

Committee Report**Date: 03.06.2020**

Item Number	01
Application Number	19/01292/FULMAJ
Proposal	Erection of 16 apartments in a three storey block including access and car parking.
Location	Royal Oak 64 Breck Road Poulton-Le-Fylde Lancashire FY6 7AQ
Applicant	Mr John Losi
Correspondence Address	c/o Mr Harry Carter The Big Shippon Clifton Fields Preston PR4 0XG United Kingdom
Recommendation	Permit

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

1.1 This application is being presented as the result of a request by Councillor Henderson. Previous applications for development on this site have been presented to Planning Committee for determination. This will be a familiar site in light of its location next to the Wyre Council Civic Centre. Site photographs will be also be shown at the meeting to assist understanding of the proposal and its impact.

2.0 SITE DESCRIPTION AND LOCATION

2.1 This application relates to the site of the former Royal Oak public house and its associated car park located on the corner of Breck Road and Station Road in Poulton-le Fylde. The Royal Oak was a former public house/hotel that was built in the early 1840s at the time of Poulton's first railway station on the opposite side of Station Road and has historically been used for various functions such as inquests and sales of livestock from local farms. The former building was built of three and two storeys, with the property rendered and painted white with black timber boarding detailing on all elevations and black painted decorative corner quoins.

2.2 The total site area covers approximately 1225 Sqm (0.3 acres). Following the demolition of the former Royal Oak in June 2018 the site has been cleared and remains free from any buildings and structures, bound to the north and east by herras style security fencing. Along the southern boundary and part of the western boundary the high level red brick wall remains in situ and adjacent to number 62 Breck Road the boundary is currently made up by a high level brick wall and the remains of an adjoining outbuilding. To the south and west of the site are residential properties, to the east are the recently completed extra care retirement apartments (Crocus Court) and to the North West is the Wyre Council Civic Centre. The application site is situated within (but on the edge of) the Poulton-le-Fylde

Conservation Area and lies within the Health and Safety Executive (HSE) pipeline consultation zone.

3.0 THE PROPOSAL

3.1 This application seeks full planning permission for the erection of a three storey apartment block (comprising of 16 No. 1 and 2 bedroom open market residential apartments falling within Use Class C3) including access, parking provision and associated landscaping.

3.2 The building is proposed to be constructed over 3 storeys with 6 projecting pitched roof gables which integrate into both a flat and sloping pitched roof. The footprint would take the form of an irregular 'L' shape occupying the frontage of both Breck Road and Station Road with vehicular access into the site to be taken via an underpass from Station Road. In terms of scale the overall ridge height measures approximately 9.5m with the eaves measuring 6.4m from ground level. The Breck Road elevation is set back from the highway by approximately 4.5m and between 1m at the narrowest point and 2m at the widest point along Station Road. The appearance of the building is that of contemporary design constructed using a contrast of materials including red facing brick at ground floor, standing seam zinc cladding at first floor, and on the building's recessed features and above the underpass, a natural grey stone cladding. Large glazed vertical windows with feature timber louvres adjacent are proposed along with frameless glass balustrades at first and second floor.

3.3 The vehicular access proposed would measure 7m in width adjacent to Station Road with an automatic gate for pedestrians and vehicles set back within the underpass which leads to the enclosed open-air carpark to the rear which provides 13 parking spaces including 1 accessible space. Also contained internally and accessed via the underpass is a refuse and cycle store (located adjacent to apartment 4). Pedestrian access to the car park area can also be gained via Breck Road along the south western boundary adjacent to number 62 Breck Road. The proposed boundary treatments comprise of a low-level red brick wall with cast iron railings above along the northern and western boundaries. Behind this, and in front of the building, grassed landscaped areas are to be provided.

3.4 The application is accompanied by a range of supporting documents as follows:

- Design and Access Statement
- Contamination Reports (Supplementary)
- Drainage Strategy Report
- Heritage Statement
- Volumetric analysis
- 3D Images and sections
- Solar Study
- Viability Assessment Report

4.0 RELEVANT PLANNING HISTORY

4.1 The application site has the following relevant planning history:

4.2 18/00614/FULMAJ - Retrospective application for the demolition of former Public House and the erection of a three storey and part two storey apartment block

(12 apartments) including associated access/parking provision and a cycle store - Permitted

4.3 17/00070/DIS - Discharge of conditions 3 (desk study), 4 (materials), 6 (landscaping), 9 (window design), 12 (surface waters), 14 (CEMP), 15 (ventilation), and 16 (building record) on planning permission 17/00070/FULMAJ - Split Decision

4.4 17/00070/FULMAJ - Variation of condition 2 on application 14/00928/FULMAJ to allow for the full demolition of existing building and the erection of a three storey and part two storey apartment block (12 apartments) including associated access/parking provision and a cycle store - Permitted

4.5 14/00928/FULMAJ - Part demolition of the existing building, inclusion of a third storey to the side elevation, two storey side extension and conversion into 12 apartments including car parking spaces and a cycle store - Permitted

4.6 10/00097/FULMAJ - Part demolition and rebuild of existing building, two and three storey extensions and conversion into 12 residential flats and associated works - Permitted

4.7 10/00098/CON - Conservation Area Consent for the partial demolition of building - Permitted

4.8 09/00447/FULMAJ - Erection of 14 residential flats following the demolition of existing public house - Refused (design and noise issues)

4.9 09/00548/CON - Conservation area consent for the demolition of building - Refused

