

**Committee Report****Date: 22.07.2020**

<b>Item Number</b>	<b>01</b>
<b>Application Number</b>	<b>18/00540/FULMAJ</b>
<b>Proposal</b>	<b>Proposed residential development of 16 dwellings, public open space, landscaping and associated infrastructure with vehicular access taken from West End</b>
<b>Location</b>	<b>Land South Of West End And Pinfold House Great Eccleston</b>
<b>Applicant</b>	<b>Mr R Lever</b>
<b>Correspondence Address</b>	<b>c/o Frost Planning Limited Mr Andy Frost Drumlins 57 Chelford Road Prestbury Cheshire SK10 4PT</b>
<b>Recommendation</b>	<b>Permit</b>

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

1.1 This application is before the Emergency Powers decision maker for a second time. It was initially presented on 6 May 2020. At that meeting the decision maker resolved to 'Grant full planning permission subject to conditions and a S106 legal agreement to secure Affordable Housing and Green Infrastructure provision and appropriate financial contributions towards local education, health care and community hall infrastructure; and that the Head of Planning Services be authorised to issue the decision upon the satisfactory completion of the S106 agreement'.

1.2 This decision was made on the basis of information contained in paragraph 9.4 as follows: The application will be subject to a Section 106 legal agreement (s106) for the community hub contribution, alongside other infrastructure contributions set out below, with the section 106 agreement to be finalised following approval of Part 2 of the masterplan [prepared for Site allocation SA3/3] to reflect the approved delivery mechanisms contained therein. Put simply the s106 can only be completed following on from the approval of the Part 2 Masterplan for the whole allocation of which the application site is a part.

1.3 The purpose of paragraph 9.4 was to ensure that an appropriate costing and delivery exercise had been undertaken for the new community hall, and then this could inform the contribution amount which this development is required to pay towards it. Work on a Part 2 Masterplan is underway. However, because it includes other infrastructure considerations such as delivery of the new spine road and community hub it is unknown at this stage when it will be ready to be presented for approval. In the meantime the Council has been asked by the applicant to try and expedite the delivery of development on this site due to the risk of losing an

interested developer. The applicant has also pointed out the unfairness of this scheme being delayed by having to wait for this document to be produced which covers a multitude of other elements. The applicant remains committed to making an appropriate and proportionate contribution towards the community hall.

1.4 In an attempt to reach a compromise, the alternative option in the absence of a Part 2 would be to commission detailed valuation work by Keppie Massie on the cost of land within the allocation and the likely build cost of a community hall. This work could then inform a subsequent s106 and agree a suitable contribution level from this development towards the delivery of the community hall. It could also inform the Part 2 to ensure the s106 and masterplan are aligned.

1.5 Any decision taken here must not undermine the important delivery mechanisms of masterplans, however it is considered the reasons why this site could be treated differently and a s106 completed before a part masterplan is approved is that it is small in scale relative to the wider allocation for 350 units, with its own separate access and therefore not reliant on other parts of the allocation to come forward, and the s106 is only dependent on the community hall element to be covered by the part 2. For these reasons, it is considered that there is an alternative option here that would be appropriate in light of the circumstances surrounding this scheme that would enable development to come forward without having a formal part 2 masterplan in place but which would still secure appropriate contributions towards the community hall and importantly would not set an unwanted precedent of granting planning permission without an approved masterplan in place.

1.6 In summary the original recommendation (as set out in paragraph 1.1 above) is to remain unchanged however the decision maker is now being asked to authorise the s106 to be completed on completion of the valuation work towards delivery costs of a community hall as opposed to an approved part 2 masterplan being in place.

## **ORIGINAL REPORT FROM 6 MAY 2020 'EMERGENCY POWERS DECISIONS ON PLANNING APPLICATIONS' MEETING**

### **1.0 INTRODUCTION**

Site Notice Date: 16/6/18 and 5/3/20

Press Notice Date: 18/7/18 and 4/3/20

1.1 This application is brought to Planning Committee at the request of Councillor Sue Catterall. A site visit is recommended to enable the decision makers to consider the site in context.

### **2.0 SITE DESCRIPTION AND LOCATION**

2.1 The site area is 1.36ha. The application site is land that is situated on the southern side of West End, Great Ecclestone. It is within the settlement boundary and is part of the wider Local Plan site allocation SA 3/3 (Mixed use development). The site is in Flood Zone 1. There is a Public Right of Way outside the western boundary of the site that links West End with the wider footpath network.

2.2 The site is grassed with a dense area of trees and hedgerows in the centre, and trees and hedgerows to the boundaries. There is a ditch to the southern and

eastern boundaries of the site. There are trees with tree preservation orders (TPOS) on the site. The site is relatively level with some areas of higher ground to the rear of Pinfold House and the properties on West End.

2.3 The site includes Pinfold House to the North, which is a detached two-storey dwelling and its garden. This property is rendered with a slate roof. Adjacent to this is the Pinfold, a Grade II Listed Building, which is an enclosed area with a stone wall. There is a brick building attached to this with a pitched slate roof.

2.4 Outside the north-west boundary is a builder's yard. There are also residential properties adjoining the site to the north-west and north-east. The Dimples fronts onto the site. Properties on West End have their rear elevations and gardens facing the site. There are other residential properties to the east, which have long back gardens adjoining the site. Beyond the southern boundary are open fields and the Dovecote, which is a Grade II Listed Building and Scheduled Monument.

### **3.0 THE PROPOSAL**

3.1 Proposed is full planning permission for the erection of 16 residential dwellings on the land. This will also include the provision of open space, landscaping and associated infrastructure, with access taken from West End.

3.2 The access from West End would pass between Pinfold House and the Grade II Listed Pinfold. The existing brick building attached to the Pinfold would be demolished. A new internal access road would lead to the dwellings, with a shared driveway off here to serve plots 2 and 3. All properties, with the exception of the affordable housing, would be served by detached garages. All would be served by drives, except for plots 7 and 9, which would have off-road parking to the front.

3.3 5 house types are proposed; Windsor (5 No.), Ellwood (3 No.), Belfry (3 No.), Winchester (1 No.) and the affordable housing 3B5P (4 No.). These would be laid out around a cul-de-sac, with all properties facing into the site and comprising a mixture of render and brick materials. Grey roof tiles are proposed. The Windsor property would be two and a half-storey with accommodation in the roof. Front and rear flat roof dormers would be provided. The ridge height would be 9.9m and the eaves 5.8m. The house would have a pitched gable roof and a gable feature to the front elevation. This would be a five bedroom property. There would be 2 variations of the Ellwood House type, which would be a bungalow. This would have a pitched gable roof with a ridge height of 5.4m and general eaves height of 2.4m. This house type would have 2 bedrooms. The Belfry would be a 5 bedroom property over 3 floors. Accommodation would be provided in the roof, with front and rear dormers. This house would have a ridge height of 9.5m and eaves of 5.8m. It would have a gable pitched roof. Double bays are proposed to the front elevation. The Winchester would be a two-storey detached dwelling with 3 bedrooms. This would have a pitched roof with a ridge height of 8.7m and eaves of 5.2m. There would be an open sided porch to the front elevation. The affordable housing (3B5P) would comprise two-storey semi-detached dwellings with pitched gable roofs. The ridge height would be 8.5m and the eaves 5m. These would be provided with an overhanging canopy over the front door and brick detailing. Each affordable property would have 3 bedrooms.

