

Planning Committee

3 May 2017

<b>Item No</b>	<b>Site/ Video/ Photos</b>	<b>Application Number</b>	<b>Location</b>	<b>Proposal</b>	<b>Rec.</b>	<b>Decision</b>
1	S	16/00650/OUTMAJ	Land East Of Copp Lane Great Eccleston	Outline application for the erection of up to 93 dwellings and up to 850sq m of D1 use (non-residential institution) with associated car parking, open space and landscaping (all matters reserved)	PER	
2	S	16/00090/FULMAJ	Land To The Rear Of 867 Garstang Road Myerscough Lancashire PR3 5AA	Residential development of 26 dwellings with associated access, parking and landscaping.	PER	
3		16/00621/FUL	Cobblestone Cottage 76 Chapel Street Great Eccleston Preston Lancashire PR3 0ZE	Two storey rear extension (resubmission of planning application 15/00618/FUL)	PER	

arm/rg/pla/cr/17/0305nc3

**Committee Report****Date: 03.05.2017**

<b>Item Number</b>	<b>01</b>
<b>Application Number</b>	<b>16/00650/OUTMAJ</b>
<b>Proposal</b>	<b>Outline application for the erection of up to 93 dwellings and up to 850sq m of D1 use (non-residential institution) with associated car parking, open space and landscaping (all matters reserved)</b>
<b>Location</b>	<b>Land East Of Copp Lane Great Eccleston</b>
<b>Applicant</b>	<b>Metacre Ltd</b>
<b>Correspondence Address</b>	<b>c/o De Pol Associates Ltd Farington House Stanifield Business Park Stanifield Lane Leyland Preston PR25 4UA</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Susan Parker****1.0 INTRODUCTION**

1.1 This application is before the Committee at the request of Councillor Catterall. Members will have the benefit of a site visit in advance of the public meeting because the nature of the site and surrounding area cannot be adequately conveyed through photographs.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application relates to 5.44ha of land to the south-east of Copp Lane in Great Eccleston. Outline planning permission has been granted for residential development on the land immediately to the north of the site and there are two properties and a cluster of other buildings along part of the southern boundary. The land beyond to the south and that to the east is open countryside. The site currently comprises two managed fields that are bound by and bisected by a hedgerow. There is a pond relatively central to the site adjacent to the hedgerow and a number of trees around the pond and within the boundary hedgerows.

2.2 The land is classified partly as grade 2 and partly as grade 3 agricultural land. It falls outside of flood zones 2 and 3 and any Minerals Safeguarding Areas. There are no Biological Heritage Sites either within or in close proximity to the site but there are protected trees along the southern boundary. There is a listed building in the form of a dovecote some 250m to the north on the opposite side of Copp Lane.

### **3.0 THE PROPOSAL**

3.1 The application seeks outline planning permission for the erection of up to 93 dwellings with land reserved for up to 850sq m of Class D1 use (non-residential institution) floorspace. The applicant has indicated that this would be for a medical centre use. All matters are reserved for later consideration but the indicative layout plan submitted suggests that vehicular and pedestrian access would be taken from Copp Lane as well as dedicated pedestrian and cycle access from the approved development to the north.

3.2 The application is supported by a:

- Planning statement
- Design and access statement
- Statement of community involvement
- Agricultural land report
- Landscape and visual appraisal
- Ecology assessment
- Arboricultural report
- Flood risk assessment and drainage assessment
- Transport assessment
- Framework travel plan
- Air quality assessment
- Phase 1 desk study report

### **4.0 RELEVANT PLANNING HISTORY**

4.1 15/00576/OUTMAJ - outline planning permission granted for the development of up to 90 dwellings on the land immediately to the north.

4.2 16/00973/REMMAJ - reserved matters approval granted for the erection of 90 dwellings on land to the north following the grant of outline permission ref. 15/00576/OUTMAJ.

