other developments
- * There would be a loss of view from existing properties
- * There should be no development close to the pipeline
- * Property values would fall

7.2 A petition containing signatures of 61 residents of Holts Lane was received objecting to the proposal on the grounds that it would cause more difficulty accessing the main road.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 There have been discussions with the applicant and agent regarding progress with both the planning application and the appeal on the associated earlier application.

9.0 ASSESSMENT

9.1 The main issues to be assessed are:

- Principle of Development
- Impact of development on character of the area
- Impact on residential amenity
- Impact on the local highway network and railway line
- Flooding & Drainage
- Ecology & Trees
- Affordable housing and planning obligations
- Health & Safety
- Community Engagement
- Planning Balance

9.2 THE PRINCIPLE OF THE DEVELOPMENT

9.2.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan and material considerations in this case comprise the saved policies of the Wyre Borough Local Plan (1999), the NPPF and to a degree Wyre's emerging Local Plan. In accordance with the NPPF 'due weight' should be given to the relevant saved policies within the Local Plan, with the weight given to these policies depending upon the degree of consistency with the NPPF. The policies contained within the emerging Local Plan should be given due weight according to their stage of preparation and degree of consistency with the NPPF. The starting point for determining planning applications therefore remains the saved policies of the Local Plan to be read as a whole and in the context of the NPPF.

9.2.2 The Local Plan identifies the site as being within the countryside, directly adjacent to the main settlement of Poulton-le-Fylde. As such Policy SP13 - development in the countryside applies, which presumes against the development of land in the countryside unless it meets certain criteria, none of which are applicable in this instance. Therefore on the face of it the development would be contrary to this policy. However as stated above, Local Plan policies should also be considered in the context of the NPPF specifically the housing growth objectives and the presumption in favour of sustainable development which is a significant material consideration.

9.2.3 When considering the housing objectives of the NPPF the most up to date evidence of housing need in Wyre is the 2013 Fylde Coast Strategic Market Assessment (SHMA), the findings of which are summarised earlier in this report. The provision of up to 130 dwellings would help to meet the future housing needs of Wyre. Against the objectively assessed need identified, the Council cannot currently demonstrate a 5 year supply of housing. Therefore, notwithstanding the countryside area designation of this site, one of the key issues is whether the proposal would deliver sustainable development.

9.2.4 To support sustainable development, the NPPF requires housing to be located where it will maintain or enhance the vitality of communities and not in isolated locations unless exceptional circumstances exist. The site is located adjacent to and would serve as an extension to the urban settlement of Poulton-le-Fylde, an existing residential area. It is close to a main road (A586 - Garstang Road East) with associated bus routes and is within reasonable distance of local and

community services in Poulton-le-Fylde including a train station. It is considered that the site is in a generally sustainable location in accordance with the NPPF. Therefore, whilst the development would be contrary to Policy SP13 of the adopted Local Plan, in this instance there is greater weight to be given to the NPPF due to the site's sustainable location and the NPPF housing growth objectives and presumption in favour of sustainable development.

9.2.5 It is relevant to note that the Wyre Local Plan Issues and Options Paper (2015) identifies the site as part of a larger potential housing site, reference IO_32. However, given that the emerging Local Plan is at an early stage of development, this can be afforded only very limited weight. The remainder of the IO_32 housing site comprises two parts. Immediately to the west is land at Brockholes Crescent. Planning application 16/00742/OUTMAJ for development of up to 108 dwellings is pending consideration. Further to the west and adjoining that site outline planning permission 14/00607 for development of up to 100 dwellings was granted following an appeal. That development has now commenced. Importantly, development of this application site in isolation would not prejudice or hinder future development of wider lands in this area should this be proposed in the emerging Local Plan.

9.2.6 On the basis of the above it is considered that the proposed development would be acceptable in principle. Nonetheless, it is necessary to consider other policies to establish whether there would be any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme.

9.3 THE IMPACT ON CHARACTER OF THE AREA

9.3.1 The development site falls in the defined countryside, which should generally be recognised for its intrinsic character and beauty in accordance with the NPPF. However, it is an urban fringe site and the visual quality of the land within the site is considered low, comprising shrubs and flatlands and it is in fact the land beyond the application site to the south that makes a positive visual contribution to the area. That land rises towards a clustered wooded copse and is considered more visually appealing and of a higher character value than the land within the site. Whilst the proposed residential development would have a significant impact on the character of the area, the submitted Planning Statement and Illustrative Masterplan demonstrate that the proposed density would be compatible with the surroundings.

9.3.2 Whilst landscaping details are a reserved matter, the Illustrative Masterplan demonstrates the creation of landscaped areas of open space on the west, south and east of the site. Scale, layout and design are also reserved matters. These will be important considerations to enable the development to sit comfortably in the surrounding landscape. In the event of approval of this outline planning application, any reserved matters application for approval of landscaping should be broadly in line with the Illustrative Masterplan and the principles set out in the Design and Access Statement. The scale of any proposed dwellings and their plot sizes shown on future plans should respect the immediate context of built development and additional landscaping and open space provision would help to reduce the impact.

9.3.3 The Illustrative Masterplan shows that a development of up to 130 units is physically achievable on this site. This indicates that a compatible residential density, satisfactory interface distances (in accordance with the SPG on new housing layouts), appropriate levels of open space (in accordance with policy H13), landscaping and parking provision can be provided and that interlinkage options with the adjacent development sites can be designed into a detailed scheme at a later date.

9.3.4 With no adopted policy requirement on housing mix, this scale of development would be expected to provide a mix compatible with the 2013 SHMA (page 125 in particular) which includes reference to the need for more 'older person accommodation' and smaller homes. This can be assessed at the reserved matters stage. The need for affordable housing is considered later in this report.

9.3.5 The site is identified as Post Medieval Enclosure in the Lancashire Historic Landscape Character Assessment. Although not a designated heritage asset identified by the NPPG, the NPPF requires the effect of a development on the significance of a non-designated heritage asset to be taken into account. The visual remnants of any such artificial enclosures within the site such as hedges or fencing are absent from aerial photographs and those surrounding the site boundary would be retained as forming the development envelope. Therefore this designation is not considered a constraint to development. LCC Archaeology do not anticipate that any archaeological remains on this site would be of such significance as to prevent any development but advise that there have been discoveries nearby but consider that an archaeological assessment should be carried out. A condition is recommended to require this work to be carried out.

9.4 IMPACT ON NEIGHBOURING AMENITY

9.4.1 In assessing the Illustrative Masterplan for 130 dwellings, there is no reason to believe at this stage that the development would not be able to comply with the interface distances set out in the Council's adopted 'Spacing Guidance for New Housing Layouts' SPG and so impact on residential amenity is not a cause for concern. The relationship between the proposed dwellings along the northern boundary and existing properties on Holts Lane can be given particular attention at the reserved matters stage. The formation of two access points would help to reduce noise and disturbance levels of vehicles accessing and egressing from the development (including impact from headlights) on existing properties adjacent and opposite these access points.

9.4.2 An air quality assessment has been submitted that considers the potential impact of construction activity and additional traffic from future residents on air quality levels in Poulton. This is necessary given the scale of development and its proximity to Chapel Street in Poulton town centre, which is a designated air quality management area. The Council's Environmental Health Officer concludes that the assessment methodologies are appropriate and reasonable assumptions have been made. No objections are raised subject to conditions requiring a construction environmental management plan and electric vehicle charge points which are considered reasonable given the site's proximity to Chapel Street air quality management area in Poulton town centre. A condition stipulating high performing, energy efficient boilers was also recommended but it is considered this cannot be reasonably justified given this is a building regulations issue. No other constraints are identified that would render residential development fundamentally unacceptable in terms of air quality.

9.4.3 This site is bounded by the railway line and adjacent industrial estate to the east. Consequently a noise assessment was submitted with the application. The contents of which have been reviewed and agreed by the Council's Environmental Health Officer and these adjacent land uses are not considered to result in an unacceptable impact on future residential amenity subject to conditions including conditions relating to the control of noise, vibration and intrusive lighting.

9.4.4 A desk study contamination report submitted with the application identifies a number of potential sources of contamination on site and recommends a targeted intrusive contaminated land assessment. The report also identifies a number of potential sources of man-made ground gases (closed landfills, filled ponds) and natural ground gas sources (peat). The report concludes the adjacent closed landfill contains only inert waste, the active landfill may contain putrescible material and this, together with the other potential gas sources, would warrant at least some gas monitoring on site. Environmental Health has reviewed and accepted the report findings and recommend contaminated land conditions.

9.5 IMPACT ON THE LOCAL HIGHWAY NETWORK AND RAILWAY LINE

9.5.1 The outline application submitted seeks to agree the matter of access to the site. There would be two principle points of vehicular access to the site both of which would lead to and from Holts Lane and on to Garstang Road East to the north.

9.5.2 The scheme has been assessed by LCC as local highway authority with regard to the accessibility of the site, the acceptability of the proposed highway works, and the impact on highway safety and the capacity of the local road network. Highways England (HE) has assessed the impact on the Strategic Road Network.

9.5.3 STRATEGIC ROAD NETWORK (SRN): Highways England (HE) has confirmed that its position on the current application remains the same as for application 16/0233/OULMAJ. In the report to the 1st February 2017 Planning Committee on application 16/0233/OULMAJ the HE position was set out as follows. Following various holding objections from HE, further information in respect of impact and Highway Mitigation on the SRN - and in particular the Little Singleton junction - was submitted in a revised Transport Assessment (TA). This revised document factored in other committed schemes. In respect of the Garstang Road East committed scheme for 519 dwellings, the assumption was that 250 dwellings would be completed by 2022, which is when the HE Major improvement scheme is anticipated to be delivered. As set out in the HE response however this scheme is not treated by them as a commitment at this stage. The HE response provide policy context behind the jurisdictions of how they are required to assess planning applications, in particular that they have to consider them individually on their own merits, in isolation, whilst taking into account the impact from committed developments. HE do have concerns about the Little Singleton junction, which is already shown to be operating significantly over capacity, and comment that if the improvement scheme were not to come forward the junction would continue to present a constraint on the network. However, in terms of this application, the forecast change from this development on the SRN arms of this junction (taking into account the committed developments shown in the TA) cannot be described by them as "severe" in accordance with the NPPF. Additional comments are that they consider the Framework Travel Plan to be acceptable. Consequently, the final position of HE is that they raise no objection to this development subject to a Travel Plan condition.

9.5.4 LOCAL ROAD NETWORK: since the 1st February 2017 Planning Committee, discussions have continued between the applicant and LCC Highways. Objections have been overcome and the formal comments and analysis from LCC Highways are as follows.

9.5.5 Transport Assessment (TA): the originally submitted TA has been updated to support the application. The new TA (ref 1409/2/D November 2016) takes account of the impact of the development on the following junctions:-

- o Holts Lane/A586 Garstang Road East/Argyle Road - Priority control
- o Main Drive/Carr Head Lane - Priority control
- o Lower Green/A586 Garstang Road East - Traffic signal control
- o Carr Head Lane/A586 Garstang Road East - Priority control
- o Garstang Road West/Garstang Road East/Hardhorn Road - Traffic signal control
- o Hardhorn Road/Beech Drive/High Cross Road - Priority control
- o A586/A585/Lodge Lane/Pool Foot Lane - Traffic signal control
- o Garstang Road East/Aldon Road/Poulton Drive - Traffic signal control
- o Garstang Road East/Moorland Road - Currently priority control

9.5.6 LCC have agreed the basis of the assessment and confirmed an appropriate analysis of road safety which shows that with mitigation the proposed development would not have an adverse impact on road safety.