3.4 The detached garages would be either single or double with pitched roofs. The single garage would measure 6m x 3.1m internally and would have a gable roof. Two types of double garage are proposed, of either gable or hipped roof design. These would measure 6m x 6m internally.

3.5 The proposal would involve retaining the majority of existing areas of trees and boundary hedgerows, with some removal to accommodate the development (see tree section of this report for further detail). Native and ornamental tree planting is proposed, particularly in the front gardens and on the open space. Grassed areas would be provided to the open space. A footpath is proposed from the site to link to the Public Right of Way at the western side of the site. A 2.4m high brick wall is proposed to the rear of plots 2 and 3. A 1.8m brick wall is proposed to enclose the gardens of plots 1 and 5, and also to either side of the proposed footpath and the garden of the existing house Pinfold House. To the boundary with the builder's yard, a 1.8m high closed board acoustic fence is proposed. 1.8m high fences are proposed between the rear gardens of the properties. The boundary to the field to the south and west is to be reinforced with native species hedgerow planting and a post and rail fence.

3.6 It is proposed to discharge surface water to the ditch to the south-west corner of the site, via pumped discharge. A pumping station is proposed with the equipment below ground and enclosed in a fenced off area. It is proposed that foul would discharge into the combined sewer. Ground and finished floor levels are shown on the outline drainage proposal. This shows the land levels to be retained as existing.

#### **4.0 RELEVANT PLANNING HISTORY**

4.1 19/00860/OULMAJ - Land South Of A586 and North West of Copp Lane - Outline application for the erection of up to 350 dwellings, 1 hectare of employment land, a medical centre, a school, village hall and convenience store (all matters reserved) - Pending Consideration

4.2 06/00153/FUL - Building Yard, South of West End - Demolition of existing buildings and erection of single storey office and workshop building - Approved

4.3 84/00511 - Pinfold House - Two storey side extension to form garage with bedroom over - Approved

#### **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
- SA3 Mixed Use Development
- SA3/3 Land West of Great Ecclestone, Great Ecclestone

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 now 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 (NPPF) 2019

5.2.1 The revised National Planning Policy Framework 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

5.3.1 SPG2 Trees and Development

5.3.2 SPG4 Spacing Guidance for New Housing Layouts

### 5.4 THE NATIONAL PLANNING PRACTICE GUIDE (2019)

5.5 THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 (PLBCA) S.66 AND S.72

5.6 HISTORIC ENGLAND, 'THE SETTING OF HERITAGE ASSETS, HISTORIC ENVIRONMENT GOOD PRACTICE ADVICE IN PLANNING NOTE 3 (SECOND ADDITION)

5.7 THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

5.8 THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

## **6.0 CONSULTATION RESPONSES**

6.1 GREATER MANCHESTER ECOLOGY UNIT

6.1.1 The submitted survey is appropriate and no further surveys are required. Two trees on the site have been shown to support bat roosts. Although it is proposed that these trees be retained, they are close to the built development footprint (particularly the tree closest to the proposed access road). If in the future at any time it does become necessary to remove these trees to facilitate any approved development then mitigation and compensation for bats will need to be provided to avoid any possible harm to bats. All UK bats and their roosting places are legally protected.

6.1.2 Boundary habitat features will need protection during construction. Tree losses should be compensated. Require control of Japanese Knotweed.

6.1.3 No vegetation/tree removal should take place during the nesting bird season.

6.1.4 A precautionary pre-construction survey for Badgers is recommended. If Badgers are found then works a Method Statement will need to be prepared giving details of measures to be taken to avoid any possible harm to Badgers.

6.1.5 Supports the provision of bird nesting and bat roosting boxes.

6.2 GREAT ECCLESTON PARISH COUNCIL

6.2.1 Raised issues with the application, including dangerous access, impact on The Pinfold, there is no pavement at this section of the road, houses appear to be three-storey and out of keeping. Questions if complies with the Local Plan.

6.2.2 Further comments 30/3/20. Concern about strain of extra housing on drainage.

6.3 HISTORIC ENGLAND

6.3.1 Taking into consideration the supporting documentation assessing the heritage significance and impact of the proposals, Historic England has no objections to the application on heritage grounds.

6.4 LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY)

6.4.1 No objection but recommends consult Historic England and that the construction management plan should set out how the Pinfold is to be protected during the demolition of the adjacent building.

## 6.5 LANCASHIRE COUNTY COUNCIL (HIGHWAYS)

6.5.1 Response to original scheme: Suggest tweaks to the initial access arrangements. Require bus-stop upgrades. Given the scale of the development it is not considered essential that any cycle upgrades are provided by the developer. If this proposal was allowed to come forward without the masterplanning exercise being undertaken it could affect the ability for the site to meet the full quantum of housing identified in the emerging local plan. The layout is acceptable. Car-parking levels are acceptable. The site layout plan shows trees to be planted outside the service strips whereas the landscaping plan shows trees within the service strip at plots 8 & 9 and up to the service strip at a number of locations. If the roads are to be offered for adoption trees must be removed from the service strip and where adjacent to the services strip restrained to prevent root encroachment through the service strip. Requires conditions about a construction environmental management plan, scheme for the construction of the site access and off-site highway works, and street management. Informative recommended about highways consent.

6.5.2 Response to revised scheme for 16 dwellings – support the application subject to imposing a number of planning conditions. Considers that the proposal complies with Part 1 of the masterplan. Not concerned with traffic from 16 dwellings. Access arrangements acceptable. May require a low-level junction table, which can be resolved through a S278. Although footways between the site and the centre are narrow, consider that there would not be a severe impact. Local bus-stops will need to be upgraded as part of off-site highway works. The layout is acceptable and the roads adoptable, except the private drives to plots 1-3 and 7-10. Conditions required for a construction environmental management plan, construction of the site access and off-site highway works, management of streets and an informative about a highways legal agreement.

## 6.6 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY)

6.6.1 No comments received

## 6.7 LANCASHIRE COUNTY COUNCIL (UBLIC RIGHT OF WAY OFFICER)

6.7.1 No comments received

## 6.8 LANCASHIRE COUNTY COUNCIL (SCHOOL PLANNING TEAM)

6.8.1 LCC will not be seeking a contribution for primary school places. However, as there is an application that is pending a decision that could impact on this development should it be approved prior to a decision being made on this development the claim for primary school provision could increase up to maximum of 4 places.

6.8.2 LCC will be seeking a contribution for 2 secondary school places. This would result in a claim of £48,370.32. To date LCC has not named the school infrastructure project, which will be reported on an update sheet.

## 6.9 NHS FYLDE & WYRE CLINICAL COMMISSIONING GROUP (CCG)

6.9.1 The CCG has assessed the implications of this proposal on delivery of general practice services in Great Eccleston and is of the opinion that it will have a direct impact which will require mitigation with the payment of an appropriate financial

contribution. Applying the CCG methodology results in a claim for £9,660 towards new infrastructure (new practice premises in Great Ecclestone).

#### 6.10 THE RAMBLERS

6.10.1 No comments received

#### 6.11 UNITED UTILITIES

6.11.1 The proposals are acceptable in principle. The drainage should be carried out in accordance with the FRA. Recommend a condition on a sustainable drainage management and maintenance plan.