4.10 97/00059/FUL - Change of use of public house with ancillary owners accommodation to public house, hotel accommodation and owners accommodation and creation of new access on to Station Road - Permitted

5.0 PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN

5.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

5.1.2 The following policies contained within the WLP 2031 are of most relevance:

- SP1 - Development Strategy
- SP2 - Sustainable Development
- SP7 - Infrastructure provision and developer contributions
- SP8- Health and well-being
- CDMP1- Environmental Protection
- CDMP2 - Flood risk and surface water management
- CDMP3 - Design

- CDMP4 - Environmental assets
- CDMP5 - Historic Environment
- CDMP6 - Accessibility and transport
- HP1 - Housing Land Supply
- HP2 - Housing Mix
- HP3 - Affordable housing
- HP9 - Green infrastructure in residential developments

5.1.3 National planning policy allows local authorities to confirm their annual five year housing land supply through the publication of an Annual Position Statement (APS). In line with the process established by National Planning Practice Guidance, the Council published the APS to the Planning Inspectorate on 31 July 2019. The Planning Inspectorate has considered the evidence and representations submitted and confirmed that Wyre has a 5 year housing supply of deliverable housing sites for one year, i.e. until 31 October 2020. The APS forms the most up to date position on the five year housing land supply.

5.2 NATIONAL PLANNING POLICY FRAMEWORK 2019

5.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.2.2 The following sections / policies set out within the NPPF are of most relevance:

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 8- Promoting healthy and safe communities
- Section 9 - Promoting sustainable development
- Section 12- Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

OTHER MATERIAL CONSIDERATIONS

5.3 WYRE SUPPLEMENTARY PLANNING GUIDANCE

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

6.0 CONSULTATION RESPONSES

6.1 HEALTH AND SAFETY EXECUTIVE (HSE)

6.1.1 Do not advise on safety grounds against granting consent

6.2 CADENT GAS

6.2.1 No objections, advised that from the information provided, it does not appear the proposed works will directly affect the identified pipeline. Specific Advice notes should be provided to the applicant to identify the requirements of working in close proximity to the high pressure pipe line.

6.3 POULTON-LE-FYLDE HISTORICAL & CIVIC SOCIETY

6.3.1 No objections, comment that it is regrettable that the 1840s Royal Oak building has been lost however the proposed apartments appear to make good use of the corner site, and note that they will be slightly set back from the boundary of the original building, which is an improvement. The main concern is that there are only 13 parking spaces for a building of 16 apartments - there should be a parking space allocated for each unit.

6.4 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU)

6.4.1 No objections, the site now consists of bare ground and hard standing habitats of negligible ecological value. No ecological survey information is required and the outline soft landscaping proposals can achieve net gain. Landscaping is recommended to be conditioned.

6.5 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.5.1 No objections, advised the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. A section of the adopted highway will be required to be stopped up and it is requested that the applicant provides a 2m footway across the frontages with Breck Road and Station Road. A number of conditions have been requested.

6.6 LANCASHIRE COUNTY COUNCIL (EDUCATION)

6.6.1 Based upon the latest assessment, taking into account all approved applications, LCC Education will not be seeking a contribution for primary school places or secondary school places. However as there are a number of applications that are pending a decision that could impact on this development should they be approved prior to a decision being made on this development the claim for primary school provision could increase up to maximum of 1 place requiring a financial contribution of £16,050.54.

6.7 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

6.7.1 No observations received at the time of compiling this report

6.8 NHS FYLDE & WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.8.1 No observations received at the time of compiling this report

6.9 UNITED UTILITIES

6.9.1 Advised that 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. Surface water will not be permitted to drain directly or indirectly to a public sewer. A condition requiring full details of the management and maintenance of sustainable drainage systems should

be attached along with a condition requiring a surface water drainage scheme to be submitted and approved.

6.10 LANCASHIRE FIRE AND RESUCE SERVICE

6.10.1 Highlighted the requirements for the proposed scheme including access to satisfy Document B Part B5 of Building Regulations and sets out the guidance on turning facilities for Fire Service Vehicles

6.11 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.11.1 Objects on the basis that surface water should not be connected to the combined sewer. United Utilities records show a surface water drain located within Station Road which should be connected to.

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

6.12.1 No objections however further information in relation to noise is required along with conditions relating to construction management and artificial lighting

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

6.13.1 No observations received in relation to air quality

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

6.14.1 No objections subject to a watching brief condition being attached

6.15 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (WASTE MANAGEMENT)

6.15.1 No objections, advised that the refuse store is in a fairly good location provided collection staff can access the bulk containers directly from the vehicular tunnel access to the west of the building

6.16 WYRE BC CORPORATE DIRECTOR ENVIRONMENT (TREE AND WOODLAND OFFICER)

6.16.1 No objections, further information relating to species selection, sizes and quantities of planting required. The landscaping details are otherwise acceptable.

6.17 WYRE BC CORPORATE DIRECTOR ENVIRONMENT (PUBLIC OPEN SPACES/GREEN INFRASTRUCTURE)

6.17.1 An off-site financial contribution of £14,402.00 would be required to be provided towards improvements Children & Young People and Parks and Gardens at Vicarage Park and some of the contribution towards the Civic Centre Playing pitches.

