

PLANNING COMMITTEE UPDATE SHEET

COMMITTEE DATE: 4 November 2015

APPLICATION NO.	TEAM LEADER	ITEM NO.	PAGE NOS.
14/00458/OULMAJ	LYDIA HARPER	01	8-58

Amendment(s)

Paragraph 6.9.14 should not make reference to payments being prior to commencement, they are to be paid as set out in the bullet points below.

Representations

Two additional representations have been received in respect of this application. Neither raises any additional issues to those set out in the officer report.

Conditions

(A) Delete conditions 8, 9, 10, 18, 22, 23, 25, 28, 30, 32, 33 and 40.

(B) Amend conditions 1, 4, 7, 11, 16, 19, 20, 21, 24, 31, 34, 36 and 37 as follows:

1. (a) In the case of any reserved matter, namely **access**, appearance, landscaping, layout and scale of the buildings, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission;

(b) the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last matter to be approved.

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.

4. (a) The total number of residential units to be provided on the site shall not exceed 270.

(b) the total amount of employment floorspace to be provided on the site shall not exceed 16,400sq m (gross). No more than 35% of the employment floorspace hereby approved shall be used within class B1(a) of the Town and Country (Use Classes) Order 1987 (as amended).

(c) the total amount of **retail** floorspace for use within classes **A1 and A3** of the Town and Country (Use Classes) Order 1987 (as amended) shall not exceed 499sq m (gross).

Reason: In the interests of highway safety and capacity and to safeguard the vitality and viability of Garstang Town Centre in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

7. (a) Prior to the commencement of each phase of the development, the design of a scheme for the drainage of foul and surface water from the site, based on sustainable drainage principles so far as is possible subject to ground conditions, the results of the investigation required under part (ad) and an assessment of the hydrological and hydrogeological context of the development shall be submitted to and approved in writing by the Local Planning Authority.

(b) This scheme shall include;

- i. information about the design storm period and density (1 in 30 and 1 in 100 year + 30% allowance for climate change)
- ii. discharge rates and volumes (both pre and post development **and including any discharge through culvert no. 37 under the Lancaster Canal**)
- iii. temporary storage facilities
- iv. means of access for maintenance
- v. the methods employed to delay and control surface water discharged from the site
- vi. the measures taken to prevent flooding and pollution of receiving surface waters, including watercourses and surface water sewers
- vii. details of floor levels in AOD
- viii. a quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection to manage the risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. The mitigation measures shall include the highest specification design for the new foul and surface water sewerage system (pipework, trenches, manholes, pumping stations and attenuation features);
- ix. details of any off-site works required to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts where relevant);
- x. floodwater exceedance routes both on and off site;
- xi. a timetable for implementation;
- xii. a management and maintenance plan for the lifetime of the development which, as a minimum, shall include arrangements for adoption by an appropriate public body or statutory undertaker; management and maintenance by a Residents Management Company; arrangements of appropriate funding mechanisms for ongoing maintenance of the scheme; and details of an inspection programme to assess performance, asset condition, operation costs, and any necessary maintenance and/or remedial works.

(c) The scheme shall demonstrate that surface water run off for the entire site once developed would not exceed run-off from the undeveloped site for the corresponding rainfall event.

(d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates;

(e) details of water quality controls **where applicable and appropriate mitigation measures to prevent pollution of ground or surface waters including the Lancaster Canal;**

(f) No surface water, highway drainage or land drainage shall discharge to the public combined sewerage system or via an infiltration system unless agreed by United Utilities.

(g) The approved drainage scheme for each phase shall then be implemented in full accordance with the approved details, including the agreed timetable for implementation.

Reason: To ensure a satisfactory form of development, to manage flood risk, to prevent pollution from foul and surface water and to protect drinking water supplies in accordance with Policy ENV15 of the Wyre Borough Local Plan (1999) and the provisions of the NPPF.