#### 6.12 WYRE BC CORPORATE DIRECTOR ENVIRONMENT (PARKS AND OPEN SPACES)

6.12.1 The plant sizes, species and choice appear satisfactory. Will a management plan and a management committee be formed? Requires illustration of open space design, including pathways, furniture and features.

#### 6.13 WYRE BC CORPORATE DIRECTOR ENVIRONMENT (TREE AND WOODLAND OFFICER)

6.13.1 Agrees with the observations made within the tree survey undertaken. The Tree Survey, Arboricultural Implications Assessment, Tree Removals, Retention and Protection Plan need to be followed.

6.13.2 Considers the trees to be removed to be suitably mitigated by new tree planting. Plant Schedule details, soft landscape elements, species choices, sizes are agreeable but density need refining and the specifications outlining methodology are absent. Retention of H23, T33 and additional tree planting to western and southern boundaries welcomed.

#### 6.14 WYRE BC HEAD OF ENGINEERING SERVICES (DRAINAGE)

6.14.1 Initial objection about surface water drainage. Based on the submission of further information there is no objection, but requires a condition for full surface water drainage plans to be submitted, including the management/maintenance of the surface water pump and a plan to redirect water away from properties in case of pump failure. No surface water should discharge to the foul or combined system. Applicant to prove connection to watercourse.

#### 6.15 WYRE BC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AMENITY)

6.15.1 Initial response required a noise assessment and a condition about an artificial lighting assessment.

6.15.2 Further response following submission of noise - Environmental health accept this and require the mitigation measures set out in the noise assessment to be conditioned. Require a condition about delivery hours. Supports the use of a construction management plan condition.

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

6.16.1 No objections. Recommend a watching brief condition.

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

6.17.1 No comments received

## 7.0 REPRESENTATIONS

7.1 19 objections have been received in total with the concerns summarised as follows:

- highway safety concerns from new access
- loss of the visual street diversity
- increase in pedestrians using West End
- concern that the developers intend to demolish Pinfold House
- piecemeal development
- village is already full
- flooding issues
- tree planting should be substantial
- substantial harm to the designated heritage asset 'The Dovecote'
- breach of Human Rights as will not be able to farm their field
- Objection to the removal of trees.
- objector owns T32 and T33 and will not allow their removal
- three storey houses inappropriate
- there should be protection of existing hedges and ditch to southern boundary
- detrimental impact on local bird and wildlife
- impact on local amenities
- Pinfold House, gardens and Victorian outbuilding which attaches to the Grade II Pinfold enclosure is not within site SA3/3
- old brick building next to the Pinfold should be preserved
- requires masterplan for whole site
- detrimental impact on character of area
- concern for educational and medical needs
- heritage statement contains errors e.g. height of Pinfold walls
- noise/rattling from raised junction
- new access and radii are not wide enough

7.2 2 letters of support have been received, summarised as follows:

- new residents will contribute to local businesses
- sensible provision of three bungalows
- will contribute to Wyre's housing numbers

## 8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Revised landscape and tree removals plans 15/4/20

8.2 Revised plans 18/2/20 – revised scheme from 13 to 16 dwellings to include affordable housing and revised housing mix.

- 8.3 Revised drainage strategy and design and access statement 20/9/19
- 8.4 Revised elevations 19/7/19
- 8.5 Revised plans 4/9/18
- 8.6 Revised supporting documents on ecology 18/6/18

## **9.0 ISSUES**

9.1 The main issues in this application are as follows:

- Principle of development
- Infrastructure Provision
- Response to Climate Change
- Housing Mix
- Visual Impact / Design / Impact on the street scene
- Impact on Heritage Assets
- Impact on Residential Amenity
- Impact on Highway Safety / Parking
- Flood Risk and Drainage
- Trees and Ecology
- Contamination

Principle of development

9.2 The application site falls within the settlement boundary of Great Eccleston and is allocated within the Adopted Local Plan as part of a wider allocation for mixed development (Site SA3/3). Policy SP1 of the Adopted Local Plan directs new development to within the settlement boundaries and states 'development within settlement boundaries will be granted planning permission where it complies with the other policies of this Local Plan'. Therefore, in principle, development of the land is acceptable subject to compliance with other Local Plan policies. As this land is part of a Local Plan allocation, the loss of agricultural land at this site has already been considered and accepted.

9.3 Site allocation SA3/3, which covers the majority of the site except the site frontage where the site access is proposed, allocates land for housing and employment. This sets out a housing capacity of 568 dwellings and an employment capacity of 1 hectare. Land to the east of Copp Lane (which falls within allocation SA3/3) has full planning permission for 90 dwellings (phase 1) and a further 93 dwellings (phase 2). There is a current pending outline planning application on land between Copp Lane and the A586 (also falls within allocation SA3/3) for the erection of up to 350 dwellings, 1 hectare of employment land, a medical centre, a school, village hall and convenience store (all matters reserved). Netting off these committed and pending applications still leaves available capacity for residential development. In any event this capacity is a minimum figure which could be exceeded subject to compliance with other plan policies. Notwithstanding a third party objection about the village being full, as the site is part of an allocation for development in the Adopted Local Plan, it has been identified as being necessary to help deliver Wyre's housing needs over the plan period and follows the development strategy of the Local Plan.

9.4 Site allocation SA3/3 contains a number of Key Development Considerations (KDCs) which are policy requirements that have to be satisfied. KDC1

states 'this site is to be brought forward in line with a masterplan to be produced covering the whole of the site. The masterplan must be agreed by the Local Planning Authority prior to the granting of planning permission for any part of the site'. There is an approved Masterplan (Part 1) for Great Eccleston which provides a framework for how the site will be developed. Part 1 was formally approved by Cabinet on 4 December 2019. The proposal would be in line with this Part 1 masterplan in terms of land use and design principles including scale and density. Specific matters relevant to the masterplan are subsequently discussed in each section of this report. Part 2 of the Masterplan will provide detail on the delivery of important infrastructure such as the new spine road and community hub. Work on the Part 2 document is currently underway. As this application site does not require access from the spine road, which would serve the rest of the allocation, and the applicant agrees in principle to the provision of a contribution towards the community hall payable in line with the delivery mechanism to be set out and agreed in Part 2 of the masterplan, it is considered that the proposal can be brought forward for determination now as it is considered that it would comply with the intended principles of Part 2 of the masterplan. The application will be subject to a Section 106 legal agreement for the community hub contribution, alongside other infrastructure contributions set out below, with the section 106 agreement to be finalised following approval of Part 2 of the masterplan to reflect the approved delivery mechanisms contained therein.

9.5 Policy SP2 of the Adopted Local Plan requires sustainable development and sets out a number of matters to assess this against, including those that are relevant in this case; ensuring housing provision meets the needs of all sections of the community, provision of strategic and local infrastructure and services, ensure accessible places and minimise the need to travel by car, reduce and manage flood risk, protect and enhance biodiversity, landscape and cultural heritage and green infrastructure assets, and achieve safe and high quality designed local environments which promotes health and well-being. The site is within walking distance of bus-stops and the services and shops of Great Eccleston, which is a rural service centre. There will be a link to a Public Right of Way that will connect to new facilities proposed under application no. 19/00860/OULMAJ and the rest of the mixed development allocation. Overall, the site is considered to be suitably accessible, and should reduce the need to travel by car for daily needs. Matters relating to other sustainability elements are discussed below, where no significant issues are raised. Overall, the proposal is considered to meet the sustainable development goals of the Local Plan.