7.0 REPRESENTATIONS

7.1 At the time of compiling this report there have been 2 letters of objection received, 1 letter of support received and 1 observation which neither objects nor supports the proposal. The primary reasons for opposition are:

- Inadequate boundary wall to provide sufficient privacy and security
- Overlooking and loss of privacy from stairwell windows
- Insufficient parking provision
- Inaccuracies within Design and Access Statement
- Dominant and overbearing appearance
- Development would dwarf 1-5 Station Road
- Insufficient visual break along Station Road
- Loss of Light
- Boundary wall is being reduced
- Air and Noise Pollution
- 16 Apartments is over development
- No amenity areas
- Surface Water

7.2 The letter of support highlights the following points:

- Vast improvement to previously approved scheme
- Exciting and Stylish design considerate of location
- Parking regulations have relaxed and development is close to railway

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Contact has been made with the agent to discuss the following matters in relation to the application:

- Use of materials
- Housing/bed mix
- Financial contributions and viability matters
- How the development responds to meeting the challenge of climate change
- Land ownership and ensuring correct certificate has been submitted
- Matters relating to consultation responses
- Parking provisions
- Confirmation of Levels
- Agreement of extension of time on the application until the 04/06/2020

9.0 ISSUES

9.1 The main issues to be considered in the determination of this application are:

- Principle of Development
- Heritage considerations
- Scale, Design and Visual Impacts
- Impact on Amenity of Neighbouring Properties
- Flood Risk and Drainage
- Highway Safety and Parking
- Infrastructure

- Air Quality, Noise and Light Pollution
- Other Matters - Gas Pipeline, Ecology / Trees, Contamination

Principle of Development

9.2 The former Royal Oak public house was demolished in June 2018 and the site has remained vacant and free from development ever since. The principle of open market residential apartments has already been established on the site with the planning history set out within section 4 of this report. The most recent permission granted by the Planning Committee on 6th February 2019 was for the retrospective demolition of the former public house and the erection of a three storey and part two storey apartment block for up to 12 units (application 18/00614/FULMAJ). This latest permission sought to replicate the former public house with additional extensions to the side and rear, however the current application for consideration proposes to redevelop the site with more contemporary and unrelated design principles. It is also a stand-alone submission which is not tied to any of the previous applications by way of 'variation of condition' (Section 73 application) or Section 106 Legal Agreements. As such it is to be assessed on its own planning merits in conjunction with the relevant policies contained within the Wyre Local Plan and the provisions of the National Planning Policy Framework (NPPF).

9.3 The application site is located close to the edge of the Town centre in an accessible and sustainable location where the development of brownfield sites for residential purpose is considered to be an acceptable land use. The proposal would be in accordance with Policy SP1 of the Local Plan which seeks to direct new development to within settlement boundaries in line with the settlement hierarchy, of which Poulton is at the top of the hierarchy classified as an Urban Town where 48.6% of housing growth is expected during the plan period. In terms of sustainability, Policy SP2 of the Local plan sets out that new development should contribute to the continuation or creation of sustainable communities in terms of location and accessibility along with the requirement to respond to the challenge of climate change through appropriate design. Sustainability is also a material consideration requirement of the NPPF. In this turn the application site occupies a prominent corner position on the main access route into and through Poulton at the junction of Breck Road and Station Road. At present the site has an untidy and neglected appearance with herras fencing in situ around the northern and eastern boundaries. A sensitive redevelopment of the site would provide a valuable enhancement to the amenity of the area and an opportunity to positively contribute to the local townscape and character of the Conservation Area. This comes at a time where the site opposite has now been redeveloped to provide extra care housing (Crocus Court) along with new residential housing further south along Station Road and new residential apartments to the west on Breck Road adjacent to the railway station (at the site of the former Breck Club). Given the site's position close to the town centre where there is high level pedestrian connectivity to bus, rail and cycle links, as well as links to the services and community facilities located within the town centre, the development of this site for one and two bedroom residential units is considered acceptable in principle and would constitute sustainable development in line with Policy SP1 and SP2 of the Wyre Local Plan and also the provisions set out within the NPPF.

Heritage Considerations

9.4 The application site is contained within the Poulton-le-Fylde Conservation Area (at its eastern boundary edge). In determining planning applications with respect to any buildings or other land in a conservation area local planning

authorities have to pay special attention to the desirability of preserving or enhancing the character or appearance of that area under s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The NPPF emphasises that great weight should be given to the conservation of heritage assets and that the significance of an asset can be harmed by development within its setting (NPPF paragraph 193-4). Policy CDMP5 of the Local Plan seeks (amongst other criteria) to protect, conserve and where appropriate enhance the historic environment through high standards of design.

9.5 Given the sites location on the edge of the Conservation Area it is largely surrounded by a mixture of uses and development ranging from the new build large scale apartments of Crocus Court to the east, the Civic Centre and Community Centre to the north and then immediately to the south and west are semi-detached residential properties. In the location of the application site the main views into and across the Conservation Area are experienced from the immediate surroundings, predominantly from Breck Road, Parrys Way and Station Road. Whilst the proposed development would occupy a prominent corner location, views will be generally experienced within the context of the immediate setting and built form. Extensive pre application discussions have been undertaken with the applicant in conjunction with the Council's Conservation Officer to ensure that the bulk, massing and design would not be harmful to the designated heritage asset. The proposal as submitted is considered to follow the advice provided during pre-application discussions and the views set out in the submitted Heritage Statement are accepted and agreed by the Conservation Officer, who considers that the design and scale of the apartments in the manner proposed would preserve the appearance of the Conservation Area and sustain the significance of the heritage asset. Similar views are also expressed by the Poulton Historical and Civic Society.