9.5.7 LCC Highways and the developer have worked together on a Poulton Congestion Study which identifies a way in which limited development in the area can be supported. LCC Highways have been working also on a Poulton Mitigation Strategy which identifies a number of highway and sustainable transport improvements that would allow limited levels of development to come forward without there being an unacceptable level of delay or impact on highway safety.

9.5.8 Accessibility and Sustainable Transport: there were concerns that the earlier application (16/00233/OULMAJ) failed to adequately address the NPPF paragraph 17 requirements to make the fullest possible use of public transport, walking and cycling. Improvements are now proposed which address these earlier concerns. The proposals involve:

Pedestrian Improvements

- o Resurfacing of footway on both sides of Site Access 1 including dropped kerbs and tactile paving;
- o Resurfacing of footway on both sides of Site Access 2 including dropped kerbs and tactile paving;
- o Resurfacing of footway the south side of Holts Lane between Site Access 1 and Brockholes Crescent.
- o Repatch and repair existing footway on east side of Holts Lane between Brockholes Crescent and proposed pedestrian refuge on Garstang Road East,
- o Introduce tactile paving at the junction of Holts Lane with Brockholes Crescent,
- o Introduce tactile paving at the junction of Edenfield Avenue with Holts Lane,
- o Introduce dropped kerbs and tactile paving at the junction of Broadfield Avenue with Holts Lane,
- o Revise layout of Main Drive/Brockholes Crescent junction to reduce bell mouth and introduce dropped kerbs and tactile paving to provide a safer environment for pedestrians.
- o Introduce tactile paving and junction treatment at the junction of Holts Lane with Garstang Road East,
- o Introduce tactile paving and junction treatment at the junction of Argyle Road with Garstang Road East,
- o Introduce pedestrian/cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane. Pedestrian/cycle refuge to be sited on the desire line

- o of residents of the proposed development undertaking trips to Tesco, Hodgson Academy and Poulton town centre,
- o Widen footway on the north side of Garstang Road East between Lower Green to a point beyond Argyle Road. With surface treatment at the Tesco access and egress
- o Introduce tactile paving and junction treatment at the junction of Carr Head Lane with Garstang Road East,
- o Revise existing pelican crossing facilities at Garstang Road East/Lower Green junction to 'Toucan' type.
- o Revise existing pelican crossing facilities at Garstang Road East/Garstang Road West/Hardhorn Road junction to 'Puffin' type.

Cycling improvements

- o Introduce 3.0m wide shared footway/cycleway along the north side of Garstang Road East between Lower Green and Argyle Road (distance of circa 200m), with pedestrian/cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane
- o Introduce 'Toucan' format crossing facilities at Lower Green/Garstang Road East junction.

Public Transport Improvements

- o Upgrade 2no bus stops (with shelters) on Garstang Road East. These are located at
 - (i) Westbound services: 90m east of Holts Lane;
 - (ii) Eastbound services: 120m west of Holts Lane.
- o Introduce a new stop on Carr Head Lane.

Railway Footbridge

It is proposed that land should be safeguarded for the construction of a ramped railway footbridge as a replacement for the pedestrian level crossing. This would improve accessibility from the proposed development and from the surrounding area to the industrial estate and retail development on the opposite (east) side of the railway line.

New development linkages

Provision for interlinkages is proposed to the development site to the west (subject to the consideration of planning application 16/00742/OUTMAJ for the development of that site). Provision of these links would be subject to control through a planning condition.

9.5.9 Access arrangements: LCC Highways advise that the revised accesses to the development site itself, via existing stubs off Holts Lane, now include the provision of junction tables and are acceptable. However, with the increase in traffic levels further traffic calming measures are required on Holts Lane. To mitigate the impact of the development the following highway improvements are considered necessary:

- o Garstang Road East / Holts Lane junction - introduce right turn lane waiting areas on Garstang Road East to cater for movements into Holts Lane and Argyle Road (Drg No 1409/09/A);

- o Garstang Road East / Carr Head Lane junction - increase width of right turn lane on Garstang Road East to assist right turn movements out of Carr Head Lane (Drg No 1409/07);
- o Hardhorn Road / Highcross Road / Beech Drive junction - introduce 'KEEP CLEAR' markings on Hardhorn Road at the Beech Drive and Highcross Road junctions with supporting surface treatment (Drg No 1409/08/A).

9.5.10 Internal layout: this would be subject to determination at the reserved matters stage should outline planning permission be approved. In connection with this LCC Highways refer the developer to the Manual for Streets and Creating Civilised Streets guidance and advise that their preference is for all residential road limited to a 20mph design speed without the use of vertical traffic calming measures. Car parking would also be considered at the reserved matters stage.

9.5.11 Conclusion: LCC Highways support the application subject to the provision of the identified improvements through a Section 278 agreement. In connection with the improvements Section 106 contributions of £6,000 are required for Travel Plan support and £50,000 towards the Poulton Mitigation Strategy work. Planning conditions are recommended requiring: a Construction Method Statement to ensure safety during preparation and construction work; submission, approval and implementation of a timescale for the proposed improvements; Travel Plan implementation; provision of linkages to the development site to the west in the layout for the development; and safeguarding land for construction of a railway footbridge.

9.5.12 PUBLIC RIGHT OF WAY: the site sits adjacent to foot path No.5. The Illustrative Masterplan demonstrates that development of the proposed density/number can be achieved without compromising the route of this path. Indeed a pedestrian connection to this path is proposed.

9.5.13 NETWORK RAIL: the Illustrative Masterplan also shows the opportunity for pedestrian access to be provided in the north-eastern corner of the site by way of a raised footbridge over the railway line should this be required by Network Rail as outlined in their response (section 6 of this report). Network Rail suggested that either a financial contribution should be made towards the cost of the bridge or land be reserved for the bridge at nil cost to Network Rail. Bearing in mind that the proposed replacement of the level crossing with a footbridge is required in connection with the electrification of the railway line regardless of the proposed residential development, it would not be reasonable to require a financial contribution. However, the applicant has confirmed a willingness to safeguard an area of the site measuring approximately 11m by 101m adjacent to the railway (as indicated on drawing SAF(001)) for use for bridge construction and this can be controlled through a condition in order to avoid a conflict with saved policy TR6 of the Local Plan. Notwithstanding the comments from Network Rail about cost, this approach is seen as reasonable. This land is shown as open space / landscape provision on the Illustrative Masterplan, and so would not reduce the amount of developable area for dwellings and gardens. The Council remains confident that sufficient open space / landscape provision could still be provided within the site to comply with saved policy H13 and have an acceptable visual impact. Further detail is set out within the public open space assessment later in this report.

9.6 FLOODING AND DRAINAGE

9.6.1 The proposal is located within Flood Zone 1 and therefore has a low probability of flooding. As the site exceeds 1ha in area, a Flood Risk Assessment (FRA) has been submitted. There is no requirement for the applicant to demonstrate accordance with the sequential or exceptions tests with regard to flood risk. Since April 2015 new legislation has required any major development to be supported by SuDS, unless this is demonstrated to be inappropriate. A drainage scheme accompanies the application and the proposal includes provision of SuDS ponds. Lancashire County Council (acting as the Lead Local Flood Authority), United Utilities and the Council's Drainage Engineer have no objections in principle subject to the application of standard conditions and informatives suggested in respect of submission of surface (SuDS) and foul water drainage details, including future management, lifetime drainage and construction of the pond/attenuation basin prior to occupation. The Environment Agency has advised that in connection with flood risk there may be a need for an Environmental permit and their advice on this can be included in an informative. With regard to foul drainage the Environment Agency advise that records indicate public foul and combined sewers in the vicinity of the site to the north. The development should comply with Paragraph 20 of the "Water supply, wastewater and water quality" category of the national Planning Practice Guidance (PPG) and the first presumption must always be to provide a system of foul drainage discharging into a public sewer. Should the applicant wish to install an alternative method of disposal they will have to demonstrate why it is not feasible to connect to the existing public sewer. This can be controlled through a planning condition.

9.7 ECOLOGY AND TREES

9.7.1 Greater Manchester Ecology Unit has assessed the application proposals and confirmed that the same comments apply as were made in connection with application 16/00233/OULMAJ. Those comments were reported as follows in the report on that application to the 1st February 2017 Planning Committee.

9.7.2 The Ecology Survey and Assessment report submitted with the application has been assessed by Greater Manchester Ecology Unit (GMEU). They state there are no known ecological constraints which would prevent the determination of the application, although features of nature conservation value do occur on the site. In respect of great crested newts, although the survey was undertaken 2 years ago, GMEU state these results can still be considered valid in this instance. In respect of reptiles there would appear to be a low probability that any reptile would be encountered on this application site. The proposed use of Reasonable Avoidance Measures (RAMs) is considered appropriate in this instance; and a condition is suggested requiring that a full RAMs methodology is submitted / implemented to protect both great crested newts and any reptiles during the site preparation works.

9.7.3 In respect of barn owls the report indicates that one of the buildings on the site which is to be demolished and a nearby shed are used by barn owls. It is indicated that a fledgling barn owl was also found dead in the application site's barn but that it is assumed that the site is not currently a nesting site. Barn Owls are 1981 Wildlife and Countryside Act Schedule 1 birds protected under the Act and with greater protection than the general legislation regarding nesting birds. GMEU were satisfied that the proposed barn owl mitigation methodology was satisfactory except for the need to amend the demolition protocol to state that demolition should not be undertaken during the breeding season if there is evidence of current usage by barn owls during the pre-construction survey. This could be required through a condition.

GMEU advised that a Section 106 contribution should be obtained for a permanent barn owl tower including an amount for its general maintenance and monitoring. However, it is considered that it would be appropriate to seek this through a condition rather than a section 106 contribution.

9.7.4 The applicant's report indicates that all hedgerows are UK Biodiversity Action Plan Habitats but that the southern boundary hedgerow does not fall within the definition of "important" under the Hedgerow Regulations 1997. It is proposed that this hedgerow is retained within the development. GMEU note that this hedgerow also supports a ditch which supports habitat suitable for water vole and a tree which has potential to support roosting bats. It is proposed that the hedgerow is protected to its root zone during construction and this should be sufficient to protect the other potential legislated species. This could be secured by condition along with a Construction Environmental Management Plan (CEMP) to be submitted which includes details of its protection and management of silt and run-off during the build out of the development. Another condition is suggested stipulating that clearance of the site including trees, shrubs and undergrowth should occur during the bird breeding season. GMEU again suggest a section 106 contribution towards the proposed management of the hedgerow but it is considered this would be more appropriate to control by way of a landscape condition.

9.7.5 In respect of bats in trees & Buildings GMEU advise that the report appears to have used reasonable effort to assess the structures and trees on site for evidence of bats and the potential of these features to support roosting bats. No activity (dusk/pre-dawn) surveys were undertaken, but in the opinion of GMEU this does not invalidate the findings of the Report. None of the buildings were considered suitable for roosting bats and GMEU consider these can be demolished without any further survey work, subject to the provisions of the Barn Owl Mitigation as discussed above. The single tree with potential to support a roost is within the retained southern boundary hedgerow. Any works to this tree, should first be assessed by a suitably qualified individual.

9.7.6 In respect of the impact on the Wyre Estuary SSSI & Morecambe Bay SPA/Ramsar site under the Conservation of Habitats and Species Regulations 2010, which the Local Planning Authority as a competent authority are required to consider, this is also covered in the Report and GMEU advise that implementation of the proposal would not result in Likely Significant Effects on - or be detrimental to - these designated sites. It is agreed that the site in its current condition would not be used by winter wildfowl or waders of importance to the SPA designation and that the site is unlikely to have contributed to the features or habitats of the SPA and SSSI in its previous use. For these reasons, and having considered other developments, these sites can be reasonably screened out of any further assessment under the Habitats Regulations 2010 and further Habitats Regulations Assessments are not required. In addition to the advice of GMEU the views of Natural England have been sought. Based upon the information provided, Natural England advise that the proposal is unlikely to affect any statutorily protected sites or landscapes. Neither do they advise the Council that further Habitat Regulations Assessments are required.