### **5.0 PLANNING POLICY**

#### **5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

5.1.1 The NPPF was published by the Department of Communities and Local Government on 27th March 2012. It sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.1.2 The Framework sets out a presumption in favour of sustainable development (paragraph 14). Sustainability comprises economic, social and environmental dimensions and the planning system is intended to play an active role in the delivery of sustainable development. Proposals that accord with the development plan should be approved without delay and proposals for sustainable development should be supported where possible.

5.1.3 Twelve core planning principles are identified. These include supporting sustainable economic development to meet local need; securing high quality design and a good standard of amenity; recognising the different roles and characters of different areas; accounting for flood risk; conserving and enhancing the natural environment; actively managing patterns of growth to maximise use of sustainable transport modes; and delivering sufficient community and cultural facilities and services to meet local needs.

5.1.4 Section 4 promotes sustainable transport and the location of development to maximise use of sustainable travel modes.

5.1.5 Section 6 relates to the delivery of a wide choice of high quality homes. This section expects Local Planning Authorities to identify a five year supply of housing land with an additional 5% buffer to promote choice and competition in the market. Housing applications should be considered in the context of the presumption in favour of sustainable development. In rural areas, new housing should be located where it would enhance or maintain the vitality of existing communities. Isolated new homes should be avoided unless special circumstances can be demonstrated.

5.1.6 Section 8 promotes the creation of healthy communities and acknowledges the important role the planning system can play in delivery.

5.1.7 Section 10 considers the challenge of climate change, flooding and coastal change. Inappropriate development in areas of flood risk should be avoided and the sequential test should be applied to direct development away from the areas of highest risk. Where development is necessary, it should be made safe without increasing flood risk elsewhere.

5.1.8 Section 11 aims to conserve and enhance the natural environment. This sections states that impacts on biodiversity should be minimised and net gains provided where possible.

5.1.9 Section 12 seeks to conserve the historic environment. Development that would cause harm to a heritage asset must be weighed against the benefits of the scheme with regard to the level of impact and significance of the asset affected, including its setting.

## 5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.2.1 The NPPG provides additional guidance on Government policy. The sections below are of particular relevance to this application.

5.2.2 Air quality - this section provides guidance on how planning can take account of the impact of new development on air quality with particular reference to the development management process.

5.2.3 Conserving and Enhancing the Historic Environment - this section gives guidance to decision-makers and considers designated and non-designated heritage assets.

5.2.4 Flood Risk and coastal change - this section expands upon the NPPF and explains the need to direct new development towards areas of lowest flood risk, concentrating on flood zone 1, and ensure that development would be safe and not lead to increased flood risk elsewhere.

5.2.5 Health and well-being - this section sets out the links between health and planning and the need to encourage opportunities for community engagement and healthy lifestyles.

5.2.6 Natural Environment - this section explains key issues in implementing policy to protect biodiversity, including local requirements. Particular reference is given to landscape, biodiversity, ecosystems, green infrastructure, brownfield land, soils and agricultural land.

5.2.7 Open space, sports and recreation facilities, public rights of way and local green space - this section explains how such areas and facilities should be taken into account in planning decision-making.

5.2.8 Rural housing - this section makes it clear that it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the viability of facilities and services and the broader sustainability of villages and smaller settlements.

5.2.9 Travel plans, transport assessments and statements in decision-taking - this section discusses what these documents are, how they relate to one another, why they are important and what should be taken into account in their preparation.

### 5.3 WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.3.1 The following saved policies are of most relevance:

- SP2 - Strategic location for development
- SP8 - Definition of small rural settlements
- SP13 - Development in the countryside
- SP14 - Standards of design and amenity
- ENV7 - Trees on development sites
- ENV13 - Development and flood risk
- ENV15 - Surface water run-off
- H13 - Open space in new housing developments
- CIS6 - Securing adequate servicing and infrastructure

### 5.4 EMERGING LOCAL PLAN

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between 17th June and 7th August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

5.4.2 The following emerging policies are of most relevance:

- CS1 - Spatial strategy for Wyre: distribution of development
- CS2 - Spatial strategy for Wyre: settlement and centre hierarchy
- CS8 - Strategy for central rural plain

- CS13 - Sustainable development
- CS14 - Quality of design
- CS16 - Transport, accessibility and movement
- CS17 - Infrastructure and community facilities
- CS18 - Green infrastructure
- CS19 - Biodiversity and geodiversity
- CS20 - Housing mix
- CS21 - Affordable housing
- CS24 - The countryside
- CS25 - Flood risk and water resources
- CS28 - The historic environment

5.4.3 The Wyre Local Plan Issues and Options Paper (2015) identifies the site as potentially being suitable for housing development as part of area reference IO\_65. Given that the new emerging Local Plan is at an early stage of development, this can be afforded only very limited weight.