9.6 It is acknowledged that the site has previously hosted the original 1840s Royal Oak building which was a traditional former public house with considerable historic importance and during its time it did provide and contribute to the historic integrity and setting of the Conservation Area. Regrettably this has now been demolished due to it falling into disrepair, not being managed and maintained, and becoming structurally unsound. Prior to its demolition in June 2018, due to its derelict and rundown condition it failed to positively contribute to the visual appearance of the conservation area and was seen to provide visual harm. Whilst previous applications have sought to recreate and retain features of the former building, this application seeks to utilise the site for a modern and contemporary form of development. There is no policy requirement to replicate any of the design features of the former public house. Indeed building recordings have been made on previous applications via a condition requested by Lancashire County Archaeology to ensure the preservation of the history of the Royal Oak is retained. The key issue is whether any new development would preserve or enhance the character and appearance of the Conservation Area and its setting. As set out above, it is considered that this scheme would. One concern raised by the Conservation Officer in relation to this application relates to the proposed materials. The proposal seeks to use multiple materials - brick, natural stone and zinc cladding and timber louvers - which along with the window frames and rainwater goods could appear overly fussy. The agent was asked to consider reducing this variance however considered that this would have a negative impact on the overall design as each material and external finish complements other features of the building. The agent has advised that the materials proposed will be of high specification and quality. It has been agreed that all external materials can be finalised and agreed with a pre commencement condition where samples can be provided and assessed by officers in liaison with the Conservation Officer. Overall, subject to conditions, the proposal is considered to adhere to Section

72 of the Planning (Listed Building and Conservation Areas) Act 1990 and Policy CDMP5 of the Wyre Local Plan along with the provisions of the NPPF.

Scale, Design and Visual Impacts

9.7 Achieving high quality design is a key aspect of sustainable development. Paragraph 127 of the NPPF requires new development to function well and add to the overall quality of the area; to be visually attractive; sympathetic to local character and history to maintain a strong sense of place, and; to provide a high standard of amenity for future users. This is reflected in local planning policy CDMP3 of the Wyre Local Plan. The design and appearance of the development has been discussed in the above section having particular regard to the impact of the proposal on the historic environment. The purposes of this section is to focus on the standard of development and its wider visual impacts.

9.8 Concerns have been raised by neighbouring residents about the overall bulk, massing and scale of the proposed development in relation to neighbouring properties and the impacts this would have on residential amenity, which is addressed later on in the report, however the overall scale and massing of the development is an important consideration in the determination of the application in terms of the any potential visual impacts. At pre application stage and also as demonstrated within the submitted Design and Access Statement the agent has endeavoured to demonstrate how the overall footprint and volume of the development has evolved and how this relates and integrates with the immediate neighbouring buildings by reason of the submitted volumetric analysis. This supporting documentation is welcomed as it provides both an explanation as to how the development responds to its surroundings but also how it will be viewed against the existing townscape in this location. The overall height of the building at 9.5m is not considered to be overly excessive and is comparable in height to the three storey development on the opposite side of Station Road (Crocus Court). The building has been designed with varied roof lines, hipped roofs and staggered elevations. The ridgeline and height of the projecting gables would drop down towards the site edges, to enable the building to sit more comfortable next to the adjacent properties. The mix of materials help to break the size and massing of the building elevations including the design feature of the underpass access along Station Road.

9.9 The scale of the development in this position is considered acceptable. Materials proposed include facing red brickwork, standing seam zinc cladding panels, natural stone cladding, timber louvers, powder coated grey aluminium windows, glass balconies, grey slate roof tiles and zinc roofing. The projecting pitched roof gables and modern elements such as the large glazed windows provide vertical emphasis and at the same time provide a visual contrast with the horizontal modern features at first floor. These features add visual interest to the design of the building, and help reinforce the scale enabling the building to integrate into its surroundings and the character of the area. Consideration has been given to how the development would be viewed against the more traditional dwellings adjacent to it along Breck Road and whether it would be appropriate to seek to introduce similar materials (i.e. white painted render). However as the development is modern and contemporary in appearance and there will be a defined visual contrast, rather than trying to force visual continuity with the neighbouring properties the resulting contrast is considered to respond to the corner location whilst at the same time enhance the traditional profile of the neighbouring properties, in particular number 62 Breck Road.

9.10 The layout of the building is set further back from both Breck Road and Station Road from that of the former Pubic house. The front elevation generally

follows the same building line as that of number 62 Breck Road. Landscaped areas provide a visual green buffer between the building and the highway with a low level red brick picket wall with railings above lining the boundary proposed, which would be similar in appearance to the boundary treatments of the town houses on Parrys Way and Breck Road on the opposite corner. In terms of site levels the existing site sits approximately 7.4m AOD, the proposed development is shown to sit slightly higher at 7.5m AOD which raises no concerns in terms of overall height, bulk and massing. Concerns have been received with regards to the existing boundary walls along the southern and western boundaries being reduced resulting in security concerns and loss of privacy. The agent has confirmed that these will remain unaffected and where possible made good. This boundary wall will retain an existing site feature whilst at the same time provide an acceptable level of privacy to neighbouring properties.

9.11 Internally each of the apartments provide a high standard of accommodation with acceptable levels of outlook and adequate levels of natural light. A refuse store is provided and accessed via the underpass. The Councils Waste Management Officer has advised that this is suitable and accessible in the location proposed.