11. **(a)** No development of any phase shall take place until a Construction Environmental Management Plan (CEMP), for the construction and operation of the that proposed phase of development, is submitted to and approved by the Local Planning Authority. The plan shall detail:

- i. how biodiversity would be protected throughout the construction period
- ii. the potential impacts from all construction activities on both groundwater, public water supply and surface water and identify the appropriate mitigation measures necessary to protect and prevent pollution of these waters
- iii. the parking of vehicles of site operatives and visitors;
- iv. loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vii. wheel washing facilities **to be retained throughout the construction period by which means the wheels of vehicles may be cleaned before leaving the site;**
- viii. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures **and including actions to be taken in the event that any dust control equipment employed on site fails;**
- ix. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- x. a Management Plan to identify potential ground and water contaminants;
- xi. details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
- xii. a scheme to control noise during the construction phase,
- xiii. the routing of construction vehicles and deliveries to site **including the direction of construction traffic away from Cathouse Bridge (bridge no. 64) over the Lancaster Canal in order to minimise risk of damage to this bridge during construction.**

(b) No construction or associated vehicle movements should take place on Sundays or Bank Holidays or outside the hours of 0800-1800 Monday To Friday and 0800-1300 on Saturdays.

(c) The development shall then proceed in full accordance with this approved plan.

Reason: In order to safeguard the biodiversity of the site, protect the water environment and public drinking water supplies, and to maintain the operation and safety of the local highway network, **and to minimise the risk of pollution to occupiers of nearby buildings** during site preparation and construction, in accordance with Policy ENV17 of the Wyre Borough Local Plan and the provisions of the NPPF.

16. No development shall be commenced until:

(a) A revised conceptual site model and risk assessment **in respect of potential land contamination** has been submitted to and approved in writing by the Local Planning Authority, including (where necessary), detailed proposals for further site investigation work.

(b) Any necessary site investigation works **in relation to potential land contamination** have been undertaken in full, strictly in accordance with the approved methodology, and a risk assessment of the findings submitted for approval by the Local Planning Authority, together (where appropriate) with a detailed remediation scheme

(c) Remediation **of any potential land contamination** of the site has been undertaken strictly in accordance with the remediation strategy and a validation report has been submitted for approval in writing, confirming full implementation of the approved remediation scheme.

Any changes to the agreed elements require the express consent of the Local Planning Authority.

Reason: In order to prevent harm to human health or the environment from land contamination.

19. **Prior to the commencement of development, details of an acoustic fence to be provided along the boundary of the site with the A6 shall be submitted to and agreed in writing by the Local Planning Authority. This agreed fencing shall then be provided before the development hereby approved is first occupied and shall thereafter be maintained as such.** The development shall be designed and other noise mitigation measures (**such as acoustic glazing** and including alternative ventilation strategies) put in place **as agreed by the LPA in writing** so that the following standards are not exceeded at noise-sensitive premises:

55 dB LAeq 16 hours (07.00 to 23.00) - in gardens and outside living areas

35 dB LAeq 16 hours (07.00 to 23.00) - indoors

30 dB LAeq 8 hours (23.00-07.00) - indoors

45 B LAFmax (23.00-07.00) – indoors

Reason: In order to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

20. The noise rating levels for cumulative noise from all plant and machinery **at each commercial unit installed as part of the development** shall not exceed **5 dB(A) above** the background noise level (LA90) at the façade of any noise-sensitive premises, as assessed in accordance with BS 4142(2014).

Reason: In order to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

21. Prior to the ~~commencement of development~~ **occupation of each commercial unit**, an Odour and Noise Management Plan for any extraction system in that unit shall be submitted to and agreed in writing by the Local Planning

Authority. ~~This plan shall include details of how noise and odour would be prevented from causing nuisance and details of the fixings to be used to prevent vibration. The height of each kitchen extraction flue should be a minimum of 1m above the eaves, and the fixings used to attach the extraction flue to the wall of the building shall be designed so as to prevent vibration. The kitchen extraction system shall be designed in accordance with the Department for Environment, Food and Rural Affairs (DEFRA) document 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. All extraction systems shall be installed and thereafter maintained in full accordance with these agreed plans.~~

Reason: In order to protect the residential amenities of nearby neighbours in accordance with Policy SP14 of the Wyre Borough Local Plan (1999) and the provisions of paragraph 17 of the NPPF.

24. No industrial or commercial unit shall be occupied until a Delivery Strategy **for that unit** has been submitted to an approved in writing by the Local Planning Authority. No deliveries shall take place outside of the hours specified by the Strategy.

Reason: In order to avoid an unacceptable impact on residential amenity by virtue of noise and to ensure that highway safety is maintained at all times in accordance with Policy SP14 of the Local Plan and the provisions of the NPPF.