9.7.7 In respect of Sustainable Drainage Systems (SuDS), the proposal includes provision of SuDS ponds. Although not strictly within GMEU's remit they have commented that these should be designed to incorporate the appropriate attenuation volumes to achieve greenfield run-off rates, but also to hold areas of permanent water in 'normal' weather conditions. These features also form part of the proposal's biodiversity mitigation / enhancement and therefore the design and planting should also include provision to attract wildlife and be suitable for amphibians. GMEU

suggest a condition should be applied to any permission if granted to ensure the submission of the detailed design of the surface water scheme and the SuDS ponds along with a schedule of maintenance to be incorporated into the section 106 for public open space. However, as public open space is to be provided on site, it would be more appropriate to include management and maintenance in a condition.

9.7.8 In addition to those conditions listed above, GMEU also suggest a condition relating to a Landscape Ecological Management Plan (LECoMP) for other details of biodiversity features and management is required. They go on to recommend inclusion of the calculation of the sum needed to monitor, manage and maintain the biodiversity mitigation and LECoMP for the lifespan of the proposal within a section 106 for the POS provision. However for the same reasons above, this management / maintenance could instead be secured by condition.

9.7.9 The Tree Officer is satisfied that existing trees have the potential to be incorporated into a site layout proposing up to 130 dwellings and welcomes the opportunity to secure this and the planting of new compatible species as part of a comprehensive landscaping scheme to be secured by condition and considered in further detail at the reserved matters stage. A tree survey, arboricultural impact assessment and tree protection plan is also required and can be secured by condition.

9.8 AFFORDABLE HOUSING, PUBLIC OPEN SPACE AND PLANNING OBLIGATIONS

9.8.1 A development of this scale would typically generate requirements for affordable housing, public open space and education contributions.

9.8.2 AFFORDABLE HOUSING: the NPPF at paragraph 50 requires Local Authorities to identify the affordable housing need for an area and then, "set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified and the agreed approach contributes to the objectives of creating mixed and balanced communities." There are no saved policies relating to affordable housing in the adopted Local Plan. However, the Council's affordable housing viability study which forms part of the evidence base for the emerging Local Plan, states that for developments to come forward provision of 30% affordable housing ensures that the site remains viable. As this is the most up to date evidence, and is set out in policy CS21 of the Core Strategy Preferred Options document, it is considered that 30% is the appropriate starting point.

9.8.3 Applying the 30% threshold to this scheme of up to 130 units would generate a requirement of 39 no. affordable units. The applicant has indicated agreement of this in principle. The Affordable Housing Officer has expressed a preference for a mixture of affordable rent and intermediate tenure along the lines of a 50/50 split. Within the affordable rent portion a number of 1-bed apartments, 2-bed bungalows, 2-bed houses and a small number of 3-bed houses should be provided. As regards the intermediate portion then this would need to be predominately 2-bed houses with a small number of 3-bed houses included. A condition would need to be attached to any outline planning permission to secure an appropriate scheme of affordable housing provision.

9.8.4 EDUCATION CONTRIBUTIONS: Lancashire County Council as the Local Education Authority has adopted a methodology for claiming education contributions against those housing developments which are projected to create a shortfall of school places within the local area. In this case the contributions sought are

£660,251.97 for 49 additional primary school places and £406,071.80 for 20 additional secondary school places. These figures were calculated on the basis of information as at 16th March 2017 and assume that all the 130 proposed dwellings would be four bedroom houses. The contribution amounts would have to be reassessed once accurate bedroom information is available at reserved matters stage. Details of the infrastructure projects on which the respective primary and secondary school education contributions would be spent have been confirmed.

9.8.5 Following an initial scoping exercise of the local schools it has been determined that Lancashire County Council intend to use the Primary education contribution to provide additional Primary places at Carr Head Primary School. It has also been determined that Lancashire County Council intend to use the Secondary education contribution to provide additional Secondary places at Millfield Science and Performing Arts College.

9.8.6 Should the Primary and/or Secondary education contribution not be spent on the project named within this assessment, the County Council will return the entire sum to the owner. Furthermore, the County Council will ensure that sufficient local Primary and Secondary school places are provided to address the impact of the development at no cost to the owner.

9.8.7 To ensure that the approach is in line with the Community Infrastructure Levy regulations, LCC confirms that there is 1 secured Section 106 pooled against Carr Head Primary School. LCC confirms that there are 3 secured Section 106 pooled against Millfield Science and Performing Arts College. However, the Secondary school has been proposed as an expenditure project in relation to application 16/00217.

9.8.8 Public Open Space: In line with saved policy H13 of the Local Plan, 0.004 hectares per dwelling of amenity space for each of the proposed 130 dwellings would equate to 0.52ha of on-site provision (recreational and children's play would be preferable). Whilst layout is not a matter for detailed consideration at this stage, the Illustrative Masterplan shows that there is scope to provide 0.81ha of open space on site. Around 1111m² (0.11ha) of this space is identified as safeguarded for the railway footbridge ramp, leaving 0.70ha of useable open space which remains sufficient against Policy H13. The Council's Open Space Officer states a preference for this space to be grouped together rather than spread out in isolated pockets. However, interlinkage with neighbouring developments as demonstrated on the Illustrative Masterplan together with softer edges along the western and southern boundaries would be encouraged. A condition is required in order to ensure the provision of an appropriate amount of public open space as well as its management and maintenance.

9.8.9 Concern by residents is raised over the additional strain that the development could place on medical / other emergency service provisions. It is acknowledged that the development will have implications for health infrastructure but at present there is no mechanism adopted by the CCG that identifies the requisite health infrastructure needs arising from development nor how that can be equitably funded by developers in accordance with National Planning Practice Guidance and the CIL Regulations. Accordingly, no contribution towards healthcare infrastructure can be required.

9.8.10 Highway / sustainable travel contributions have been identified by LCC Highways as reported elsewhere in this report.

9.9 HEALTH AND SAFETY

9.9.1 A Desk Study has been submitted which identifies a number of potential sources of contamination (man-made ground gases and natural ground gases) on site and, as such, the Environmental Health Officer requests conditions in the form of a further desk study and gas monitoring details to be submitted prior to development commencing.

9.10 OTHER ISSUES

9.10.1 Lancashire Constabulary has reviewed the application and provided comments. Paragraphs 58 and 69 of the NPPF note that planning decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Given the outline nature of the application, minimal information has been provided in relation to proposed security measures. Relevant advice can be included in an informative.

9.10.2 National Grid has advised on the proximity of a major hazard pipeline in the vicinity of the site. This can be added as an informative.

9.11 ASSESSMENT OF SUSTAINABILITY AND THE PLANNING BALANCE

9.11.1 The presumption in favour of sustainable development identified by NPPF means that it is necessary to consider whether the proposed development represents 'sustainable development'. NPPF paragraph 7 sets out the three dimensions to sustainable development as being:

- o Economic
- o Social
- o Environmental

9.11.2 The NPPF advises that these roles should not be undertaken in isolation, because they are mutually dependent. Furthermore, to achieve sustainable development, economic, social; and environmental gains should be sought jointly and simultaneously.

i) An economic role

The government has identified the delivery of housing as a key driver of future economic growth and stimulation of the economy. It is recognised that there are economic benefits associated with the development through both direct and indirect employment opportunities. Although the applicant has not sought to quantify the economic benefits of the scheme, it is accepted that there will be some economic benefits associated with the construction period and following completion of the works through spending in the local and wider area.

ii) A social role

The scheme will deliver up to 130 dwellings and make 30% affordable housing provision which will make a positive contribution towards meeting the housing needs of the borough.

iii) An environmental role

There are no specific policies within the NPPF which indicate that development should be restricted on the site. The site is greenfield however the loss of this site from future agricultural use would be very limited. Although NPPF encourages the use of brownfield sites, it does not prioritise development of such sites over greenfield land and nor does it preclude development of them.

Although the open character of the site will be lost to built form within the site, conditions could enable the retention and bolstering of the hedgerows and trees where appropriate. The site is not designated for its nature conservation value and it is considered that any ecological impacts associated with the development can be successfully mitigated through the imposition of conditions. The scheme would incorporate greenspace within the layout to be approved through the reserved matters process.

The Environment Agency, the Council's Drainage Engineers, the LLFA (LCC), GMEU and Natural England are satisfied that subject to a series of conditions and application of standing advice and statutory permits - the flood risk factors, ecology issues and drainage factors highlighted in their correspondence and discussed in this report will be satisfactorily and suitably addressed and mitigated for at later stages.

The above leads officers to recommend that this outline proposal (subject to conditions) would help protect and enhance the natural and built environment; and through conditions, would help to safeguard biodiversity during construction and also have adequate regard for drainage and flood risk management.

9.11.3 When application 16/00233/OULMAJ was reported to the 1st February 2017 Planning Committee, the highways and access proposals had been assessed by Lancashire County Council as Local Highway Authority and were considered to be unacceptable. The impact of the scheme on the capacity of the local highway network had also been considered. Based on the information available it was considered that the level of development proposed, in combination with other committed development in the wider area, would have an unacceptable impact on the local road network. This adverse impact was expected to be severe with no appropriate mitigation scheme identified and no acceptance that such a scheme could be delivered. On this basis it was considered that this severe adverse impact would outweigh the economic, social and environmental benefits outlined above. However, since then the applicants have produced a new Transport Assessment and Travel Plan proposals and comprehensive mitigation measures have been identified. On the basis of this new information LCC Highways no longer consider that the proposals would have severe adverse impact on the local highway network.

10.0 CONCLUSION

10.1 The development of the site is considered to be acceptable in principle and the residential land use proposed is judged to be appropriate. The scheme would contribute towards meeting the borough's market and affordable housing requirement. As satisfactory mitigation measures have now been agreed, it is no longer considered that the proposal would have a severe adverse impact on the capacity and integrity of the local highway network. Paragraph 14 of the Framework explains that permission should be granted unless the adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the document as a whole. Paragraph 32 sets the threshold of highway impact above which a refusal is justified as severe. Bearing in mind the benefits of

the proposal as set out above and the view from LCC Highways that the impacts of the development on the local highway network can be mitigated so that they are not severe, it is considered that on balance the proposed development is 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 the outline application be approved subject to conditions and a S106 legal agreement to secure appropriate financial contributions towards local education and sustainable travel and highway improvement works. That the Head of Planning Services be authorised to issue the decision on the satisfactory completion of the s106 agreement.

Recommendation: Permit

Conditions: -

1. a) In the case of any reserved matter, namely appearance, landscaping, layout and scale of the buildings, 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;

(b) the development to which the permission relates must be begun not later than 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plan: - 1409/01B Proposed site access arrangements.

3. Prior to commencement of development hereby approved, a scheme for the provision and retention of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided and thereafter 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:

- a) 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;
- b) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- c) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing];
- d) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing;

e) 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.

4. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) February 2016, Ref: HYD055_HOLTS.LANE_FRA&SDA by Betts Hydro Consulting Engineers and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the development to greenfield runoff rate so that it will not increase the risk of flooding off-site.
2. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
3. Finished floor levels are set no lower than 150mm following any re-grade above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to first occupation and subsequently 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 in consultation with the lead local flood authority.

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) any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of any existing culverts and headwalls or removal of unused culverts where relevant);
- c) flood water exceedance routes, both on and off site;
- d) a timetable for implementation, including phasing where applicable;
- e) site investigation and test results to confirm infiltrations rates;
- f) 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.

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.

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 approved under condition 6.