9.12 Policy SP2 (Criteria 6) requires development proposals to demonstrate how it would respond to the challenge of climate change through appropriate design and by making best use of resources and assets, including the incorporation of water and energy efficiency measures through construction phases and the reuse and recycling in construction both in the selection of materials and management of residual waste. The applicant has responded to this by submitting a supporting statement which sets out that the proposed development has been designed with an elevated level of sustainability in mind and will feature many renewable features including:

- Highly insulated
- Thermal bridge free design
- Airtight construction
- Heat recovery ventilation
- Energy-efficient boilers and appliances throughout with smart meters.
- Highly insulating windows
- Innovative building services
- Sustainable drainage system
- Water and energy efficiency measures during construction as well as management of residual waste

The applicant has demonstrated that the proposal would satisfy this criteria of Policy SP2 of the Local Plan.

9.13 The proposed development is considered to be acceptable in terms of its high quality design, overall scale, bulk/massing and its visual impacts upon the character and visual amenity of the area. The proposed materials are also considered to be acceptable, subject to samples being submitted and agreed. The proposal is seen to satisfy and comply with the provisions of Policies SP2 and CDMP3 of the Wyre Local Plan.

Impact on Amenity of Neighbouring Properties

9.14 Criteria C of Policy CDMP3 of the Wyre Local Plan sets out that development must not have an adverse impact upon the amenity of occupants and users of surrounding or nearby properties and must provide a good standard of

amenity for the occupants and users of the development itself. The observations received by neighbouring residents, both objecting and in support of the development have been acknowledged. The two main dwellings which are seen to be predominantly affected by the development are number 62 Breck Road and 1 Station Road, an assessment of the impacts on all immediate neighbouring properties is set out below:

62 Breck Road

9.15 At the nearest point the proposed western elevation would be sited approximately 1.5m away from the western boundary wall adjacent to which is the single storey flat roof garage of number 62 Breck Road, and 4.5m away from the first floor side elevation. The depth of the elevation along the western boundary will measure 11m after which point a return wall would run away from the boundary into the site and then project broadly parallel with this boundary again, leaving approximately 8.5m separation distance from the western boundary wall. The submitted street scene elevation plan demonstrates that there would be a sufficient visual break between the apartment building and the neighbouring dwelling and also shows a comparison in terms of ridge heights with the proposed development being 1m taller. The overall perceived bulk and massing is reduced substantially by the hipped roof on the western elevation. In terms of bulk and massing the development has been designed with the amenity of number 62 Breck Road in mind as set out in the submitted Design and Access Statement. Given the overall scale and height of the building and the staggered elevation along this boundary, in conjunction with the hipped roof design/formation it is not considered that there would be any harmful overbearing or imposing impact upon the amenity of number 62 Breck Road. It has also been demonstrated on the submitted sun path analysis that there will be no loss of light or overshadowing to habitable rooms or the private amenity areas as a result of the scale of the development proposed.

9.16 In terms of overlooking and loss of privacy there are no windows proposed on the western elevation of the apartments immediately adjacent to number 62. Where the elevation is then staggered back into the site, the windows on that elevation at first floor will not result in any direct overlooking as they are proposed to be obscure glazed and non-opening and will primarily serve an internal hallway. These windows can be conditioned as such accordingly. The existing high level boundary wall of number 62 Breck Road is to be fully retained, this provides a high level of screening and privacy from activities associated with the car park area and any windows and doors serving the apartments at ground floor. In assessing the impacts and the relationship and orientation of the apartments it is considered that the proposal will not result in any significant adverse impacts upon the residential amenity of number 62 Breck Road and would satisfy the provisions of Policy CDMP3. Whilst there is no precise interface stipulated for 3 storey apartments set out in SPG4 the principles set out within do apply and in this instance are adhered to.

1 Station Road

9.17 Number 1 Station Road is an end terrace property located immediately to the south of the site and the southern boundary wall provides a shared access to the rear for numbers 1-5 Station Road. Concerns have been raised as to the scale and overbearing impacts from the development on number 1 but also numbers 3-5. The southernmost gable end of the apartments will be set off the boundary adjacent to number 1 Station Road by approximately 2.5m. Contrary to the concerns raised this is considered to be an acceptable and sufficient offset as to not result in any overbearing impacts. Furthermore the sloping pitched roof tying into the raised

hipped roof is seen to ensure the development does not physically dominate this row of traditional terraced dwellings by reason of excessive bulk and mass. It is acknowledged that the side elevation will project approximately 2m beyond the rear elevations of number 1-5 Station Road however due to the offset distance and the overall scale it is not seen to result in any adverse impacts in terms of loss of light or from being overbearing. The plans demonstrate that there would be no windows proposed on the southern elevation. As such the proposal would not result in any detrimental impacts arising from overlooking or loss of privacy.

Crocus Court

9.18 The extra care retirement apartments on the opposite/eastern side of Station Road will have interface distances between 16m - 19m with the proposed apartments. Whilst this is not strictly in accordance with the interface distances set out in SPG4 which requires 21m from front elevation to front elevation, in this location taking into consideration that this is a relationship between two apartment blocks, the interface distance is not considered an issue given the staggered and splayed set back of the elevation of the apartments at Crocus Court. It is also recognised that there is only 18m between numbers 1-5 Station Road and number 1 Garrett Close adjacent and so a shortfall is evident elsewhere on Station Road. Even at 16m it is still considered that in this instance there will not be any significant overlooking or loss of privacy on the amenity of the occupants residing at Crocus Court.

60 Breck Road, 32C Park Road

9.19 Taking into consideration the distance both these two properties are from the proposed apartments it is not anticipated there will be any amenity issues. The applicant has confirmed the existing boundary will be retained at its existing height. Furthermore there is mature and established vegetation located within the gardens which provides sufficient visual and privacy screening.