## 5.5 SUPPLEMENTARY PLANNING GUIDANCE

5.5.1 SPG2 - Trees and development - this document sets out the Council's approach to the protection of trees affected by development and the provision of new trees.

## 5.6 EVIDENCE BASE DOCUMENTS

5.6.1 WYRE AFFORDABLE HOUSING VIABILITY STUDY OCTOBER 2010 - this study identified that the level of viability for residential developments across the Borough could only sustain a maximum of 30% affordable dwellings; although in some areas it would be a lesser percentage.

5.6.2 FYLDE COAST STRATEGIC HOUSING MARKET ASSESSMENT (SHMA) 2013 - this document was produced for the Fylde Coast Authorities (Wyre, Fylde and Blackpool) to provide evidence as to how many dwellings of different tenures may be needed over the next 15 years and beyond. The report presents an understanding of the sub-regional housing market and identifies a need for new housing across the Fylde Coast. The 2013 Fylde Coast SHMA and Addendums I&II represents the most up-to-date assessment of objectively assessed need (OAN) for Wyre. Addendum II completed in February 2016 takes account of the 2012 Household projections and updated economic growth projections in the 2015 Employment Land Study Update and Addendum. The SHMA Addendum II indicates that Wyre's OAN lies between 400 - 479 dwellings per annum from 2011 - 2031 with a recommendation that the OAN figure should be at the upper end of the range. The Council has accepted 479 dwellings per annum as the OAN figure for the Local Plan. There is an estimated need for 300 affordable homes per year (over the next 5 years).

## 6.0 CONSULTATION RESPONSES

6.1 GREAT ECCLESTON PARISH COUNCIL - objects. The development would be excessive in scale and would have an adverse impact upon the settlement being outside of its boundary. There would be an unacceptable visual impact and a change in character. The settlement suffers from a lack of infrastructure and this would be exacerbated. Existing drainage is inadequate and new development would increase pressure. Traffic calming on Copp Lane would be required. The scheme is

considered to be contrary to Policies SP8, SP9 and SP13 of the Local Plan and to the NPPF.

6.2 NATURAL ENGLAND - no objection with regard to statutory nature conservation sites. The scheme proposed is not likely to have a significant effect on the interest features for which the Morecambe Bay SPA and RAMSAR have been classified or the Wyre Estuary SSSI notified. With regard to protected species, standing advice should be applied. Consideration should be given to impact on locally designated sites and to biodiversity and landscape enhancement.

6.3 HISTORIC ENGLAND - no response received in time for inclusion in this report. Any comments that are received in advance of the Committee meeting will be reported through the update note.

6.4 HIGHWAYS ENGLAND -

6.4.1 Initial response - 05/08/16 - noted that traffic is most likely to use the Thistleton junction on the A585 which is heavily used at peak times. The B5266 to the west links to Poulton and is severely congested at peak periods, as is the Little Singleton junction onto the A585 which leads to the route being used as a 'rat run'. The B5269 gives access towards Garstang and is also heavily used. The majority of vehicle movements are onto the A585 and, because of the volume of traffic on this road, gaps are few resulting in drivers taking increased chances. There have been five injury accidents at the junction 2010-2014. The increase in traffic would be a concern and the impacts on these junctions and that at Windy Harbour should be considered.

