

# PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 5 FEBRUARY 2020

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
19/01074/FUL	LYNDSEY HAYES	03	61-71

## ADDITIONAL INFORMATION / CONSULTATION RESPONSE

### **ECOLOGY**

Since the main committee report was published the Applicant has submitted an updated ecology survey and additional ecology letter. These contain updates in relation to the biological records data, Sensitive Waterbird Area impact assessment and Great Crested Newt (GCN) method statement together with a summary of their findings. This update confirms the likelihood of GCN being found on the site is low, and that the site does not contain habitat likely to be used by pink footed geese and whooper swans meaning a low likelihood of impact from the development. Nonetheless, additional mitigation is proposed to reduce the impact further.

This additional information has been reviewed by Greater Manchester Ecology Unit (GMEU) and as a result they have removed their objection to the application subject to a number of conditions being imposed in relation to requiring the submission of a Reasonable Avoidance Method Statement (RAMS) for GCN, no construction works to be undertaken during bird nesting season, measures to protect mammals during the construction phase, and a scheme of ecological enhancement measures.

*Officer Assessment: In light of the above, refusal reason #3 in respect of ecology has fallen away and instead it is considered that the development would be acceptable in relation to ecology subject to the conditions above being imposed.*

### **DRAINAGE**

Since the main committee report was published the Applicant has submitted an additional note on the proposed packaged treatment plant. This has been reviewed by WBC's Drainage Engineer who remains of the view that the plans show effluent discharging to a field drain however the Applicant still hasn't provided evidence that the ground conditions are suitable to discharge to the ground. Given the location there is doubt that discharge to the ground would work here. Therefore the applicant must provide results from percolation tests to confirm this before any planning permission is granted.

*Officer Assessment: Although there is still a concern by Wyre's Drainage Engineer over the proposed drainage details, as set out in the main*

*committee report, this is a considered a technical matter that could be addressed via an appropriately worded condition which would require the submission and agreement of drainage details prior to commencement of the development.*

### **ADDITIONAL THIRD PARTY REPRESENTATION**

One additional objection from a neighbouring property has been received raising concerns about increased traffic, impact of noise and smell on surrounding properties, and building on a green field site when it would be better for the environment to use an existing brown field site.

*Officer Response: Impacts on highways, residential amenity from noise and visual impact are all dealt with in the main committee report. In respect of odour, the Council's Environmental Health Team in assessing impacts on amenity have raised no concerns.*

### **APPLICANT'S REBUTTAL TO RECOMMENDATION**

The applicant has provided a note setting out why it is considered the proposal satisfies Wyre Local Plan policies SP1 and SP2 by supporting the overarching strategy for economic growth (stating 3 jobs would be created) and introducing a service to the area that is not currently available thus providing a more viable local option. It is stated the amount of daily traffic to the site would be low and that allocated drop-off / pick-up times would reduce peak road usage. The aim is for the construction, design and utilities to be beneficial to the local environment. In terms of the policy conflict with SP4 the Applicant contends this should not be read in isolation and that the establishment of a new business in supporting and diversifying rural areas would meet the objective of other policies as well as satisfying the NPPF. The impact on the rural character of the area is considered minimal and would make effective use of land as supported by the NPPF. The Applicant's market research suggests existing boarding kennels have high occupancy and with the recently constructed new homes there is considered to be a shortage of suitable dog boarding facilities in the local area

In summary a strict interpretation of the Wyre Local Plan has been taken:

- This is contrary to the guidance for use of that document and the NPPF.
- The term "business" is not clearly defined in the WLP and NPPF so as to exclude a new start business.
- The inclusion of a measurement from the nearest settlement is in error as a quantifier for demand. It does not consider current new housing and proposed new housing all within 10 minutes of the site of the application.
- The suggestion that the location is unsustainable and would not support the daily comings and goings, is an over estimation of

proposed activity at the kennels. The nature of the business is one of long term stays not daily visits.

- The position and design of the building in relation to the size of the plot will not have an adverse impact on the open and rural character. A site visit will, I'm sure, make this point.

### **CHANGE TO RECOMMENDED REFUSAL REASONS**

As set out on page 1 of this update sheet, in light of the additional information on ecology received, refusal reason #3 has now fallen away and is no longer applicable. For the avoidance of doubt recommended refusal reasons #1 and #2 are unaffected.