#### Infrastructure Provision

9.6 Policy SP7 of the Adopted Local Plan requires the provision of contributions towards infrastructure and in some cases new infrastructure on site. This includes affordable housing, green infrastructure, education and health care provision. Relevant consultees have provided advice on the contributions required. Policy HP3 of the Local Plan requires new residential development of 10 dwellings or more on greenfield sites to provide 30% affordable housing on site. Exceptionally where it has been demonstrated that on-site provision is not appropriate, a financial contribution of broadly equivalent value will be required to be paid to the council to support the delivery of affordable housing elsewhere in the Borough. In this case, 4 no. semi-detached 3 bed houses are proposed as shared ownership affordable tenure, which equates to 25% provision. The remaining provision is proposed as a financial contribution amounting to £57,340. This provision of 25% affordable housing on-site and a financial contribution is considered acceptable in this case, due to the site access capacity constraints meaning that the provision of a greater number of housing units on site would not be appropriate and the aim to keep the development

low density in line with the masterplan. Affordable housing would be secured in a s106 agreement.

9.7 LCC school planning seek a contribution for 2 secondary school places. This would result in a claim of £48,370.32. This will ensure that the development supports education in the area. It is understood that if the larger application pending consideration (reference 19/00860/OULMAJ) were to be approved prior to this application, this could alter the contribution required. At the present time, this adjacent application is still pending, therefore the above contribution is correct. LCC have been asked for the named project for the contribution which will be reported on an update sheet. The requisite education contributions would be secured in a s106 agreement.

9.8 The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation with the payment of an appropriate financial contribution of £9,660 towards new infrastructure (new centre practice in Great Ecclestone). This will mitigate for the increased demand for medical services from this development. The requisite health care contributions would be secured in a s106 agreement.

9.9 In accordance with Policy HP9 of the Local Plan residential development resulting in a net gain of 11 dwellings or more will be required to make appropriate provision of Green Infrastructure. This should be provided on site. Developers must provide details of its long-term management. The number and bedroom mix of houses proposed produces a Green Infrastructure requirement of 0.17ha. This proposal will create public open space (POS) on-site equating to 0.19ha to be provided in 3 separate areas. The council's parks and open spaces team have been consulted on the planning application and accept the details submitted. The provision and management of the open space would be secured in a Section 106 legal agreement. Details of the design of the open space, including furniture and paths can be agreed through a planning condition.

#### Response to Climate Change

9.10 Policy SP2 of the Local Plan requires proposals to demonstrate how they respond to climate change. This proposal will involve some tree removal, but will propose new tree planting to the satisfaction of the council's tree officer (see tree section below). The site is also in an accessible location, which should enable the occupants to access shops and services on foot or via cycle and public transport, thereby reducing car usage. A condition is to be imposed requiring the provision of an electric vehicle charging point for each dwelling in accordance with Policy CDMP6 of the Local Plan. Information from the applicant states that these are included as standard. The submitted drainage strategy states that rainwater harvesting is likely to be suitable, working alongside any attenuated system. Also, peak rates of run-off will be restricted to the existing greenfield run-off rate and storage will be provided up to and including the 1 in 100yr storm event plus an allowance of 40% increase for climatic change. This can be considered as part of the agreement of the drainage details. Solar panels are an optional extra and can help a property to run more efficiently. Information provided by the applicant states 'the majority of our suppliers are now sending products out with minimal packaging. This is helping reduce waste. Quite a few materials are now being sourced locally and this is reducing the amount of carbon being produced by wagons on the road. Also, materials are being ethically and carefully sourced. For example, timber is being sourced and supplied from FSC Approved manufacturers. Any waste that does occur is being sent to a local transfer station where at least 95% of it is being recycled. This is reducing the amount of

waste being sent to landfills. Sub-Contractors use calculations to ensure that all the products / sanitary ware that goes into the properties is efficient and doesn't require high levels of water and / or energy. There are also additional items that can be added which help reduce the water / energy usage, i.e. restrictors on taps / showers, energy efficient thermostats, boilers and radiators'. It is considered that this application demonstrates an adequate response to climate change based on current knowledge.

## Housing Mix

9.11 Policy HP2 of the Local Plan requires an appropriate mix of housing in terms of size, type, tenure of housing, which accords with the most up-to-date Strategic Housing Market Assessment (SHMA). The proposal includes an appropriate amount of affordable housing as discussed above. The housing mix on the site would be 3 x 2 bedroom bungalows, 5 x 3 bedroom dwellings and 8 x 5 bedroom dwellings. The proposal is weighted towards larger detached properties, so would not comply with the housing mix directed by the SHMA. However, the specifics of this proposal with the capacity restrictions on the proposed access (see highways section below) and the requirement for it to be low density, mean that a greater number of smaller dwellings could not be provided. The applicant has revised the scheme to include the affordable semi-detached dwellings and a smaller detached dwelling, so that balanced against the site restrictions this is considered to be acceptable in providing a mix of housing sizes and types to widen the choice of housing types available.

## Visual Impact / Design / Impact on the street scene

9.12 Policy SA3/3 of the Adopted Local Plan requires development to 'provide an 'organic' extension to the village'. It should utilise important key vistas into the adjoining open countryside and provide a rural transition zone between the development and the wider countryside'. This requirement is for the whole allocation and so the proposal should be assessed in this context. The site forming this planning application is the closest part of the allocation to the existing built development of Great Eccleston. It will adjoin existing residential properties and a builder's yard. The dwellings adjoining the site vary in their designs, but mainly comprise two-storey dwellings. The masterplan for the Great Eccleston allocation sets out that the development of the application site should be low density. Being adjacent to the existing built form, it is considered that the proposal will form the 'organic' extension to the settlement required by the Local Plan. Following the principles set out in the masterplan, the proposal will not form piecemeal development, but will be integrated with existing and proposed built form and infrastructure. The details of this consideration are set out below.

9.13 Layout and density – the properties would be in a cul-de-sac arrangement. The site area is 1.36ha and with 16 dwellings proposed, will form a low density development. There would only be three properties immediately adjacent to the southern boundary with their side elevations facing this boundary, so this will assist in the development appearing as a low density transition zone next to the adjacent countryside. The land beyond the south-western side of the site is also part of the housing allocation, and so it is considered acceptable to have the higher density development along this boundary. With the exception of plots 7 and 9, each property would have its own drive and off-road parking. This will help to ensure that the appearance of the street-scene is not dominated by cars, with parking off the street and to the sides of properties where possible. Garages would generally be set to the rear of properties, to prevent those forming dominant features in the street-scene. SPG4 sets out guidance for new housing layouts. The minimum separation distance

between side elevations should be 2m (1m either side of the party boundary). The proposal will comply with this guidance and in many instances exceed it, so that the proposed dwellings will not appear overly cramped. On roads with footpaths, the minimum distance from the front building line to the boundary should be 5m, unless the form of the housing layout justifies a reduction. Most of the properties proposed will be set back 5m from the adjacent road or footpath. Plot 1 will come closer to the road, however, this property is angled so that it will not face onto the road, and so it is not considered that it would be overbearing in the street-scene. Plot 16 also comes within a minimum of 2m from the footpath. Being a bungalow that is of relatively low height and also that there would be a lack of a distinct building line at this part of the street, it is not considered that this building will be overbearing or obtrusive in the street-scene. Overall, the properties will be adequately set back from the road, to present an acceptable layout. Policy CDMP3 of the Local Plan requires the provision of safe and secure environments. This proposal would present adequate opportunities for surveillance of the street, with properties looking out onto the street.