9.20 Whilst this application and any impacts upon residential amenity is assessed on its own merits, it has to be acknowledged that the extant planning permission (18/00614/FULMAJ) could still be implemented and its fall-back position is a material consideration. In terms of the redevelopment of the site for residential apartments this application is considered to relate more sensitively and have a lesser impact upon the amenity of the immediate neighbouring properties. For the reasons set out above, overall, the proposed development satisfactorily addresses the requirements of Policy CDMP3 of the Local Plan in terms of its impacts upon residential amenity and also provides a high standard of accommodation for potential occupants of the apartments themselves.

Flood Risk and Drainage

9.21 The application site is located within Flood Zone 1 which is not considered to be at high risk of flooding. The application has been submitted with full detailed drainage plans which propose to connect foul and surface water to the existing combined sewer within Station Road. The Councils Drainage Engineer has objected on the basis that United Utilities records show a surface water drain within Station Road which could be utilised before connecting to the combined system. On the previous application 18/00614/FULMAJ, the connection to the combined sewer at a controlled rate was accepted and agreed and likewise the development opposite at Crocus Court was allowed to connect to the combined sewer at a controlled rate. At the time of compiling this report the applicant is looking into the suggestion that a surface water drain runs along Station Road and if so, the feasibility of whether or not

surface water from the application site could connect to it. As there is a technical solution available it is considered that drainage of both foul and surface water from the site can be satisfactorily achieved, to satisfy policy CDMP2 of the Wyre Local Plan, however full details including the controlled rate of connection is to be conditioned accordingly.

Highway Safety and Parking

9.22 Lancashire County Highways have raised no objection to the proposed development and have advised that there will not be a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They have recommended that necessary conditions should be attached to this application if the decision is to approve. The proposal includes 13 off street parking spaces to the rear of the building. This level of provision would normally be considered insufficient for a development consisting of 16 No. 1 and 2 bed apartments, which would typically require 1 spaces per unit. This has been raised as a concern by neighbouring residents and the Historic Society, and the agent has been asked to consider whether more on site provision could be made. These amendments have not been forthcoming due to the site capacity limitations.

9.23 Notwithstanding this shortfall of parking, as set out within the councils parking standards (Appendix B of the Wyre Local Plan - Note 5) a relaxation of the level of provision required may be accepted in highly accessible locations. In this case when taking into account the location of the development, in very close walking distance to the train station, bus stops and the town centre, there is considered to be sufficient justification to relax the normal requirements of 1 space per unit as the apartments would be suitable for persons not reliant on motor vehicles. An internal cycle store is being provided. Furthermore Lancashire County Council Highways have raised no objections on the bases of inadequate parking. It is not considered that a shortfall of 3 parking spaces would warrant a refusal.

9.24 LCC Highways have requested that a 2m wide footway be provided across the frontages of Breck Road and Station Road as shown on the submitted proposed site layout plan. This would provide a substantial improvement to pedestrian connectivity at this location compared with previous schemes on the site which could not deliver this due to the location on the building footprint. In this case as the apartments proposed in this application are set further in from the highway compared to the previous schemes then this off site highway improvement can be achieved and is to be conditioned accordingly. Other highway related planning conditions requested by LCC Highways and deemed necessary will also be imposed. A condition requiring the provision of electronic vehicle charging points (EVCP) to be provided to ensure compliance with Policy CDMP6 is also considered necessary.

Infrastructure

9.25 To ensure the proposal secures the necessary infrastructure to mitigate the impacts of the development, onsite provision or financial contributions towards affordable housing, green infrastructure and potentially education (depending on the final response from LCC Education) would need to be secured in line with the requirements of Policy SP7 of the Local Plan. This is set out in more detail below.

9.26 Policy HP3 of the Wyre Local Plan sets out that developments of 11 dwellings or more on brownfield sites in Poulton should provide 30% on site affordable housing provision. Where onsite provision is not appropriate a financial contribution of broadly equivalent value will be required to support the delivery of

affordable housing elsewhere in the Borough. In this instance the Council's Community Housing Development Officer has advised that apartments in this location would raise no appetite from Registered Providers and as such an offsite contribution should be sought which would be the equivalent of 5 units (30%). In accordance with the Affordable Housing Viability Study (AHVS), based on the market value for Poulton this would equate to £241,628.

9.27 Policy HP9 of the Local Plan requires residential developments resulting in a net gain of 11 dwellings or more to make appropriate provision of public open space. The Council's Parks and Open Spaces Officer has advised that in this location and for this scale and type of development an off-site contribution would be considered more appropriate than on-site provision. This would go towards improvements of recreational facilities at Vicarage Park along with improvements to the playing pitches at the Civic Centre. Based on the type and size of accommodation proposed this would equate to a financial sum of £14,402.00.

9.28 To ensure the proposal secures the necessary infrastructure to mitigate the impacts of the development LCC Education have been consulted. Their response confirms based on the 2019 School census and resulting projections and taking into account all the approved applications, they will not be seeking a contribution for primary or secondary places. However, at the time of their response they acknowledge a number of applications nearby pending decision that, if approved before this application, could result in a claim from this development of 1 primary school place which would equate to £16,050.54. As is standard practice prior to the meeting a reassessment will be requested from LCC and the results will be presented on an update sheet.