8. Prior to the commencement of development a scheme for the disposal of foul waters within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

9. Vegetation shall only be removed / cleared outside of the optimum period for bird nesting (March to July inclusive) unless, before the removal / clearance commences, a report has been submitted to and approved in writing by the Local Planning Authority demonstrating that the nesting / breeding birds have been shown to be absent.

10. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, and notwithstanding any information submitted with the application, a Comprehensive Great Crested Newt Reasonable Avoidance Measures Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall give full details of how any possible harm to great crested newts is to be avoided during the course of the development. The development shall be carried out in accordance with the approved Method Statement.

11. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, a Barn Owl Mitigation Method Statement, in line with section 5.5 of the submitted Ecological Survey And Assessment reference (ERAP Ltd ref: 2015_069 and amended April 2016) shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall give full details of the type, location, management and maintenance of the barn owl tower. The development shall be carried out in accordance with the approved Method Statement.

12. Prior to the commencement of development hereby approved, including any vegetation clearance or ground works, a Landscape and Ecology Management Plan (LECoMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall identify the opportunities for biodiversity enhancement on site including (but not limited to):

- a) Species rich hedgerow planting
- b) Bolstering of hedgerows
- c) Creation of ponds
- d) Bat bricks and/or tubes within the new development
- e) Bat boxes
- f) Bird boxes
- g) Native tree and shrub planting

The approved scheme shall be implemented in accordance with the approved scheme details.

13. Prior to commencement of development hereby approved, a scheme which provides for the assessment, retention and protection of trees, shrubs and hedges within (or overhanging) the site, which may be affected by the construction process (apart from those whose removal is approved through the reserved matters application(s)), shall be submitted to and approved in writing by the Local Planning Authority in the form of a Tree Protection Plan and Arboricultural Impact Assessment. The agreed tree protection measures shall remain until all development is completed and no work, including any form of drainage or storage of materials, earth or topsoil shall take place within the perimeter of such protective fencing.

14. Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority to include details of the measures proposed during construction to manage and mitigate the main environmental effects. The following matters shall be addressed:

- a) the times of construction activities on site
- b) the parking of vehicles of site operatives and visitors
- c) loading and unloading of plant and materials
- d) storage of plant and materials used in constructing the development
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- f) wheel washing facilities
- g) measures to control the emission of dust and dirt during construction
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works
- i) measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity
- j) measures to prevent the pollution of watercourses

- k) measures to avoid light pollution
- l) 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
- m) management of silt and run-off during the build out of the development

The development hereby approved shall be carried out in accordance with the approved CEMP.

15. Prior to commencement of development hereby approved, a desk study shall be 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 be 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 in writing by the Local Planning Authority and the scheme implemented in accordance with the approved details 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.

16. (a) The residential development hereby permitted shall be designed so that cumulative noise (from industrial, commercial and transportation sources) does not exceed:

- 50dB LAeq 16 hours (07.00 to 23.00) in gardens and outside living areas, daytime
- 35dB LAeq 16 hours (07.00 to 23.00) - indoors, daytime
- 30dB LAeq 8 hours (23.00-07.00) - indoors, night-time
- 45dB LAFmax (23.00-07.00) - indoors, night-time
- 60 dB LAFmax 8 hours-(23.00-07.00) façade level night time
- 60 dB LAFmax 4 hours-(19.00-23.00) façade level night time

(b) Any mechanical ventilation system shall meet or exceed the specifications set out in clause 6, schedule 1 of the Noise Insulation Regulations 1975 with regard to acoustic performance and airflow rates.

(c) Where noise mitigation measures are required to ensure compliance with the agreed noise levels e.g. acoustic glazing, noise barrier fencing and ventilation, such mitigation details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development demonstrating how they would mitigate noise to the approved levels together with a timetable for implementation. The approved noise mitigation measures shall be implemented in accordance with the approved timescale and shall thereafter be maintained and retained.

17. Prior to the commencement of the development hereby approve, an assessment and a scheme for the mitigation of intrusive lighting effects from the railway shall be submitted to and approved in writing by the Local Planning Authority. The assessment and the mitigation measures shall demonstrate that the lighting will be in accordance with the institution of Lighting Professionals.' "Guidance Notes for the Reduction of Obtrusive Light GN01:2011" and shall be oriented and screened to mitigate light spillage from the railway onto the development.

The light intrusion into the windows of any residential premises shall not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3).

The mitigation measures shall be installed prior to the first occupation of any of the dwellings or the completion of the development whichever is the earliest and shall be maintained thereafter.

18. 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 made 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 approved in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

19. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (which shall include the timetable for the investigation) which has been submitted by the applicant and approved in writing by the Local Planning Authority.

20. The land indicated on drawing SAF(001) submitted with the planning application shall be safeguarded for use in connection with the construction of a railway footbridge and ramped access required by Network Rail in connection with the electrification of the Blackpool-Preston-Manchester line, unless written confirmation is provided by Network Rail to the Local Planning Authority that this safeguarded land is no longer required for such purpose. Prior to construction work on the railway footbridge and ramped access, the land shall be used in connection with no other development hereby approved other than in accordance with landscaping details to be approved at the reserved matters stage.

21. No part of the development hereby approved shall commence until a timescale for the construction of the site accesses and the agreed scheme of off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The highway improvements shall thereafter be constructed in accordance with the agreed timescale. The agreed scheme of highway improvements/works are as shown on drawings 1409/01/ B, 1409/05/B, 1409/07, 1409/08/A and 1409/09/A and include:

- Resurfacing of footway on both sides of Site Access 1 including dropped kerbs and tactile paving.
- Resurfacing of footway on both sides of Site Access 2 including dropped kerbs and tactile paving.
- Resurfacing of footway the south side of Holts Lane between Site Access 1 and Brockholes Crescent.
- Repatch and repair existing footway on east side of Holts Lane between Brockholes Crescent and proposed pedestrian refuge on Garstang Road East.
- Introduce tactile paving at the junction of Holts Lane with Brockholes Crescent.
- Introduce tactile paving at the junction of Edenfield Avenue with Holts Lane.
- Introduce dropped kerbs and tactile paving at the junction of Broadfield Avenue with Holts Lane.

- Revise layout of Main Drive/Brockholes Crescent junction to reduce bell mouth and introduce dropped kerbs and tactile paving to provide a safer environment for pedestrians.
- Introduce tactile paving and junction treatment at the junction of Holts Lane with Garstang Road East.
- Introduce tactile paving and junction treatment at the junction of Argyle Road with Garstang Road East.
- Introduce pedestrian/cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane. Pedestrian/cycle refuge to be sited on the desire line of residents of the proposed development undertaking trips to Tesco, Hodgson Academy and Poulton town centre.
- Widen footway on the north side of Garstang Road East between Lower Green to a point beyond Argyle Road. With surface treatment at the Tesco access and egress.
- Introduce tactile paving and junction treatment at the junction of Carr Head Lane with Garstang Road East.
- Revise existing pelican crossing facilities at Garstang Road East/Lower Green junction to 'Toucan' type.
- Revise existing pelican crossing facilities at Garstang Road East/Garstang Road West/Hardhorn Road junction to 'Puffin' type.
- Introduce 3.0m wide shared footway/cycleway along the north side of Garstang Road East between Lower Green and Argyle Road (distance of circa 200m), with pedestrian/cycle refuge on Garstang Road East in the vicinity of the junction with Holts Lane.
- Introduce 'Toucan' format crossing facilities at Lower Green/Garstang Road East junction.
- Upgrade 2no bus stops (with shelters) on Garstang Road East. These are located at
 - (iii) Westbound services: 90m east of Holts Lane;
 - (iv) Eastbound services: 120m west of Holts Lane.
- Introduce a new stop on Carr Head Lane. Details to be agreed.
 - Garstang Road East / Holts Lane junction - introduce right turn lane waiting areas on Garstang Road East to cater for movements into Holts Lane and Argyle Road (Drg No 1409/09/A).
 - Garstang Road East / Carr Head Lane junction - increase width of right turn lane on Garstang Road East to assist right turn movements out of Carr Head Lane (Drg No 1409/07).
 - Hardhorn Road / Highcross Road / Beech Drive junction - introduce 'KEEP CLEAR' markings on Hardhorn Road at the Beech Drive and Highcross Road junctions with supporting surface treatment (Drg No 1409/08/A).

22. The approved Travel Plan (Ashley Helme, November 2016, Report Reference 1409/3/C) must be implemented in full in accordance with the timetable contained within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum period of at least 5 years.

23. As part of any reserved matters application where layout is applied for, a footpath link / links shall be provided on site between the application site and the land to the west. The approved footpath link(s) is only to be provided in the event that development on the land to the west is permitted. In which case, the footpath link shall be constructed in accordance with the approved details prior to development on land to the west being first occupied.

24. No dwellings shall be first occupied until the provision of electric vehicle charging points are provided for the dwelling to which they relate, and such provision shall be permanently retained for that purpose thereafter.

Reasons: -

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. For the avoidance of doubt and in the interests of proper planning.

3. To ensure the adequate provision and delivery of affordable housing in accordance with the National Planning Policy Framework (March 2012)

4. In accordance with saved Local Plan policy EN13 and the National Planning Policy Framework (March 2012) and to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided; to ensure safe access and egress from and to the site, and to reduce the risk of flooding to the proposed development and future occupants.

5. 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. 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. 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. 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 with saved Local Plan policy CIS7 and the National Planning Policy Framework (March 2012)

9. To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and the National Planning Policy Framework (March 2012).

10. In order to ensure that legally protected species are not unacceptably affected in accordance with the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended)

11. In order to ensure that legally protected species are not unacceptably affected in accordance with the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended)
12. To secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework (March 2012)
13. To safeguard the amenity, appearance and character of the area in accordance with saved Local Plan policies ENV7 and SP14 and the Trees and Development Supplementary Planning Guidance (1998).
14. To safeguard the amenity of the area in accordance with saved policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
15. 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 saved Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
16. Such details were not submitted with the application and will not be apparent until layout is being considered at Reserved Matters stage. They are necessary to minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of future occupiers of the proposed dwellings, in accordance with policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)
17. In order to protect the amenity of neighbouring residential properties in accordance with the provisions of saved policy SP14 of the Wyre Borough Local Plan
18. To ensure that public open space areas are adequately provided and effectively managed and maintained in accordance with the provisions of saved policy H13 of the Wyre Borough Local Plan (1999) and the NPPF.
19. To ensure that any archaeological remains at the site are recorded to ensure an understanding of the significance of the heritage asset before it is lost, in accordance with the National Planning Policy Framework.
20. In the interests of maintaining and improving accessibility to encourage travel by sustainable modes in accordance with the objectives of the NPPF and to safeguard the planned infrastructure improvements of the railway line in accordance with saved Policy TR6 of the Adopted Wyre Borough Local Plan (July 1999).
21. In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
22. To ensure that the development provides sustainable transport options.
23. To ensure a proper planned approach is adhered to maximising site access/connectivity to the existing and future network to encourage travel by sustainable modes in accordance with the objectives of the NPPF and the provisions of Policy SP14 of the Wyre Borough Local Plan (1999).
24. To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Saved Policy SP14 of the Wyre Borough Local Plan and the NPPF.

Notes: -

1. LANCASHIRE COUNTY COUNCIL - LEAD LOCAL FLOOD AUTHORITY

Sustainable Drainage Systems: Flow Balancing

Flow balancing SuDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the pre-development greenfield runoff rate. Flow balancing should seek to achieve water quality treatment as part of a treatment train and amenity benefits as well as managing flood risk.