9.14 Scale – the scale of the proposed properties range from bungalows to two-storey properties with dormers in the roof. The maximum roof height would be 9.9m. Forming a relatively self-enclosed development, it is not considered that the scale of dwellings proposed would be out of keeping with the character of the area or visually prominent. The adjacent properties on West End are two-storeys high and there are a variety of property heights in the settlement of Great Ecclestone. The land to the rear of Denrock is slightly raised over the rest of the site, and two bungalows are proposed to be sited in this location. This will help to keep the development as low as possible. The scale of the development satisfies Part 1 of the Masterplan as well as policy CDMP3.

9.15 Design – all development is expected to be a high standard of design in accordance with Policy CDMP3 of the Adopted Local Plan. It is considered that each property type proposed is suitably designed, with features that are in proportion and symmetrical, and with some visual interest, including bay windows, dormers, porches and brick details. The dormers would be small-scale features that would not dominate the roofs. The final materials to be used can be agreed through a condition, however, the plans show a range of materials including brick and render, to give visual interest. The garages are considered to be suitably designed with either hipped or gable roofs. The design of the development satisfies Part 1 of the Masterplan as well as policy CDMP3.

9.16 Landscaping – there is substantial existing vegetation and trees to most of the site boundaries. This is to be retained and enhanced. It will provide significant screening of the development from wider viewpoints and prevent the development standing out in the wider area. A landscaping plan has been provided, and this is generally agreed by the council's tree officer and parks manager. A planting specification has been provided on the plan, however, this does not set out the arrangement or plant numbers, therefore a condition will be required for the final landscaping details to be agreed. Overall, however, it is considered that the development can be suitably landscaped to ensure a high standard of appearance. A condition can be used to agree the details of the furniture and paths on the open space, to ensure that this is visually acceptable. The landscaping satisfies the general landscape framework in the masterplan and satisfies CDMP3 and CDMP4.

9.17 Boundary treatments – a plan has been provided showing the proposed boundary treatments. 1.8m high fencing is proposed to the rear gardens, which would be typical and visually acceptable. A condition can be used to prevent the erection of boundaries between the dwellings and the highway, so as to retain the

open front/side gardens and high standard of design. 1.8m brick walls are proposed to some rear/side gardens. These would be visually acceptable and would provide some visual interest to the street-scene. The materials would match those of the dwellings and can be conditioned. A 1.8m high acoustic fence is proposed to the boundary with the builder's yard. This would be visually acceptable. To the rear of plots 2 and 3, a 2.4m high wall is proposed. This would be acceptable in this siting and would not be prominent in the street-scene. It is proposed to fence off the proposed pumping station, with the equipment below ground. With suitable planting and landscaping it is not considered that the fencing should stand out as obtrusive in the street-scene. A condition can be used to agree the details of the fencing and the final appearance of the pumping station.

9.18 Waste – each property would have the ability to store bins down the side or in the rear gardens, therefore this would be well screened and would not be unsightly in the street-scene.

9.19 Land levels – a topographical survey of the existing site has been provided. The site is relatively flat, sloping up gently from the road and with some areas of higher ground to the rear of Pinfold House and the properties on West End. The submitted drainage strategy shows the existing land level retained, so significant land level alterations will not be required. As the drainage details are to be finalised through a condition, it is considered appropriate to require the final land and property levels to be agreed through a condition. The generally flat nature of the site however, should contribute towards the dwellings not standing out in the wider area.

#### Impact on Heritage Assets

9.20 Policy CDMP5 of the Adopted Local Plan aims to protect, conserve and where appropriate enhance the historic environment. The site is adjacent to two heritage assets, The Pinfold and The Dovecote. A heritage statement has been submitted and this is considered to contain sufficient information to assist the assessment of the impacts on the heritage assets. The Pinfold would be adjacent to the entrance of the site and currently adjoins a brick building, which would be demolished. The Dovecote is in the wider fields to the south, and the site forms a backdrop to this asset. Historic England, the council's conservation officer and Lancashire Archaeology have been consulted for professional advice on this matter. Historic England have no objections and the conservation officer comments that the proposal will 'preserve the appearance and setting of the nearby listed buildings, the Dovecote (which is also a Scheduled Monument) and the Pinfold. It is therefore considered to be in conformity with S.66 of the PLBCA'. Furthermore the conservation officer comments that the proposed design for the new dwellings and the site layout is sympathetic and appropriate to the area. The Pinfold will be retained and the proposal will open up this asset so that it is more visible in the street and it will provide a landmark for those entering the development and into Great Ecclestone. The building adjoining this would be demolished. As professional advice presents no objections to this demolition, this is considered to be acceptable.

9.21 Lancashire Archaeology have no objections to the proposal, however, recommend that a construction management plan should include consideration of how the building adjacent to the Listed Pinfold will be demolished. This can be dealt with through the construction management plan condition proposed. It is not considered that there would be harm to the setting of the Listed Dovecote. Historic England state 'the impact of the development upon the setting of the scheduled monument has been mitigated through the development being contained fully within the field parcel to the west of the field containing the monument. The retention of

existing field boundary hedges and trees with infilling and reinforcement as necessary will provide screening to minimise the visual impact of the development upon the dovecote, particularly views across the field to the west of Copp Lane'. The vegetation to the boundary with the field in which the Dovecote is sited will be retained and enhanced, which will provide a clear barrier from the proposal and significant screening. It is considered that the character of the setting of the Dovecote will be preserved.

#### Impact on residential amenity

9.22 Light – the proposed dwellings would all be at sufficient spacing from each other to ensure adequate light to each property and follow the principles of SPG4, which includes separation distances of 21m where front elevations are directly facing each other and 13m between rear and side elevations for two-storey development. Where properties are staggered, the projections beyond each other would not result in an unacceptable loss of light or overbearing. Plot 5 is staggered in front of plot 4 by around 11m with a 5m gap between the properties. However, in this case it is not considered that plot 4 would have a sense of being overly enclosed, not having properties to its other sides and being to the south of plot 5, therefore still obtaining direct sunlight throughout the day. In terms of the relationship with existing dwellings outside the site, these would all meet the separation distances set out in SPG4 for rear to rear and side to rear relationships to avoid an unacceptable loss of light.

9.23 Overlooking – within the site each property would meet the required separation distances of 21m between main windows, or where this is reduced an angled view is provided that would avoid unacceptable overlooking. Certain side windows directly facing each other on the properties would be required to be obscure glazed to prevent overlooking. This can be suitably conditioned. The rear gardens would be adequately screened by 1.8m high fencing, and no main window would be closer than 10.5m to a neighbouring rear garden. Considering neighbours outside the application site, where there would be a direct view between the main elevations of plot 15 and the Dimples, a separation distance of over 21m would be provided, which will ensure that there is not unacceptable overlooking. Plot 1 would be around 18m from the rear of Pinfold House, which is less than the normal 21m, however there would be a significant angle between the properties so that this distance would not result in unacceptable overlooking between windows. The garden of this neighbour would be around a minimum of 10m away from the closest window in plot 1, which would be acceptable with the angled view and a greater distance would be provided from the other windows in the dwelling. No main windows would face the rear of Denrock. There would be an angled view of the very end of this neighbour's rear garden from plot 1. The angle and fact that this is the part of the garden furthest from the existing house, is considered sufficient to prevent unacceptable overlooking of this neighbour's outdoor amenity space. However, it is considered that the second floor rear dormer window on plot 1 serving the master bedroom should be obscure glazed, as this will prevent a sense of overlooking to the neighbour due to the height of this window looking down. Also the eastern side windows in plot 1 will need to be obscure glazed as they would directly face Denrock. This will be acceptable, as these are secondary windows and/or there is an alternative window serving the rooms that they serve. A 1.8m high fence will be required to the boundaries with Denrock, Bella Vista and The Cott. This can be conditioned. A 2.4m high wall is proposed to the rear gardens of plots 2 and 3 and this would provide adequate privacy to the neighbours to the rear.