9.29 Policy SP6 (Viability) of the Wyre Local Plan sets out that the Council's overarching objective is to ensure that development is viable. Within the policy it stipulates where a developer seeks to negotiate a reduction in infrastructure requirements that would normally apply to a development, the Council will require the developer to supply a financial appraisal demonstrating the costs to be incurred, the financial return and the profit expected. This is in accordance with the NPPF which requires viability to be a material consideration in decision making. In this instance during the course of the application the applicant has submitted a Financial Viability Statement (FVS). The report submitted concludes that without any infrastructure contributions the development proposals give a developer a profit equivalent to 20% of GDV. With the required contributions the developer's profit return reduces to 4.92%. This report has been reviewed by the Council's independent advisor, financial and property surveyors Keppie Massie (KM). The developer's profit return has been confirmed at 20% of GDV without any contributions. KM advises that this is the benchmark level. As such if the planning obligations being sought are included then the developer's profit would fall below this level, indicating that the development is unlikely to be sufficiently financially viable and unable to support any contribution.

9.30 KM have highlighted that the high specifications in terms of internal finishes and fixtures being proposed are substantially high in terms of costings. KM consider that should these be reduced it could still be possible to produce a high quality market development and potentially support some limited S106 contributions. It is acknowledged that the Council has no control over the internal finishes and fixtures. That said, it is considered that the high level of internal fixtures and fittings that have been costed are integral to the overall high quality design aspiration and market appeal of this development, and the appraisal has to be based on the development as proposed. On this basis the developer has sufficiently demonstrated that the contributions sought (£256,030 in total) would not be financially viable in this case,

and satisfies the provisions of Policy SP6 of the Local Plan. It is also of note that no financial contributions were to be made from the previous (extant) application involving 12 apartments.

Air Quality, Noise and Light Pollution

9.31 The application site is located close to, but outside, an area of Air Quality Management (AQM) as well as being close to the highway on a busy junction with Breck Road and Station Road. Whilst no observations have been received by the Councils Environmental Health Officer in relation to Air Quality, on the previous applications air quality was not considered to be a significant issue and remains the case here. As previously stated in this report the building footprint would be further back from the highway than previous schemes. Consequently, it is considered that the proposal would not conflict with Policy CDMP1 of the Wyre Local Plan with respect of air quality.

9.32 The Environmental Health Officer has advised that an Acoustic Noise Impact Assessment should be submitted to assess the potential for adverse noise impacts. However, previous applications on the site have included noise surveys which indicated that adequate mitigation could be provided for residential development and that there was no requirement for significant acoustic treatments around the site. In this instance, although the proposal is located close to Breck Road and Station Road it is set back further into the site than previous schemes - including the extant permission which could still be implemented that would sit immediately adjacent to the highway. Consequently, and subject to verbal discussions with the Environmental Health Officer, it is considered that the proposal would provide acceptable living conditions for future occupiers with particular regard to noise and as such would not conflict with Policies CDMP1 and CDMP3 of the Wyre Local Plan.

9.33 Due to the location of neighbouring properties, a condition is required to ensure that any external lighting does not have any adverse impacts upon neighbouring amenity. This will require that a Lighting Assessment is submitted and agreed in writing prior to installation of any external lighting associated with the building or car park. This in turn would satisfy policy CDMP1 of the Local Plan in respect of lighting impacts.

Other Issues

Gas Pipe Line

9.34 Cadent Gas has a major accident hazard pipeline in the vicinity of the site, however neither they nor the HSE object to the development. An informative could be added to the decision issued as requested by Cadent Gas.

Ecology and Landscaping

9.35 The application site is free from any substantial trees and vegetation and is primarily hardstanding and rubble as a result of the site clearance works. Greater Manchester Ecology Unit have advised that there are no ecological impacts associated with the proposal and have advised that the soft landscaping would be considered as net gain. The submitted landscaping plan demonstrates areas of landscaping around the site boundaries which would provide a visual buffer from the development and assist in reducing the impacts upon the street scene. The Councils Tree Officer has advised that the landscaping proposed is considered acceptable

subject to a condition requiring full species, size and quantities of trees to be provided.

Contamination

9.36 The application has been accompanied by a supplementary Phase 1 desk study which has been reviewed and assessed in relation to previous applications 17/00070/FULMAJ and 18/00614/FULMAJ. The Council's Environmental Health Officer has advised that the new proposals do not appear to significantly affect the previous risk assessments, and therefore based on the information within these reports and the previous reviews a watching brief condition should be applied should planning permission be granted.

10.0 CONCLUSION

10.1 The historic importance of the former Royal Oak building and the benefits it did provide historically have not been underestimated, however the application site is currently clear of any structures, is overgrown with mixed vegetation and fails to positively contribute to the visual amenity and character of the area or to the significance of the conservation area. Members are advised that this proposal is seen to provide an innovative and exciting form of development which respects the residential amenity of the surrounding neighbouring properties and would enhance and preserve the Conservation Area whilst at the same time provide a high quality standard of accommodation. The absence of any financial contribution has to be given weight in the balancing process of this application, as well as the shortfall of parking provision and the shortfall in interface distance with Crocus Court. That said, the substantial benefits arising from the scheme are considered to outweigh these matters. Furthermore the fall-back position is that the applicant could still implement and construct 12 apartments under application 18/00614/FULMAJ, which also offers no contributions, and this current scheme is considered to offer a higher quality form of development, with improved relationships to neighbouring properties and visual enhancements to the amenity of the area. It is concluded that the proposal does represent a sustainable form of development, and for the reasons given above, and taking other matters into consideration, it is recommended that the scheme is approved subject to the conditions suggested within this report.