Sustainable Drainage Systems: Advice & Further Information

Further information and advice on SuDS can be found in:

- o CIRIA C687 - Planning for SuDS - Making it Happen
- o CIRIA C753 - The SuDS manual
- o CIRIA C635 - Designing for exceedance in urban drainage: good practice
- o CIRIA C698 - Site handbook for the construction of SUDS
- o HR Wallingford SR 666 - Use of SuDS in high density developments
- o National Planning Policy Framework and Planning Practice Guidance

Multi-Functional SuDS

The multifunctional potential of sustainable drainage systems (SuDS) should be exploited to maximise their cost effectiveness, regardless of the size of development site. Early design consideration is advised to build SuDS into multi-functional spaces and build up a network of SuDS that manage runoff close to its source to avoid the need for large storage areas.

Designing green space and public realm with SuDS that work well when both wet and dry can provide valuable community recreational space as well as important blue and green infrastructure. Sports pitches, squares, courtyards, playgrounds, landscapes around buildings, urban parks, green corridors and woodlands are all popular types of open space which can be integrated with SuDS. SuDS can also contribute to development targets for open space where they are designed to be multi-functional.

On smaller development sites, space efficient SuDS can still be incorporated and include, for example, green roofs, bio retention gardens, permeable paving, rills, rainwater harvesting, hardscape storage, micro-wetlands, and bio retention tree pits.

Water Quality: Water Framework Directive

Under the Water Framework Directive (WFD), all water bodies should reach 'good ecological status' by 2015. No activities or works, including the proposed development, should deteriorate the status of any nearby watercourse as the main objectives for the WFD is to prevent deterioration in 'status' for all waterbodies. The ecological health of any receiving watercourse can be protected by the implementation of a SuDS scheme with an appropriate number of treatment stages that are appropriately maintained. Current WFD ecological status of all assessed water bodies is available on the EA website.

Local government has a major role in delivering and achieving the objectives set out in the WFD and to help the natural and modified environment adapt to the impacts of climate change. One mechanism of doing so is through the planning and development process to ensure that new developments do not pose a threat to water quality. It is recommended that the developer has regard for the WFD in developing a detailed drainage strategy and that the local planning authority considers appropriate conditions to secure this, where applicable.

Presence/potential presence of protected species in a watercourse

The Lead Local Flood Authority recommends that where there is any potential for the existing habitat of protected species (for example great crested newt, native white clawed crayfish, water vole, bats or otter species) on the proposed development site, the applicant should undertake an appropriate ecological assessment by a competent ecologist prior to starting works on site.

It is an offence to undertake works which adversely affect any legally protected species or habitat without appropriate mitigation measures in place.

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected as development that encroaches on to it has a potentially severe impact on their ecological value. Retaining and enhancing coherent ecological networks adjacent to watercourses will help to ensure the biological and chemical quality of watercourses is not reduced as a result of development, which is a requirement of the Water Framework Directive.

Permeable Paving Advice

a) Driveways

Any permeable paving used on driveways must not be included as part of the hydrological calculations. Occupants may change driveways to non-permeable materials in future which has the potential to increase surface water runoff which was previously unallocated for in the design of the sustainable drainage system.

b) Highway

It should be noted that permeable paving on the highway must be agreed with the Highway Authority (LCC Highways Developer Support Team) if the applicant intends to have the highway adopted following construction. Please contact the Highway Authority on: developeras@lancashire.gov.uk

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here:

<http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

This response does not grant the applicant permission to connect to the highway drainage network.

2. UNITED UTILITIES

Water Comments

Our water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.

According to our records there are no formal easements that affect the proposed development.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains or public sewers.

General comments

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Supporting information

United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

Site drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer 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;
4. to a combined sewer.

The comments made in this letter regarding site drainage reflect this approach.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Further information regarding Developer Services and Planning, can be found on our website at <http://www.unitedutilities.com/builders-developers.aspx>.

3. ENVIRONMENT AGENCY

Advice to applicant

The applicant should be aware that as of 6 April 2016 the Flood Defence Consent regime has moved into the Environmental Permitting Regulations.

Oldfield Carr Lane watercourse adjacent to the site is designated a Main River and the developer may need an Environmental Permit. They should check at <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> and contact Flood Risk Officer, Pippa Hodgkins, on 020 302 51397 to discuss our requirements if a permit or advice is required.

In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without the prior written consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.

The Environment Agency has a right of entry to Oldfield Carr Lane watercourse by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. It should be noted that the grant of planning approval does not guarantee that any necessary permissions or consents that are required under separate legislation will be forthcoming.

Foul Drainage

The application forms states that the method of foul sewage disposal is "unknown". Our records indicate that there are public foul and combined sewers in the vicinity of the site to the north.

The development should comply with Paragraph 20 of the "Water supply, wastewater and water quality" category of the national Planning Practice Guidance (PPG) and the first presumption must always be to provide a system of foul drainage discharging into a public sewer. Should the applicant wish to install an alternative method of

disposal they will have to demonstrate why it is not feasible to connect to the existing public sewer

NETWORK RAIL

Asset Protection Appendix

Network Rail has the following comments on asset protection issues as the proposal is adjacent to the operational railway line.

(1) The developer has stated in their documents that, "To the east, the application site is bound by a railway line, which is set on higher ground. The line carries passenger and freight trains but is not particularly busy." From 5.32am to 23.21 pm, for example, there are 36 trains on this line from Poulton-Le-Fylde Railway Station to Kirkham and Wesham Railway Station alone, which pass by the site and over the level crossing. Therefore, the railway line is a busy line. As pointed out above the traffic will increase on this line significantly following electrification.

(2) The developer is proposing a change of use of the land from agricultural/fields to residential with public open spaces proposed adjacent to the railway boundary. The developer will provide, at their own expense, a minimum 1.8m high trespass proof fence to prevent any unauthorized access to the existing operational railway, as a result of the change of use of the land, including increased numbers of people (and minors) utilizing the public open space. Any unauthorized access to the operational railway is a criminal offence. The trespass proof fence will need to be erected wholly within the applicant's land ownership footprint including any foundations.

Network Rail's existing boundary treatments must not be impacted, altered or removed by the proposed works on site.

(3) Given the site bounds an existing watercourse to the south, Network Rail would want all surface water to be directed either into this or to the United Utilities surface water sewer network. No drainage outfalls from this development are to be directed onto the railway.

(4) The development proposes an attenuation basin for sustainable surface water drainage (presupposing that one of the attenuation ponds is removed from the proposal to make way for the ramped bridge). The applicant will need to supply:

- o Details of the amount of water contained in the pond
- o Details of the construction methodology of the basin
- o Details of who will maintain the pond and how maintenance will take place.
- o Network Rail will require details of what mitigation measures are in place to ensure that surface water from the attenuation basin drains away for the railway.

Network Rail will not accept liability for water from the proposal area draining towards the railway.

- o Agreement from Network Rail to the works

(5) The planting of trees might have an effect on adhesion issues in the vicinity of the signalling system on the approach to Poulton - Le - Fylde Railway Station. Any trees to be planted on the open space near the railway boundary are to be of an evergreen variety. Any vegetation in close proximity to the railway boundary should be planted at a distance from the railway boundary that is equivalent to their expected height at maturity. Network Rail can provide a matrix of acceptable trees to the developer.

(6) Network Rail would require details of all excavation and earthworks within 10m of the railway boundary to ensure that our support zones are not impacted. Said works are to be agreed with Network Rail Asset Protection.

(7) Should the proposal go forward, then the developer would need to enter into a BAPA (Basic Asset Protection Agreement) with Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any site security, possession costs, asset protection costs, and site visits and any review and agreement of proposal documents.

(8) For works within 10m of the railway boundary the developer would need to submit a risk assessment and method statement (RAMS) for the proposal to the Network Rail Asset Protection Engineer once the proposal has entered the development and construction phase. The RAMS should consider all works to be undertaken within 10m of the operational railway (including any demolition works, which should be undertaken by an approved contractor). We require reviewing the RAMS to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. The developer should contact Network Rail Asset Protection prior to works commencing at AssetProtectionLNWNorth@networkrail.co.uk to discuss the proposal and RAMS requirements in more detail.

(9) All works on site would need to be undertaken wholly within the applicant's land ownership footprint without encroaching onto Network Rail's land or over-sailing our air-space.

5. NATIONAL GRID

National Grid has a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity, Peel Hill-Thornton. This was laid to the appropriate standards and in accordance with the relevant codes of practice. It is essential that access to the pipeline is not restricted, particularly in the event of an emergency.

Therefore, there must be no obstructions within the pipelines maintenance easement strip, which would limit or inhibit essential maintenance works on the pipeline. The BPD (Building Proximity Distance) for the Peel Hill-Thornton Pipeline is 14.5 metres. The BPD is taken from The Institution of Gas Engineers and Managers publication IGEM/TD/1 Edition 5 which is the standard applicable to steel pipelines and associated installations for high pressure gas transmission. This is the standard adopted by National Grid and endorsed by the Health and Safety Executive (HSE).

There are other restraints imposed on high pressure gas pipelines, these are land use planning distances. These are distances defined by the HSE to allow them to advise on the acceptability of new developments next to the pipeline and are controlled through the HSE's Planning Advice for Developments near Hazardous Installations (PADHI) process. Further guidance on how these are applied can be found on the HSE's website <http://www.hse.gov.uk/landuseplanning/padhi.pdf>. Under Land Use Planning the HSE may wish to apply more stringent criteria for Building Proximity.

When working in the vicinity of ANY National Grid pipelines, the standards set out in the National Grid specification SSW22 must be strictly adhered to.

PLEASE ENSURE THAT THIS IS HANDED TO THE RESPONSIBLE PERSON ON SITE, TOGETHER WITH COPIES OF THE PLANS (both documents and plans were included with National Grid's consultation response and are available to view /