9.24 There is an existing builder's yard adjacent to the northern boundary of the site. The council's environmental protection department have been consulted on a

noise assessment that has been submitted in relation to this. This is advised to be acceptable, provided that mitigation in the form of an acoustic fence is implemented. This has been shown on the boundary treatments plan and could be conditioned. A condition about delivery hours during the construction period has also been advised and this could be included within the construction management plan to be agreed, which would also control matters such as construction hours and the location of any materials compound.

9.25 Each of the proposed dwellings would have main rooms served by a window giving outlook and light. The properties would either have 10.5m long back gardens, or equivalent private garden space, providing adequate outdoor amenity space to each dwelling.

9.26 A neighbour has commented that their human rights will be breached as they will not be able to farm their field adjacent to the development. A residential use is considered to be compatible with the use of an adjacent field for agricultural purposes. This is a common situation in many rural areas, where housing is sited next to agricultural fields. There should not be unacceptable harm to neighbouring amenity from the use of the adjacent field for typical agricultural activities. Therefore, it is not considered that the proposal would result in unacceptable harm to the amenity of the occupants of the proposal, or for the continued operation of existing agriculture.

#### Impact on Highway / Parking

9.27 The residential development will be accessed from a new access point created off West End, between Pinfold House and the Pinfold Grade II Listed Building. LCC Highways have been consulted for professional advice on this matter and consider the proposal to be acceptable in terms of traffic generation and highway safety. A number of neighbour objections have been raised to the proposed access. However, this is agreed in principle in the masterplan. The number of dwellings to be served has been restricted and it will not provide vehicular access to the wider Masterplan area. As LCC Highways agree to the number of dwellings proposed to be served by the new access, there are no highway safety concerns. The details of the site access and off-site highway works can be agreed through a planning condition. Conditions will also be required about the provision of a construction management plan and a plan for the management of the streets. The proposed road layout is considered to be acceptable.

9.28 Policy SA3/3 requires pedestrian and cycle connectivity within and where possible outside the allocation site. There will be connectivity to the wider allocation and the proposed services via a new path and link to the Public Right of Way. The provision of the vehicular access to West End would also enable additional pedestrian and cycle links from the main Masterplan area to High Street. Although footways to the centre are narrow, LCC Highways advise that this will not have an unacceptable impact based on the low speed of the road and that there have not been past recorded accidents.

9.29 Parking standards are set out in Appendix B of the Local Plan. Typically, 3 off-street spaces are required for larger properties and 2 spaces required for 2 or 3 bedroom properties. The proposal would meet this provision with private driveways, parking spaces and garages. The proposed garages would meet the minimum size requirements to provide parking space. The garages at plots 2, 5, 13, 14 and 16 would need to be conditioned to be for vehicle parking only, as there would be

insufficient drive space to provide all of the required parking. A condition can be used to ensure that the parking and turning is laid out as shown.

#### Flood Risk and drainage

9.30 The site is in Flood Zone 1, which is the lowest risk area for flooding. The council's drainage engineer has been consulted on the application and has no objections, but has requested information on how the proposal will connect to the local watercourse network. This has been confirmed and the drainage engineer has no objections to this. Allocation SA3/3 requires 'residual surface water should drain into the River Wyre via Thistleton Brook and existing watercourses'. A condition will be required to agree the drainage details and to ensure that the most sustainable drainage option is utilised. United Utilities and the council's drainage engineer also recommend a condition on a sustainable drainage management and maintenance plan, and this is considered to be reasonable. As this application is a major category application, a flood risk assessment has been provided. There are no objections to this from the relevant consultees. The Lead Local Flood Authority at Lancashire County Council have been consulted on the application but have not commented. Overall, based on the comments from the relevant professional consultees, it is not considered that there would be an unacceptable flood risk from the proposal.

9.31 A Sequential/exception test is not required because the site is in Flood Zone 1, which is at the lowest risk for flooding.

#### Trees and ecology

9.32 There are trees on site, including those with Tree Preservation Orders on individual trees and groups. Some trees are proposed to be removed to facilitate the development, as shown on the tree removals plan. Some trees have been recommended to be felled in the tree survey, due to their poor condition. The council's tree officer has been consulted on the application and agrees with the observations made within the tree survey undertaken. The Tree Survey, Arboricultural Implications Assessment, Tree Removals, Retention and Protection Plan need to be followed and this can be conditioned to be implemented. This will ensure that the trees and hedges to be retained will be adequately protected during the construction works. New tree planting will be provided in accordance with the provided landscaping scheme and the tree officer advises that this will adequately mitigate for the removal of trees. Further detail is required on the landscaping including planting densities and arrangements and this can be agreed through a condition.

9.33 Ecology reports have been submitted with the application and Greater Manchester Ecology Unit (GMEU) have been consulted for professional ecology advice. GMEU advise that the reports have been carried out by a suitably qualified ecologist. There are no objections and no further surveys are required before deciding the application. Two trees on the site have been shown to support bat roosts. The trees are to be retained, but if they were ever to be removed, then mitigation and compensation for bats would be required. The boundary habitat features will need suitable protection during construction and this will be ensured through the tree protection condition mentioned above. Some trees will be lost and new tree planting is recommended (see paragraph above on trees). The invasive plant Japanese Knotweed has been recorded growing on the site boundary, it is therefore recommended that this plant be controlled as part of groundworks. The details of a scheme for this to be agreed could be conditioned. A condition could be used to prevent demolition/vegetation/tree works during the bird breeding season, so

as to protect nesting birds. A precautionary pre-construction survey for badgers is recommended, which can be agreed through condition. Bat and bird boxes are proposed to be erected and these could be conditioned to be implemented through a habitat creation scheme. Recommendations are set out in the submitted bat survey and these can be conditioned to be implemented. To protect bats, a condition can also be used to control external lighting, so that it would not disturb bat habitats.

9.34 Policy SA3/3 states that 'the site is located within 3.5km of Morecambe Bay European protected nature conservation site and home owner packs for future home owners highlighting the sensitivity of Morecambe Bay to recreational disturbance will be required'. This is also a requirement of CDMP4 and can be conditioned to be implemented.

#### Contamination

9.35 A report on contamination has been submitted and the council's environmental protection department have no objections to this, however, a condition for a watching brief is recommended. This would be appropriate, so as to protect the environment and human health.

#### Other Issues

9.36 A Public Right of Way is adjacent to the application site. The Ramblers and the Public Right of Way Officer at Lancashire County Council Highways have been consulted on the application but have not commented. An informative can be added to any permission granted, so that the applicant is aware that the grant of planning permission does not authorise the blocking up of a Right of Way. The proposal will not adversely affect this existing PROW, in accordance with Policy CDMP6 of the Adopted Local Plan.