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 Chief Executive (under the Emergency Powers decisions procedure in place) resolves to grant full planning permission subject to conditions.

Recommendation: Permit

Conditions: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

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

2. 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 23/12/2019 including the following plans/documents:

- Site Location Plan
- Proposed Site Plan (Revised) Drawing Number SP-0001 P1
- Planting Plan Drawing Number 199.4.02
- Landscaping Proposals Details Drawing Number 199.3.01
- Hardworks Plan Drawing Number 199.4.03
- Ground Floor and Site Plan Drawing Number GA-0001 P1
- First and Second Floor Plan Drawing Number GA-0002 P1
- Roof plan Drawing Number GA-0004 P1
- Sections Plan Drawing Number SC-0001 PL
- Proposed North and Southern Elevations Drawing Number EL-0001 Rev P2 (Revised)
- Proposed East and Western Elevations Drawing Number EL-0002 Rev P2 (Revised)

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. No development above ground level shall be commenced until details of the materials (including samples as appropriate) to be used in the construction of the external surfaces of the building (including the external walls, roof, and windows) have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

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

Reason: In order to safeguard human health and the environment against potential contamination and in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

5. No development above ground level shall be commenced until full soft landscaping specifications and schedules (including plant size, species and number/densities) (in accordance with Drawing Number 199.3.01) have been submitted and agreed in writing by the Local Planning Authority.

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

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31)

6. The hard landscaping works shall be carried out in accordance with the approved details (Drawing Number 199.4.03) prior to first occupation or first use of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31)

7. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) and Cycle Store shown on the approved plans (Site Plan Drawing Number SP-0001 P1 and Ground Floor and Site plan Drawing Number GA-0001 P1) has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

Reason: To ensure that adequate off road parking is provided to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

8. Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include and specify the provision to be made for the following:

(a) dust and dirt mitigation measures during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team

(b) control of noise and vibration emanating from the site during the demolition / construction period; complaint management and arrangements for liaison with the Council's Environmental Protection Team

(c) hours and days of demolition / construction work for the development expected to be 8.00-18.00, Monday to Friday, 08.00-13.00 on Saturday with no working on Sunday and Bank / Public Holidays

(d) contractors' compounds and other storage arrangements

(e) provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition / construction period

- (f) arrangements during the demolition / construction period to minimise the deposit of mud and other similar debris on the adjacent highways (e.g. wheel washing facilities)
- (g) the routing of construction traffic and measures to ensure that drivers use these routes as far as is practicable
- (h) external lighting of the site during the demolition / construction period
- (i) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (j) recycling / disposing of waste resulting from demolition / construction work
- (k) measures to protect watercourses against spillage incidents and pollution

The construction of the development including any demolition works shall be carried out in accordance with the approved CEMP.

Reason: Such details were not submitted with the application and need to be in place throughout the demolition / construction period in the interests of the amenities of surrounding residents, to maintain the operation and safety of the local highway network, to minimise the risk of pollution and to safeguard the character and appearance of the area in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

9. Prior to first occupation of any dwelling hereby approved, the site access and off-site works of highway improvement [namely, the reinstating and provision of a 2m wide footway across the site frontages of Breck Road and Station Road] shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable traveling accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

10. Prior to the commencement of development a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan.

The scheme details shall include, as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change as set out within the Environment Agency's advice on Flood risk assessments: climate change allowances' or any subsequent replacement EA advice note), 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 floor levels in AOD;

- b) Demonstration that the surface water run-off would not exceed the pre-development greenfield runoff rate;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development shall be first occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

11. Prior to the commencement of development details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, this shall include:

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

- i. on-going inspections relating to performance and asset condition assessments
 - ii. 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.

The development shall subsequently be completed, maintained and managed in accordance with the approved sustainable drainage management and maintenance plan.

Reason: 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 in accordance with policy CDMP2 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

12. Prior to the first occupation or use of the development hereby approved, the 7 first floor windows on the western elevation (Serving the hallway) shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
- ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

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

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

13. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings with parking provision unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: 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 Policy CDMP6 of the Wyre Local Plan (2011-31).

14. The development hereby permitted shall be designed so that the level of noise emitted from the site does not exceed the following levels as assessed in accordance with British Standard 8233 (2014) and WHO guidelines (or any subsequent replacement national standards / guidance) when measured at nearby noise-sensitive premises:

- LAeq 35 dB 16 hours - indoors, daytime (07.00-23.00)
- LAeq 30 dB 8 hours - indoors, night-time (23.00-07.00)

- LAFmax 45 dB 8 hours - indoors night-time (23.00-07.00)
- LAFmax 45 dB 4 hours - indoors evening (19.00-23.00)*

*The evening standard LAFmax will only apply were the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

Alternative levels and monitoring locations may be used subject to the prior written approval of the Local Planning Authority.

Reason: To minimise the risk of noise pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

15. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that light intrusion into the windows of any sensitive premises will not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity and in the interests of public safety in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

16. The existing access into the development site shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Specification for Construction of Estate Roads prior to the first occupation of any part of the development hereby approved.

Reason: To limit the number of access points and to maintain the proper construction of the highway in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

Notes: -

1. Due to the proximity of the site to a Major Accident Hazard Pipeline and a Low Pressure Gas main, the applicant/developer is advised to contact National Grids Plant Protection Team on 0800 688 588 or e-mail address plantprotection@cadentgas.com prior to any development commencing including demolition works.

2. The applicant is advised that the new site access, and off site highway works will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC Highways before works begin on site.