6.4.2 Second response - 03/10/16 - Copp Lane gives access to Elswick to the south and the A586 to the north with no other route options. Traffic accessing the A586 would then go to Windy Harbour or Garstang. Traffic going to Elswick must turn eastward onto the B5269 to Inskip or westward to the A585 at Thistleton junction to then go south to the M55. Thistleton junction links the B5269 (east) and B5266 (west) with the A585. The two turn offs are some 85m apart. The route is heavily used as a rat-run. Gaps in the traffic are limited and so drivers take chances. The submitted transport statement does not consider the impact on the junction and states that no such assessment is required. This is not accepted. An impact assessment of the weekday AM/PM and weekend peak hours on the Thistleton and Windy Harbour junctions is required. These should be evidenced and based upon opening year of the development and ten years from the opening year.

6.4.3 Third response - 04/11/16 - the technical note submitted has been considered but does not address the fundamental requirements previously expressed. Operational assessment of the Thistleton and Windy Harbour junctions is required. A high-level review of the note has been carried out. Traffic surveys have been undertaken to derive base traffic flows but no traffic survey data has been presented for the weekend peak hour. A growth factor has been applied to derive base traffic flows for an opening year of 2021 but not a ten-year post-opening date of 2031 as required by the Department for Transport policy circular 02/2013. A list of committed developments has been provided and these committed traffic flows have been included in the assessments. The note only includes basic calculations to determine total number of additional trips using each of the two junctions in the opening year, it does not present any directional distribution and no junction capacity assessment has been undertaken. The information presented does not show individual turning movements and so no view on potential increase in right-turning traffic that with the greatest safety impact can be taken. Operational impact cannot

be assessed. Calculations and traffic flow diagrams are required along with junction capacity assessments for 2021 and 2031. Justification for this request is provided.

6.4.4 Fourth response - 06/12/16 - a second technical note has been submitted. In respect of peak traffic flows, traffic surveys have been undertaken but no impact assessment has been carried out for the peak hours and no survey data is presented for the weekend peak. A growth factor has been applied for the opening year of 2021 but not for the ten-year post-opening year of 2031. Committed development traffic flows have been included in the assessments presented as requested. Only basic calculations have been included to determine total additional trips and percentage impact, no distribution information or assessment of junction capacity has been provided. There are known issues at the junctions on the A585 but the note submitted does not enable a view to be taken on the potential increase in right-turning traffic. No operational impact can be assessed due to the lack of information. Additional information is requested and no determination should be made in the interim. The applicant should consider the content of HEs responses to similar nearby proposals within Fylde. Trends and causality in the accident record should be assessed to determine if the additional traffic would exacerbate danger. The impact on driver behaviour from increased queuing should be considered. Other potential schemes in the area should be taken into account.

6.4.5 Fifth response - 23/12/16 -

6.4.5.1 Previous requests for additional information have been made and two technical notes have been provided. These have both been scrutinised and it was determined that further information was required relating to the distribution of new trips at the two SRN junctions. Calculations and traffic flow diagrams were requested and a third technical note has been submitted and has been reviewed and a response to the consultant provided. This response agreed that a weekend peak assessment is no longer required. It requested traffic flow diagrams and that PICADY model of the Thistleton junction take account of certain considerations. The production of a LINSIG model of the Windy Harbour junction was requested along with an analysis of accident data. These requests are consistent with the approach to other schemes in the area. It was subsequently agreed that the only the adjacent Copp Lane scheme required consideration as a committed development, and that updated traffic figures would be provided. A fourth technical note was submitted. This was then revised to include 2016 accident data for Thistleton junction, considered necessary based on relevant guidance because of known issues of congestion and driver difficulty turning onto the A585 at peak times. Whereas the HE sets out the relevant guidance and policy requirements, it is noted that the TS and subsequent notes make no reference to such. It is further noted that no attempt was made to work with HE at pre-application stage.