9.37 Some neighbours have commented that they would not allow for the removal of certain trees, raising questions of their ownership. This is a private matter between the parties involved, however, an informative can be added so that the applicant is aware that if any of the works were to encroach onto neighbouring property then the owners' consent would be required.

9.38 The proposed development constitutes Schedule 2 development according to the definitions listed in the Environmental Impact Assessment (2017) Regulations (EIA), as it cumulatively with the rest of the housing/employment allocation includes more than 150 dwellings and exceeds a development area of 5ha. Based on the characteristics of this proposal, information provided, consultation responses and assessment that there would not likely be significant environmental impacts, it is concluded that an EIA assessment is not required. There would not be significant impacts on natural resources, waste, pollution and nuisances, human health, water resources, biodiversity, landscape, cultural heritage, transport routes or adjacent land uses.

9.39 A neighbour has commented that it is intended to demolish Pinfold House. This is not shown on the plans and therefore is not under consideration as part of this planning application.

## **10.0 CONCLUSION**

10.1 It has been assessed that the proposed development of 16 dwellings on this land, which is within the settlement boundary and part of a wider allocation in the

Adopted Local Plan for housing and employment development, would be acceptable. The proposal would be in accordance with the approved Part 1 masterplan for the wider allocation and the section 106 agreement to be completed would ensure it is compatible with the Part 2 masterplan which is currently being drafted in terms of contributions to the provision of a community hall. This Section 106 legal agreement would also secure the appropriate provision of affordable housing and green infrastructure, and contributions towards school places and health infrastructure in line with the Local Plan requirements. The overall scheme is considered to be suitably designed and forms a low density development that would integrate well with the existing developed form in Great Eccleston. It would respect the existing heritage assets adjacent to the site. The proposed dwellings would have adequate levels of amenity and would not be harmful to the amenity of existing neighbouring properties, complying with the principles set out in SPG4 and policy CDMP3. A new access would be provided onto West End to serve the site and based on professional highways advice from Lancashire County Council, these access arrangements are considered acceptable. Some improvements to bus-stops would be required which would be secured by condition. It is not considered that the proposal will be harmful to biodiversity or trees and would involve additional habitat features and tree planting. All other relevant planning matters have been assessed to be acceptable. Overall, the proposal has been assessed to comply with the NPPF and the relevant policies of the Adopted Local Plan subject to a section 106 legal agreement and the imposition of a number of conditions.

## **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 full planning permission subject to conditions and a S106 legal agreement to secure Affordable Housing and Green Infrastructure provision and appropriate financial contributions towards local education, health care and community hall infrastructure. That the Head of Planning Services be authorised to issue the decision upon the satisfactory completion of the S106 agreement.

### **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 31 05 2018 including the following plans/documents:

- Illustrative street scenes Drg No 02 REV E
- Street scenes/sections Drg No 10
- Proposed site location plan Drg No 00 Rev B
- Boundary treatment & materials layout Drg No 03 Rev H
- Tree removals, retention and protection Dwg No 02 Rev F
- Proposed garage details Drg 07
- Proposed garage details Drg 05 Rev B
- Proposed garage details Drg 06 Rev B
- Ellwood\_Floor Plans & Elevations\_Plot 13 Dwg HT\_04-REV\_02
- Ellwood\_Floor Plans & Elevations Dwg HT\_03-Rev\_02
- Proposed Belfry House Type CB/XXXXX/009 REV B
- Winchester\_Floor Plans & Elevations Dwg - HT\_07
- Windsor\_Elevations Dwg HT\_06 - Rev\_02
- Windsor\_Floor Plans HT\_05 - Rev\_02
- 3 bed Semi Detached\_Elevations Dwg - HT\_08
- Proposed boundary treatment details Drg No 04 Rev B
- Planning layout Drg No 01 Rev K
- Open space plan Drg 09
- Arboricultural survey 18/10/17
- Arboricultural Impact Assessment (DEP Landscape Architecture Ltd June 2018)
- Bat survey report June 2018
- Executive statement February 2020

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. Prior to the commencement of the development hereby approved, a Landscape and Habitat Creation and Management Scheme, including a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall identify the opportunities for biodiversity enhancement on site including (but not limited to):

- Native tree and shrub planting
- Hedgerow planting
- Bolstering of existing hedgerows
- Bird Boxes
- Bat Boxes/bat features in buildings

The Landscape and Habitat Creation and Management Scheme shall be carried out in accordance with the approved details.

Reason: Such a scheme was not submitted with the application but is necessary to secure opportunities for the enhancement of the nature conservation value of the site in the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

4. Within the time period of 3 months prior to commencement of development hereby approved, a pre-construction survey for badgers which establishes the presence or otherwise of this species shall be carried out, submitted to and approved

in writing by the Local Planning Authority. If the presence of this species is confirmed to be present the report shall include a method statement and mitigation measures, including timescales, to avoid and/or mitigate any possible harm to the species. Those approved method statement and mitigation measures shall then be fully implemented.

Reason: To prevent possible harm to ecology if the development were commenced without the necessary protections and mitigation measures in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

5. Prior to the commencement of development hereby approved (including demolition, ground works, vegetation clearance), an invasive non-native species protocol shall be submitted to and approved in writing by the local planning authority, detailing the containment, control and removal of Japanese Knotweed on site. The development shall be carried out strictly in accordance with the approved scheme.

Reason: Such a scheme was not submitted with the application but is necessary to ensure compliance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

6. The development hereby approved shall be implemented in full accordance with the bat survey report submitted with the planning application [June 2018] including all the mitigation measures set out in Section 5.0 of that report.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

7. No tree felling, tree works, vegetation removal, demolition, or works to hedgerows shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any clearance/demolition, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting/breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework .

8. Prior to first occupation of any dwelling hereby approved, a scheme for the provision of home-owner information packs highlighting the sensitivity of Morecambe Bay (a European protected nature conservation site) to recreational disturbance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme details shall include the content of the home-owner information packs which must explain the conservation value of Morecambe Bay, the potential impacts that can arise from residential development and explain the responsible behaviours that would be required from residents to avoid undue ecological impact, as well as a methodology for the distribution of the home-owner packs to future home owners including upon resale of the dwellings as far as is reasonably practicable. The approved information packs shall subsequently be made available to future home owners in line with the approved methodology.

Reason: In order to safeguard biodiversity from the recreational disturbance effects of residential development in close proximity to Morecambe Bay, in accordance with the provisions of Policy CDMP4 of the Wyre Local Plan 2011-31.

9. Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: In the interests of ecology and biodiversity in accordance with the Wildlife and Countryside Act 1981, Policy CDMP4 of the Wyre Local Plan (2011-31) and section 15 of the National Planning Policy Framework.

10. Prior to the commencement of the development hereby approved, 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 and shall be based on the principle of discharge into the watercourse at the south west corner of the site.

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 the development hereby approved, 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.
- d) The management/maintenance of the surface water pump and a plan to redirect water away from properties in case of pump failure.

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 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 including deliveries 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 routeing 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
- (l) protection of the adjacent Grade II Listed Pinfold during demolition and construction phases

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).