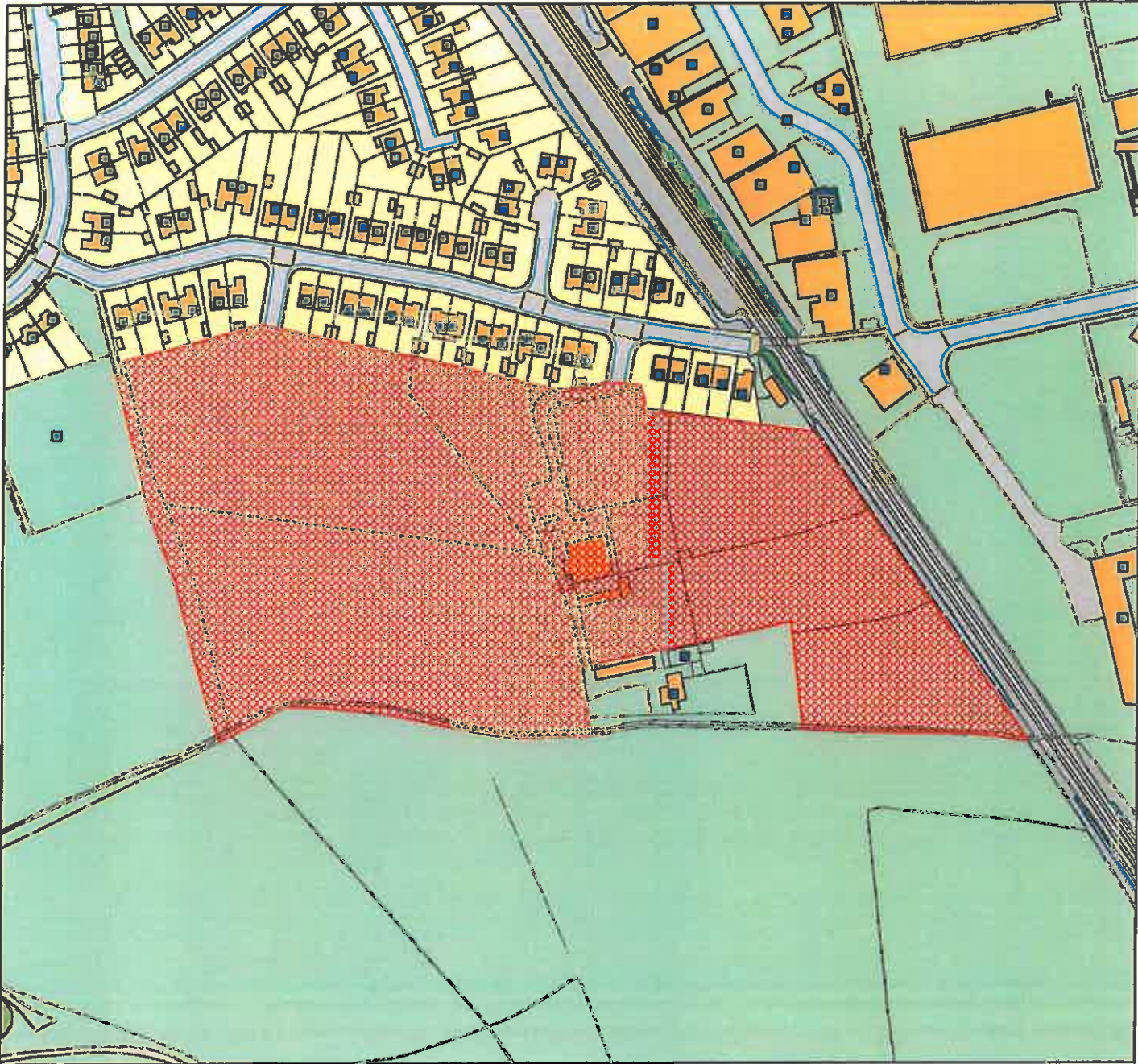
download from the electronic planning file on the Council's website). It is the responsibility of the applicant to contact National Grid prior to any works commencing on site. As you will appreciate we are unable to provide specific guidance based on the information provided. It is therefore essential that the applicant should contact National Grid at the earliest convenience providing detailed site plans, method statements and risk assessments. Correspondence should be forwarded to: Plant Protection Team, 3rd Party Enquiries, National Grid Block 1 floor 2 Brick Kiln Street Hinckley, Leicestershire LE10 0NA and marked for the attention of The Plant Protection Team. This will enable us to provide the relevant documentation for safe working in the vicinity of our pipeline, and to arrange appropriate site supervision. Please note that a minimum 7 days' notice, or shorter if agreed with National Grid, is required before any work may commence within the easement. Early Contact at the planning stage is very important to allow full discussion of proposals and to ensure the safety of plant and operators.

arm/rg/pla/cr/17/0504nc3

Planning Committee



Item 1 - Land off Holts Lane



Scale: 1:2,500

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Organisation	Wyre Council
Department	Planning Department
Comments	
Date	24/03/2017
MSA Number	100018720

Committee Report**Date: 05.04.2017**

Item Number	02
Application Number	17/00069/FUL
Proposal	Part retrospective application for the erection of a detached dwelling (Resubmission of 16/00356/FUL)
Location	Rear Of Former Saracens Head Hotel 200 Park Lane Preesall Poulton-Le-Fylde Lancashire FY6 0NW
Applicant	Mr S Edge
Correspondence Address	c/o Sunderland Peacock Associates Hazelmere Pimlico Road Clitheroe Lancashire BB7 2AG
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 V Taylor and Councillor Moon. A site visit is proposed to help Members understand the proposed development and how it sits within the context of the surrounding built form, 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 the rear car park area of the former Saracens Head Public House and is located on the western side of Park Lane close to the junction with Back Lane within the small rural settlement of Preesall Hill. The former Saracens Head public house has now been converted to a single dwelling house and the car park has since been separated and is now under separate ownership. The application site (former car park) has an established access off Park Lane which measures 6m in width along with a 22m sloping driveway which decreases in gradient to the south west by approximately 2m. The former car park covers a total site area of approximately 0.08 hectares (0.19 acres) and is on a lower level to that of the former Saracens Head and the point of access off Park Lane. Against the eastern boundary the site level is 15.79m Above Ordnance Datum (AOD) and gradually slopes to the western boundary to 15.30 AOD (0.49m variance).

2.2 Within the site and currently under construction is a 2 storey detached residential dwelling which forms the subject of this application. At the time of compiling this report the frame of the dwelling has been constructed and was fully insulated with ground and first floor windows installed. The boundary treatment to the side and rear of the site largely comprises prominent red brick and stone built walls 3m-4m in height including a retaining wall along the eastern boundary. Along the southern boundary and western boundary there is a high-level concrete post and

panel fence. The immediate surrounding area is predominantly residential in character; to the north is 194 - 198 Park Lane to the east is the former Saracens Head (200 Park Lane) to the south is 1 & 2 England's Cottage which back on to the site and to the west on a much lower level is a mature group of trees and open agricultural land. The application site is within an area designated as countryside in the adopted Wyre Borough Local Plan. Preesall Hill is identified as a rural settlement in Policy SP8 of the Local Plan.

3.0 THE PROPOSAL

3.1 The application seeks part retrospective planning consent for the erection of a 2 storey 4 bedroomed detached residential dwelling house with integral double garage. The plans show the property to be of a modern flat roof contemporary design made up over two storeys with a balcony to the western elevation with a full height obscure privacy screen on the southern and northern elevation. The property measures 11.3m in width x 20m in length (including the single storey garage and projecting terrace) with a maximum total height of 6m (at the point closest to the western boundary of the site). The roof formation is of a staggered/stepped design. Sleeping accommodation is shown at ground floor whilst the living, kitchen and dining accommodation is at first floor level. The materials proposed for the construction comprises of a mixture of horizontal cedar timber boarding at first floor level and off white K-rend below. The windows and doors comprise of grey powder coated aluminium. The garden area is to be located to the west of the building.

3.2 At the time of the Case Officers site visit the dwelling was partially constructed and externally clad with insulation panels. All windows and doors had been installed including obscure glazing to all first floor windows on both the northern and southern elevations. The dwelling is set off the northern boundary wall by 3.3m closing to 2.9m to the west. The single storey garage is set off the eastern boundary by 1.2m and the southern elevation of the dwelling is set off the southern boundary wall by 1.2m closing to 0.9m.

4.0 RELEVANT PLANNING HISTORY

4.1 The application site has the following relevant planning history:

4.2 16/00356/FUL - Erection of a detached dwelling - Permitted

4.3 15/00064/FUL - Change of use from public house to one residential dwelling including creation of first floor balcony to rear - Permitted

4.4 14/00817/FUL - Conversion of existing public house to form 3 no two-storey apartments including first floor extension to the rear and erection of 2 semi-detached dwellings - Permitted

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 following sections are relevant to consider for this application:

5.1.2 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.

5.1.3 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.

5.1.4 Section 7 - Requiring Good Design

Paragraph 56 states 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 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 60 states planning decisions should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. 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.

5.1.5 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.

5.1.6 Section 11 - Conserving and enhancing the natural environment

This 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.

5.1.7 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:-

- o Policy SP8 - Definition of Small Rural Settlements
- o Policy SP13 - Development in the Countryside
- o Policy SP14 - Standards of Design and Amenity
- o Policy ENV13 - Development and Flood Risk
- o Policy ENV15 - Surface Water Run-off

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:-

- o 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:
CS13 Sustainable development
CS14 Quality of Design

6.0 CONSULTATION RESPONSES

6.1 PREESALL TOWN COUNCIL

6.1.1 Objects to the proposal on the grounds that it impacts on neighbouring residential amenity. The previous approval stated that there would be a single flat roof not exceeding 5.5m to the highest point. The proposed structure is in excess of 6m high and results in an overbearing impact on neighbouring properties. Lack of privacy for a number of neighbours with an outside staircase, removal of an opaque glass privacy screen on the balcony, and new windows introduced. The footprint of the house has been moved by over 1m therefore bringing the structure closer to the

properties on Back Lane. The submitted plans are incorrect as they do not show the wedge foundation the building sits on therefore the elevations are incorrect. Building of the property is continuing at a fast pace in the absence of the appropriate permissions having been granted.

6.2 UNITED UTILITIES

6.2.1 No objections subject to the applicant implementing the proposal in accordance with the surface water drainage hierarchy and sustainable drainage principles (SUDS) as set out within the NPPG.

6.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.3.1 No objections, in highway terms this application has the same implications as the previous application 16/00356/FUL. The car parking levels and access arrangements are the same. Initially a condition was suggested relating to access improvements however further confirmation is that this is unnecessary given the existing access arrangements are considered acceptable.

6.4 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.4.1 No objection in principle, subject to full details of surface water drainage being submitted for approval.

6.5 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE)

6.5.1 No objections subject to a condition requiring a noise assessment to be undertaken to determine the potential impact of road traffic noise in order to ensure compliance with necessary standards.

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

6.6.1 No objections subject to a condition requiring a desk top survey being carried out.

6.7 WYRE BC HEAD OF BUILT ENVIRONMENT (BUILDING CONTROL)

6.7.1 No objections, advised that the existing drainage that comes from the Saracens Head at a higher level passes across the former car park with the new dwelling being constructed above. Due to the proposed footprint of the building, the structural toe of the existing retaining wall and unable to maintain an adequate fall to the drainage if diverted outside the footprint. The drainage run has been kept in its existing location. Building regulations have been sought and the new foundations and walls (lintel over) did not expose any extra loading on this drain. The existing inspection chamber is to be maintained within the garage. Soakaways are unsuitable for the dwelling surface water due to the site constraints with proximity to the dwelling and adjacent boundary walls. It is recommended that on completion of the dwelling a camera survey to confirm that there is no damage or movement to the drainage run is undertaken.

7.0 REPRESENTATIONS

7.1 At the time of compiling this report there have been 19 letters of objections received and 35 letters in support of the proposal.

7.2 The primary material planning reasons for objection are:

- o Visual eyesore to the area of Back Lane
- o Higher than shown on plan
- o Loss of privacy
- o Unsightly
- o Overbearing impacts
- o Obtrusive eyesore
- o Impacts from Over shadowing
- o Dominates immediate neighbours
- o Proposal is not built in accordance with application 16/00356/FUL
- o Major visual impacts
- o Building close to neighbouring boundaries
- o Flat roof is not in keeping with surroundings
- o Not in keeping with the character of the area
- o Building has been constructed despite no current planning consent
- o Impacts on drainage
- o Excessive scale and style
- o Increase in bulk and massing by 50 Cubic meters than original approval
- o Terrace design is unacceptable
- o Development commencing despite conditions including contamination
- o Development should be restricted to single storey
- o Development being an eco-home should carry no weight
- o Overall mass increase of 128.52sqm
- o Site levels vary and it is a sloping site
- o Building is too large for the site
- o Living accommodation at first floor level will result in noise issues
- o Windows should be obscured and non-opening
- o Overlooking into garden areas of Village Farm
- o Window at first floor eastern elevation could be changed to a doorway and the flat roof used as a terrace
- o Separation distances from England's Cottages are not sufficient
- o Approx. increase in bulk of 60% from original approval
- o Development sets a precedent
- o Completely overwhelms Englands Cottages
- o Inspection chambers for drainage in accessible as located in the garage
- o Dwelling is not an eco-build
- o Impacts upon heritage
- o Windows are top opening and result In overlooking

7.3 The primary reasons for support are:

- o Car park has become a known spot for antisocial behaviour in the past the proposal will stop this
- o The dwelling is an eco-friendly property which is environmentally friendly
- o Excellent specification should be encouraged and given credit locally
- o Land already benefits from planning permission
- o Development is clearly being constructed in accordance to the submitted plans
- o The proposed dwelling is lower in height compared to the semi-detached houses that have also been given planning permission on this site

- o Proposal benefits the area at the back of the Saracens Head
- o The wood cladding finish will enhance the residential amenity of the area
- o Dwelling will be a modern eco-friendly home
- o Impressive design
- o No impacts upon surrounding residents
- o Improvement as one home and is a great use of space
- o New dwellings are needed
- o Cedar cladding will site nicely with the surrounding woodlands
- o House is no larger than the surrounding dwellings
- o Neighbours won't be affected given the existing high level wall
- o Frosted glass has been installed and will prevent overlooking in to neighbours
- o Sustainable method of development
- o Transformation of an old car park

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 There has been on-going contact with the applicant and the agent throughout the processing of the application. The applicant was present during the Case Officer's site visit where the height of the building was measured along with the distances between neighbouring boundaries. Following the site visit the agent provided revised plans showing the exact siting and footprint of the property, removal of the external staircase and provision of obscure glazed panels. Revised elevation plans have also been submitted demonstrating the variation in land levels within the site. Confirmation regarding drainage proposals was requested and a drainage plan has been received along with an additional supporting statement relating to conditions which were attached to approved application 16/00356/FUL. The applicant was informed that the building currently being constructed is not in accordance with the previous approval and that any works carried out are done so at their own risk.