31. No part of the residential development hereby approved shall commence until a scheme for the construction of all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. The site access's and off-site highway works shall be completed before the development is first occupied unless otherwise agreed in writing by the Local Planning Authority ~~and the Highway Authority~~. The following schemes to be covered by this condition include:

(i) ~~2no. The Main Site access junction on A6 (employment and residential) as per agreed layout drawings 1401902b (southern A6 access) and 1401901c (northern A6 access) and to include proposals for a speed limit review on the A6 in the vicinity of the site.~~

(ii) 3 No. Site access junctions onto Nateby Crossing Lane as per agreed layout drawing 1401905F ~~and to include proposals for speed limit review on A6 in vicinity of the site.~~

(iii) Interim improvement scheme for A6 Preston Lancaster New Road/Croston Barn Road/Green Lane West/B5272 Cockerham Road/Croston Road Signalised Junction to include upgrade to MOVA and a toucan crossing over A6 south approach.

(iv) Interim improvement scheme A6/Moss Lane/Longmoor lane Priority junction in-line with wider scheme.

(v) Pedestrian Green Link, underpass of A6, providing high quality connection for sustainable modes (pedestrian/cycle) to Garstang. No part of the development hereby approved shall commence until technical information, analysis and scheme details that includes structural stability of the embankment, construction/structural detail of the proposals including any retaining structure, longevity of the structure, drainage, future maintenance, access for maintenance purposes, liability of the structure, responsibility, ownership and safety of workers has been submitted to, and approval has been granted by LCC as the Highway Authority, with all necessary

legal agreements in place to deliver and maintain the proposal. This is required in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the proposed pedestrian/cycle underpass do not affect the future maintenance of the local highway network and are acceptable. Details of the standard of the link - width and surfacing are to be agreed. Pedestrian and cycle access via the proposed underpass (old rail line) is to be maintained at all times post opening of the development.

(vi) Pedestrian footway improvements on A6 (east and west side to Longmoor Lane in the south and Croston Barn Lane in the north) as agreed in layout drawings 1401902b (southern A6 access) and 1401901c (northern A6 access).

(vii) Pedestrian footway improvements and traffic calming and Gateway measures on Nateby Crossing Lane as agreed in layout drawing 1401905F.

(viii) Public Transport facilities to quality bus standard on Croston Road and on the new link between A6 and Nateby Crossing Lane with details of the stops to Quality Bus Standard to be agreed.

(ix) Renewal of the carriageway markings at the Nateby Crossing Lane/Croston Barn Lane junction as agreed in layout drawing 1401905F.

(Note: issues identified in all submitted Stage 1 Road Safety Audits for off-site highway works will be addressed through the S278, as part of detailed design).

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide safe access to the site for all users (motorised and non-motorised).

34. The approved Travel Plan prepared by Hyder Consulting and referenced 14019 shall be implemented in full in accordance with the timetable within it unless otherwise agreed in writing by the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used for a minimum of at least five years.

Reason: In order to ensure appropriate provision exists for safe and convenient access by sustainable transport modes.

36. Prior to the commencement of any **of the commercial** development hereby approved, a fully detailed Parking Management Strategy **for that commercial development** shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking and cycle parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority. The Parking Management Strategy will include an assessment and strategy to ensure adequate parking provision is delivered for all proposed site uses for both car parking and cycle parking, ~~including residential parking provision and employment/retail site parking requirements.~~

Reason: To ensure that a satisfactory Parking Management Strategy is implemented for the development. This in turn will ensure adequate parking is provided for all uses so that the access to the site is not restricted, resulting in safety and capacity issues.

37. The car parking provision **for each commercial unit as** identified in the Parking Management Strategy **for that unit** shall be surfaced, demarcated and made available for use prior to **that unit being first** ~~the development hereby approved~~ being occupied unless otherwise agreed in writing with the Local Planning Authority. The car parking shall then be available at all times whilst **that part of the** development is occupied.

Reason - To ensure that there is adequate parking for the development proposed when the buildings are occupied and the site is built out.

38. No ~~part of the development~~ **commercial unit** shall be occupied until space and facilities for bicycle parking have been provided in accordance with the Parking Management Strategy **for that unit**. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

Reason - To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport.

(C) Add new condition:

No part of the commercial development hereby approved shall commence until a scheme for the construction of the access to A6 has been submitted and approved by the Local Planning Authority as per agreed layout drawing 1401901c (northern A6 access). The site access shall be completed before the commercial development is first occupied unless otherwise agreed in writing by the Local Planning Authority.

(D) Renumber all conditions accordingly.