13. Prior to the first occupation of any dwelling hereby approved a scheme for the construction of the off-site works of highway improvement [namely, upgrading of nearest eastbound and westbound bus stops, and site access and junction treatment at site access / High Street / Back Lane] shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented, 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 final details of the necessary off-site highway works are acceptable and to ensure their timely delivery in the interests of highway safety and to encourage sustainable travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

14. a) Prior to the first sale or occupation of any dwelling on the site, whichever is the sooner, the proposed arrangements for future management and maintenance of the roads/ footways/ cycleways within the development shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a plan showing areas of highway proposed for adoption by the Local Highway Authority and any areas proposed for private management.

(b) Should the plan required by (a) show that any highway within the estate would be privately managed, details of a Road Management Plan to detail how those sections of highway would be maintained in perpetuity, such as a private management and maintenance company to be established if applicable, shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

(c) Should the plan required by (a) show that any highway within the estate would be proposed for adoption by the Local Highway Authority, those roads/ footways/ cycleways shall be made up to, and retained thereafter to, the Local Highway Authority's Adoptable Standards.

Reason: To ensure that all highways, footways and cycleways will be maintained to a sufficient standard by either the Local Highway Authority or by a site management company in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

15. The development hereby approved shall not be first occupied or brought into use until the parking/turning area(s) shown on the approved plan [Planning layout DRG No. 01 Rev K] 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).

16. The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

17. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garage(s) to plots 2, 5, 13, 14 and 16 hereby approved shall be retained solely for the housing of a private motor vehicle associated with the residential occupation of the property and shall be used for no other purpose without express planning consent from the local planning authority, and at no time shall any works be undertaken that would prevent it from being used for that purpose without express planning permission from the local planning authority.

Reason: To ensure that the on-site vehicle parking provision is maintained to avoid the standing of traffic on the adjoining highway to the detriment of the safety and free flow of traffic thereon and in the interest of the amenity of the street scene in accordance with Policies CDMP3 and CDMP6 of the Wyre Local Plan (2011-31).

18. No development above ground level shall be commenced until details of the materials to be used in the construction of the external surfaces of that dwelling (including the external walls, roof, fascias, guttering 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).

19. No development approved by this permission shall be commenced until details of the proposed ground, slab and finished floor levels have been submitted to and approved in writing by the Local Planning Authority.

The ground, slab and finished floor levels shall be constructed and completed in accordance with the approved details.

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, and a satisfactory impact on neighbouring residential amenity in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31). 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.

20. The approved boundary treatments (Boundary treatment and materials layout Drg No 03 Rev H and Proposed boundary treatment details Drg No 04 Rev B) shall be completed to each plot before the dwelling on that plot is first occupied. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants/neighbours in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no fences, gates, walls, railings or other means of enclosure shall, at any time, be constructed/erected within the

curtilage of any dwelling house forward of any wall of that dwelling house which fronts on to a highway without express planning permission from the local planning authority.

Reason: To safeguard the appearance of open plan development and in accordance with Policy CDMP3 of the Adopted Wyre Local Plan 2011-31.

22. (a) No retained tree/hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

In this condition "retained tree/hedgerow" means an existing tree/hedgerow which is to be retained in accordance with the approved Arboricultural Survey (18/10/17), Arboricultural Impact Assessment (DEP Landscape Architecture Ltd June 2018), and Tree Removals, Retention and Protection Plan (DWG No 02 Rev F); and paragraphs (a) and (b) shall have effect until the expiration of 1 year from the date of the occupation of any part of the development for its permitted use.

Reason: In the interests of visual amenity and to ensure that trees are not felled unnecessarily in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

23. The measures contained within the approved Arboricultural Survey (18/10/17), Arboricultural Impact Assessment (DEP Landscape Architecture Ltd June 2018), Tree Removals, Retention and Protection Plan (DWG No 02 Rev F) and executive statement table 2 (February 2020) with respect to those trees/hedgerows shown as being retained shall be implemented in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree/hedgerow" means an existing tree/hedgerow which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees/hedgerows from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

24. Prior to first occupation of any dwelling hereby approved, an acoustic fence to be sited as shown on boundary treatment and materials layout (Drg No 03 Rev H) and constructed from continuous, imperforate material with a minimum mass of 12 kg/m<sup>2</sup> and to extend from the ground to the stated height with no gaps (in the case of timber fencing, close-boarded or overlapped timber panelling), shall be erected, unless an alternative specification is submitted to and approved in writing by the

Local Planning Authority prior to first occupation. The approved acoustic fence shall thereafter be retained and maintained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

25. No dwelling hereby permitted shall be occupied unless or until the pedestrian/cycle link approved onto the adjacent public right of way (as shown on Planning layout Drg No 01 Rev K) has been constructed and built up to the site boundary. This pedestrian/cycle link shall thereafter be maintained and remain open and unobstructed at all times.

Reasons: To ensure that the development provides appropriate connections and sustainable linkages to neighbouring development and the wider highway network in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework.

26. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include, areas of soft landscaping (including any retained trees, hedgerows and other planting and any replanted or transplanted hedgerows), hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

The landscaping works shall be carried out in accordance with the approved details 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.

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) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework. The details are required to be approved prior to commencement of development to ensure landscaping is implemented at an appropriate time during the development. Whilst a planting specification has been provided, this is insufficient as it does not set out the arrangement or plant numbers.

27. 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).

28. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings, unless it is demonstrated that such provision of EVCP is not practical due to 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).

29. Prior to the first occupation of those dwellings to which this condition relates, the window(s)/glazing serving the ensuite and utility rooms in the side elevation(s) of plots 2 and 3, eastern side windows and rear dormer window serving the master bedroom in plot 1, and side elevation windows in plots 4, 5, 6, 12, 13, 14 and 15 shall be:

- i) obscure glazed at a scale of 5 (where 1 is hardly obscured and 5 is totally obscured), and
- ii) non-opening windows 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).

30. Prior to the commencement of the development hereby approved, details of a scheme for the installation of furniture and pathways to the approved open space, including their siting, design and materials, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of any of the dwellings on site, or otherwise in accordance with a timetable of implementation to be agreed in writing with the Local Planning Authority prior to first occupation.

Reason: To ensure the provision of appropriate open space in accordance with Policy HP9 of the Adopted Local Plan and the NPPF.

31. Prior to the commencement of works on any proposed pumping station, a plan indicating the position, design, materials and type of boundary treatment of the pumping station to be installed, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be maintained and retained.

Reason: In the interests of the appearance of the locality in accordance with policy CDMP3 of the Wyre Local Plan (2011-31).

**Notes: -**

1. It is an offence to disturb, harm or kill any species specifically protected under the Wildlife and Countryside Act 1981. In the event of any such species being unexpectedly encountered before and during site clearance or development work, then work shall stop immediately until specialist advice has been sought from a suitably qualified Ecologist regarding the need for additional survey(s), a license from Natural England and/or the implementation of necessary mitigation measures.
2. If any part of the proposed development encroaches onto neighbouring property the approval of the adjoining owners should be obtained before the development is commenced.
3. The grant of planning permission does not authorise any closure, obstruction or diversion of a public right of way. Any proposed stopping-up or diversion of a public right of way should be the subject of an Order under the appropriate Act and Lancashire County Council should be contacted for advice in the first instance.
4. This grant of planning permission will require an appropriate legal agreement to be entered into with Lancashire County Council as the Local Highway Authority. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. Before any works begin Lancashire County Council should be contacted to ascertain the details of such an agreement and the information to be provided by telephoning 0300 123 6780 or writing to Lancashire Highways Services, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.