9.0 ISSUES

- 9.1 The key considerations in this application are:
- o Principle of Development and Compliance with Planning Policy
 - o Design and Visual Impacts upon the Character of the Area
 - o Impacts upon Residential Amenity
 - o Flood Risk and Drainage
 - o Highway Safety and Parking
 - o Ecology and Trees
 - o Contamination
 - o Noise

Principle of Development and Compliance with Planning Policy

9.2 The principle of residential development on this site has already been established under planning permissions 14/00817/FUL and 16/00356/FUL and these recent approvals carry substantial weight in assessing the principle as there has been no change in relevant planning policy since and the Council remains unable to demonstrate a five-year housing land supply.

9.3 The application site is within the defined countryside area. Saved Policy SP13 seeks to resist development in the countryside unless there is an essential need for agriculture or forestry, suitable forms of tourism related activities, the re use or refurbishment of a listed building, the conversion of a rural building or the development of a single infill plot of not less than five dwellings provided that it can be demonstrated that there will be no effect on the character of that group or on the

locality. SP13 also goes on to state that all development will be considered with regard to issues of amenity, scale and design. In this instance the proposal would not satisfy the exceptions set out within Saved Policy SP13, however at present the Council cannot demonstrate a 5 year supply of housing and as such the housing supply policies in the adopted Local Plan, including Policy SP13, must be considered in that context. Policy SP13 can no longer be considered in isolation and it is acknowledged that the provision of 1 additional dwelling would assist in contributing to the future housing needs of Wyre, albeit very marginally.

9.4 The site is within Preesall Hill which is a defined Small Rural Settlement due to the existence of necessary infrastructure. The supporting text to policy SP8 states that in the rural settlements development proposals are expected to be small in scale with housing proposals not normally exceeding two dwellings.

9.5 Paragraph 49 of NPPF states that in the event that the Council is unable to demonstrate a 5 year supply of deliverable housing land, housing applications should be considered in the context of the presumption in favour of sustainable development. The three dimensions to sustainable development set out the economic, social and environmental roles of the planning system. Paragraph 55 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances. In geographical terms the application site is not considered to be isolated, as there is community and local infrastructure within Preesall Hill. The site lies immediately south of the Black Bull Public House and approximately 135m west of Preesall Fleetwood Charity primary school and 300m north of St Aidan's C of E High school. Adjacent to the site is a designated bus stop. In addition the NPPF seeks to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of a high environmental value. Whilst the site is a former car park free from structures, in planning land use terms it is categorised as a brownfield site and is considered to be of minimal environmental value. In principle the application site is seen to provide a sustainable location and the proposed dwelling would provide economic, social and environmental benefits to the locality which in turn would comply with the provisions set out within the NPPF.

Design and Visual Impacts upon the Character of the Area

9.6 It is important to note that a very similarly designed, flat roof contemporary dwelling was approved on this site under planning permissions 16/00356/FUL and this recent approval is a material planning consideration in assessing the design and visual impact of this application. That approved dwelling had a footprint of 11.4m in width by 18.2m in length by 5.5m in height.

9.7 Saved Policy SP14 of the Local Plan seeks to apply consistent principles and high standards of design and amenity for all types of development and sets out a list of criteria which developments should satisfy. Criteria (B) sets out that development should be acceptable in the local landscape in terms of its scale, mass, style, siting and use of materials. Section 7 (Requiring Good Design) of the NPPF echoes the criteria and provisions of SP14 by setting out that it is important to plan positively for the achievement of high quality and inclusive design for all developments including individual buildings. It states that planning decisions should not stifle originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. The proposed dwelling represents a modern contemporary flat roof dwelling, externally finished in a mixture of off white k-rend and horizontal cedar

cladding. The design of the dwelling has been generally dictated by the topography of the site and the surrounding high-level boundary walls. Internally the main living accommodation is sited at first floor level utilising the outlook and views across the landscape to the west. The integral garage provides 2 parking spaces along with room to the front of the garage for further parking which would comply with the parking standards set out within Section 4 of SPG4. The proposed site plan shows a grassed garden area to the north and west which would provide a sufficient area of private amenity.

9.8 The contemporary design of the dwelling is in contrast to the majority of surrounding residential properties which are of more traditional construction but which vary in design style and materials, however this juxtaposition is considered to be acceptable in this instance due to the location of the site which sits on a much lower gradient to the majority of surrounding properties and is enclosed and contained by high-level boundary walls to the north east and south. Both letters of objection and support have been received in relation to the design of the dwelling. Whilst objectors have highlighted that the dwelling would be an eyesore and is out of keeping with the character of the area, a number of representations support the unique appearance and eco-style design. In accordance with the design principles set out within the NPPF the design of the proposal is seen to provide architectural interest to the former disused carpark and is seen to represent high quality design of individual character.

9.9 The dwelling is set back from Park Lane by approximately 32m and sits on a much lower gradient, reducing its prominence, bulk and massing and presence within the surrounding street scene. The proposed ground level of the application site sits approximately 3m lower than the point of access off Park Lane. Due to these variations in levels and the overall height of the proposed dwelling which measures 6m in height in conjunction with the low lying flat roof design, the dwelling goes relatively unnoticed when travelling from both the north and south along Park Lane. At the time of the Case Officers site visit the dwelling was partially constructed and was externally finished in visually stark thermal eco silver insulation cladding. It is considered that once the horizontal cedar cladding is applied to the first floor level of the dwelling as proposed the visual impacts will be reduced further as weathered Cedar boarding over time does naturally turn a dull grey colour. The proposed dwelling is most noticeable when viewed from Back Lane to the south of the site, however given its set back and the presence of intervening structures including domestic fencing, trees, sheds and garages the proposal does not result in any adverse impacts upon the streetscene. As such the development complies with the provisions of Saved Policy SP14 of the Wyre Borough Local Plan and the NPPF.

9.10 Turning to the matter of bulk and massing, a number of objectors highlight that the dwelling is excessive in scale and that the increase in overall height and massing from what was approved in application 16/00356/FUL is unacceptable. For the reasons outlined above it is not considered that the dwelling at 6m high would be visually obtrusive. In addition it is also acknowledged that whilst each application is assessed on its own merit, planning permission was previously granted in application ref: 14/00817/FUL for the erection of 2 semi-detached dwellings on the site which have an overall ridge height of 8.2m, 2.2m higher than that proposed in this application.

Impacts upon Residential Amenity

9.11 Concerns have been raised by adjacent neighbouring properties about the potential impacts arising from being overbearing, loss of privacy / overlooking and loss of light as a result of the proposal. Two separate site visits have been carried out by the Case Officer to assess the impacts upon neighbouring amenity and to clarify and measure the proximity of the development as built to neighbouring boundaries. During the second visit all of the windows had been installed including obscure glazing in four of the first floor windows in the two side elevations, as demonstrated on the revised plans submitted. The main eastern elevation (excluding the garage) is to be set back approximately 20m from the rear elevation of the former Saracens Head pub which has been recently converted into 1 dwelling. The proposed dwelling will be on a much lower level to this dwelling and whilst the separation distance falls short of the 21m set out within SPG4 the proposal would not have any overbearing or adverse impacts on this dwelling. Neither will it result in any unacceptable overlooking or loss of privacy impact. One concern raised by residents relates to the first floor window on the eastern elevation being possibly changed to a door in the future thus allowing access onto the garage roof for use as a terraced area. As such to avoid unacceptable overlooking onto neighbouring properties a condition preventing the use of the garage roof and the roof above the ground floor bedroom being used as terraced areas is recommended.

9.12 To the north lies the curtilage of Village Farm, 194-198 Park Lane. The northern elevation of the proposed property would be sited 2.9m from the northern boundary at the closest point; however this distance is greater in most part due to the angle of the boundary line. These distances together with the high boundary wall along here are considered acceptable. This neighbouring property is sited approximately 8m from the northern boundary and towards the front of the site, so there would be no unacceptable impact from the new dwelling. The first floor windows immediately adjacent to the northern boundary have been installed with obscure glazing. A condition requiring obscure glazing to be retained therefore is recommended. The proposed plans show a full length obscure glazed privacy screen to be installed to the northern elevation of the terraced/balcony area to the rear. To prevent overlooking and loss of privacy a condition is considered necessary to ensure that this is provided and retained thereafter. The proposed development would not result in any unacceptable overbearing impact, overlooking or loss of privacy into any habitable rooms or areas of private amenity of this neighbouring property.

9.13 To the south of the site beyond a high level sectional concrete panel wall is a pair of red brick traditional semi-detached dwellings known as England's Cottages. These properties back on to the site at a splayed oblique angle. There is approximately 12m from the rear elevation of the cottages to that of the side (southern) elevation of the proposed dwelling. The spacing guidance set out within SPG4 requires there to be 13m separation distance where a rear elevation faces a side elevation of a 2 storey development. In this instance the proposal would fall marginally short of this guidance however given the splayed angle of the properties and the provision of first floor obscure glazed windows on number 2 England Cottage and the high level boundary wall the bulk and mass of the proposal would not result in an unacceptable overbearing or imposing impact. The first floor windows in the southern elevation of the proposed dwelling are obscure glazed. A condition requiring obscure glazing to be retained therefore is recommended. The proposed plans show a full length obscure glazed privacy screen to be installed to the southern elevation of the terraced/balcony area to the rear. To prevent overlooking and loss of privacy into

the neighbouring garden(s) a condition is necessary to ensure this is provided and retained thereafter.

9.14 On balance the dwelling in the location proposed on a much lower gradient and surrounded by high-level boundary walls will not result in any adverse or detrimental impacts upon neighbouring properties, and as such is considered to be in accordance with Policy SP14 of the Local Plan. Whilst there is a minor shortfall in the separation distances against the spacing guidance within SPG4 to some neighbouring properties, for reasons identified above this shortfall would not unacceptably compromise the amenity of the neighbouring dwellings.

Flood Risk and Drainage

9.15 The application site is not located within a designated Flood Zone. It is therefore not necessary to apply the sequential and exceptions tests. The applicant had initially submitted a drainage plan which demonstrated that both foul and surface water would be connected to the existing sewer which runs from the east of the site from the rear of the former Saracens Head, through the site beneath the existing property and discharges to the west of the site. However following discussions with the Council's Drainage Engineer it was brought to the attention of the applicant that there are no records of sewers within the locality and in particular within the site. As such the applicant has undertaken a camera survey which determined that this drain is a sole surface water drain which connects to an underground chamber 10.3m to the west of the site. As a result of the survey the applicant has advised that the surface water drainage for the property will connect to this existing surface water drain and that foul drainage will be connected to a new onsite treatment plant. As there is an existing surface water drain within the site, and the Council's Building Control Officer has confirmed that the use of Soakaways would not be achievable given the proximity to the boundary walls and the proposed dwelling, the connection to this is considered to be acceptable in principle in line with the hierarchy for sustainable drainage principles (SUDS) as set out within the National Planning Policy Guidance (NPPG). At the time of compiling this report revised plans demonstrating the location of the treatment plant and the drainage for the site have not been received, as such a condition is recommended requiring full details of both foul and surface water drainage to be submitted and agreed in writing by the Local Planning Authority. With a satisfactory drainage scheme being technically possible, the proposed dwelling is not considered to increase flood risk on neighbouring residential properties.

9.16 Concerns from neighbouring residents regarding the dwelling being constructed over an existing sewer which falls from the former Saracens Head to the rear/west of the site and passes under the dwelling have been raised. The Council's Building Control Officer has confirmed that this drain has been appropriately reinforced and to prevent any impacts/damage from the dwelling. An advice note is recommended to be attached advising the applicant to undertake a camera survey of this drain following completion to ensure that no damage has occurred.

Highway Safety and Parking

9.17 The proposed dwelling is shown to provide adequate levels off street parking provision within the site which would comply with the parking requirements set out within SPG4. The site was a former car park which would have generated a significant amount of vehicular movements to and from the site. The proposed vehicular movements associated with 1 dwelling are significantly less and as such will improve highway safety impacts upon Park Lane. Lancashire County Council

Highways have raised no objections to the proposal and have revised their initial comments which requested a condition to be attached in relation to the site access. As no alterations or improvements are proposed or necessary there was no requirement for this condition to be attached. The site provides adequate levels of visibility towards the north and the south.

Ecology and Trees

9.18 The proposal does not require the demolition of any existing structures and the site is free from vegetation and trees. As such an ecological survey is not required. Under application 14/00817/FUL a bat survey was carried out which found no evidence of roosting bats within the former public house. No trees will be affected by the development. The proposed landscaping demonstrated on the submitted site plan is considered to be acceptable.

Contamination

9.19 The Council's Environmental Health Pollution Control Officer has requested that a condition is attached requiring a Desk Top survey to be undertaken to determine if there is any potential impacts arising from on-site land contamination. The agent has been given the opportunity to provide this during the course of the application, but this has not been forthcoming. Whilst the development is retrospective and the appropriate building regulations have been satisfied it is still considered to be necessary that this information is provided. As such a land contamination desk study condition is recommended.

Noise Impacts

9.20 The Council's Environmental Health Officer has requested an acoustic noise assessment to be undertaken to be secured by condition. However in this instance it is not considered reasonable or necessary to attach this condition or require such an assessment as part of the application. The subject property is located to the rear of existing residential properties on a lower level and is set back from Park Lane by approximately 32m. Paragraph 123 of the NPPF sets out that planning decisions should aim to avoid noise from giving significant adverse impacts on health and quality of life as a result of new development. It is not considered that the subject property would be exposed to any greater levels of noise from Park Lane than existing properties immediately adjacent to the highway. No adverse impacts are anticipated.

Other Matters

9.21 Concerns from residents relating to the proposed dwelling being constructed without the benefit of the necessary planning consent are acknowledged. The purpose of this application is to attempt to regularise the current unlawful development and consider the resultant proposal. Officers have been out on site to measure the building and distances from boundaries to ensure that what is being constructed is in accordance with the submitted plans. The fact that development has commenced prior to planning permission being obtained is regrettable but cannot be considered as a material consideration in determining the acceptability of the development.

10.0 CONCLUSION

10.1 The principle of residential development on the site is acceptable. The observations from neighbouring residents and Preesall Town Council have been fully considered in the assessment of this application. The proposed dwelling is considered to represent a contemporary and interesting architectural design which in the location proposed on a substantially lower level and set back from Park Lane and Back Lane is not seen to result in any adverse or detrimental impacts upon the character and amenity of the surrounding area. The proposal would not result in any adverse impacts upon neighbouring residential amenity. On balance it is recommended that the proposed development would comply with the saved policies set out within the adopted Wyre Borough Local Plan and the provisions of the NPPF.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

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

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

12.0 RECOMMENDATION

12.1 Grant planning permission subject to conditions

Recommendation: Permit

Conditions: -

1. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 23/01/2017 including the following plans:

- Proposed Site Plan Drawing Number 4530-4-02
- Proposed Floor and Elevation plans (Revised Drawing Number 4530-4-01D)

2. The development shall be carried out using those materials specified on the plan and in the email dated 24/03/2017 namely:

- Render - K-Rend, silicone scrapped texture, colour Polar White
- Cladding - Horizontal timber cedar boarding treated in a cedar oil
- Main Roof - Black Rubber
- Lower Roof (over garage and entrance hall) - Sedum Blanket (green roof)

3. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the first occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority and shall thereafter be retained and maintained. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced by trees of similar size and species to those originally required to be planted.

4. No first occupation of the dwelling shall occur until all the first floor windows on the south facing elevation and the two first floor windows on the north facing elevation adjacent to the northern boundary have been fitted with obscure glazing equivalent to

Grade Level 5 (most obscure). Obscure glazing shall be maintained and retained at all times thereafter in these windows and in any repaired or replacement windows.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwelling shall not be altered or extended, nor shall any building, structure or enclosure (other than those approved as part of this planning application or conditions associated with this planning permission) be erected within the curtilage of the dwelling without the prior planning permission of the Local Planning Authority.

6. 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.

7. Notwithstanding the details submitted with the application, prior to first occupation of the development hereby approved, a drainage scheme for all surface water and foul drainage 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 approved drainage scheme shall be implemented in accordance with the approved details prior to first occupation of the development and thereafter maintained and managed in accordance with this agreed detail.

8. No first occupation of the development shall occur until the privacy screen for the first floor rear balcony (as shown on Drawing Number 4530-4-01D on the north and south side elevations) has been fitted with obscure glazing equivalent to Grade Level 5 (most obscure). The obscure glazing and the privacy screen shall be maintained and retained at all times thereafter.

9. There shall be no changes to the existing ground level as shown on the approved proposed site plan unless proposed level changes are submitted to and approved in writing by the Local Planning Authority prior to such change taking place. The development shall be constructed and completed in accordance with the agreed level details.

10. The flat roofs at first floor (above the garage and ground floor bedroom 3) shall not be used as a balcony, roof garden, sitting out area or for any purpose of a similar nature without the prior written consent of the Local Planning Authority

Reasons: -

1. For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.

2. To ensure that the materials have a satisfactory appearance and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

3. 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).
4. To protect the amenity of the occupants of nearby residential properties in accordance with saved policy SP14 of the Wyre Borough Local Plan (1999).
5. To ensure high quality design and protect the visual amenity of the area whilst also safeguarding the privacy of adjoining residents and future occupiers, in accordance with NPPF and Policy SP14 of the Adopted Wyre Local Plan.
6. 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).
7. 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 in accordance with NPPF.
8. To protect the amenity of the occupants of the nearby residential properties in accordance with saved policy SP14 of the Wyre Borough Local Plan (1999).
9. In the interests of the visual amenity of the area and of residential amenity and in accordance with Saved Policy SP14 of the Wyre Borough Local Plan.
10. To protect the privacy and amenities of occupiers of neighbouring residential properties in accordance with Saved Policy SP14 of the Wyre Borough Local Plan

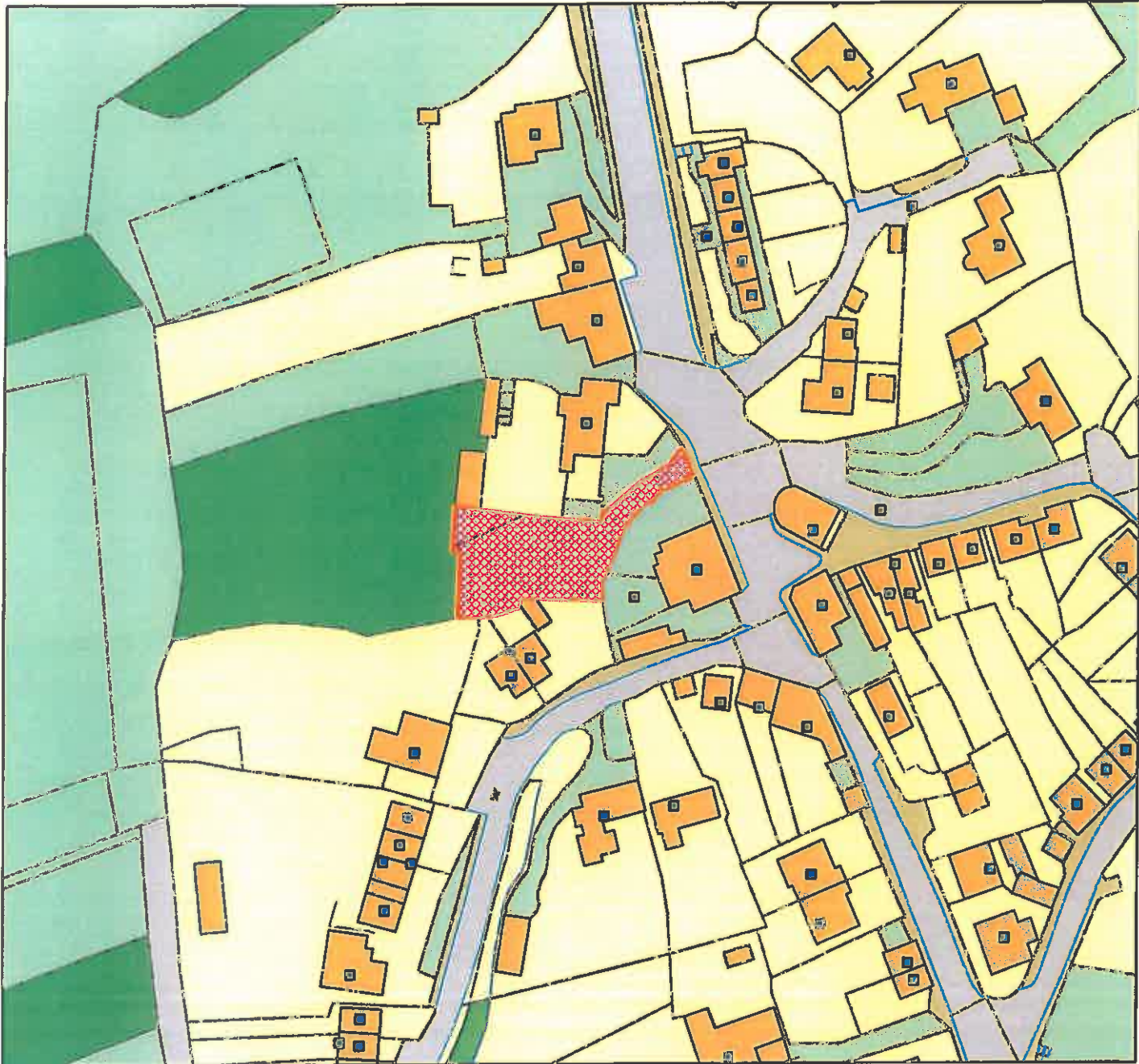
Note(s): -

1. Following the completion of the dwelling it is recommended that the existing drainage which runs below the dwelling is camera surveyed to confirm that there is no damage or movement to the run

arm/rg/pla/cr/17/0504nc4

Planning Committee

Item 2 - Rear of Former Saracens Head



Scale: 1:1,250

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Organisation	Wyre Council
Department	Planning Department
Comments	
Date	24/03/2017
MSA Number	100018720