6.4.5.2 In consideration of the TS and the technical notes, it is considered that the scope of assessment is now acceptable and no further information or action is required. No traffic data was originally included in the TS but subsequent traffic surveys and classified turning counts were conducted and so no further action is required. Assessments of weekday AM and PM peaks have been carried out although the specific times have not been stated. As agreed, assessments of 2021 and 2026 use have been conducted. Acceptable traffic growth factors have been used. As stated, it is agreed that only the adjacent scheme on Copp Lane (15/00576) needs to be considered as a committed development. With regard to impact on Thistleton junction, information has been taken from a scheme in Elswick and amended as need be. This has identified ten trips. It is accepted that drivers accessing Blackpool, Poulton and the northern Fylde coast would use Garstang



Road (A586). Whilst drivers heading west along the B5269 would still have to turn right from the Thistleton junction, it is agreed that this would be minimal. Nine arrival trips to Windy Harbour are anticipated in the peak hour. It is assumed that all traffic would move east/west which is simplistic but acceptable as traffic seeking to access the B5269 would likely use the Thistleton junction. No further information is required. The trip generation figures used are considered reasonable and it is also accepted that the trip generation for the class D1 element is likely to be localised. No further action is required on this point. Aside from one minor error the trip distribution is appropriate.

6.4.5.3 The technical note suggests that development flows would be comparable to a scheme in Elswick which has already been agreed meaning that no further analysis should be required. This does not accord with HEs previous advice. In this instance, there is concern over the high level of forecast queuing on side roads and the potential for this to influence driver behaviour. This is not deemed severe but should be considered. The proposals would generate 13-14 additional movements at Windy Harbour in peak hours and it is argued that, given the recent upgrade, any impact would be negligible and no further analysis necessary. It is acknowledged that further upgrade works are planned in this area and so it is agreed that no further assessment is required. With regard to safety, it is noted that the A585 at the Thistleton junction is a relatively fast road meaning that drivers may misjudge the time available to exit. Road safety improvements have been considered but the delays they would generate would outweigh the accident-saving benefits. Options for a cycle crossing were placed on hold pending the outcomes of major infrastructure schemes in the area. Personal injury accident records have been reviewed in the technical note. It is suggested that there is no evidence to suggest that the spike in accidents in 2016 arose from layout, visibility or speed issues and that a scheme of enhanced signage and road markings is being considered. It is argued that the development would have a negligible impact. Whilst any increase in traffic will incrementally increase the risk of accidents, this assessment is generally agreed. In light of the above, no objection is raised subject to the imposition of a planning condition to secure the agreement and implementation of a robust Travel Plan.

6.4.5.4 The potential for increased accident risk is noted, as is the fact that neither Fylde nor Wyre have adopted new Local Plans which have taken account of cumulative infrastructure impact. HE can only consider development on a case by case basis. Wyre BC therefore must consider cumulative impact until a Local Plan is adopted. HE are willing to work with parties to address the emerging safety concerns. However, the LPA must be mindful of the impacts safety improvements would have on the efficiency of the A585 as a main access route.

6.5 ENVIRONMENT AGENCY - no objection. The FRA states that public sewer connection is the preferred option for foul drainage, but that other options will be considered if this is found not to be possible. Foul drainage should be drained in order of preference to a public sewer, a package sewage treatment plant, and then to a septic tank. Any discharge to a surface or ground water body would require an Environment Agency permit. The grant of planning permission does not indicate that a permit would be granted. Specific requirements must be complied with. Any soakaways to serve alternative systems must be more than 10m from the nearest watercourse, 10m from any other foul soakaways, and 50m from any potable water supplies. Any non-mains drainage system must be well maintained.

6.6 UNITED UTILITIES - no objection subject to the imposition of three conditions requiring foul and surface water to be drained on separate systems, drainage to be agreed and management and maintenance to be secured. Water

mains would need to be extended to serve the site. Level of cover must not be compromised. Each unit must have its own meter and all pipework must be to modern standards. If a sewer is discovered during construction, a Building Control body must be consulted. Surface water should be drained in accordance with the established sustainable drainage hierarchy. Justification is given for the conditions

6.7 LEAD LOCAL FLOOD AUTHORITY (LANCASHIRE COUNTY COUNCIL - there is a history of surface water flooding on Copp Lane and this must not be exacerbated. If possible, any drainage scheme should alleviate these issues. Surface water must be managed to mimic natural flows and reduce flood risk. Drainage schemes should be designed in accordance with established standards with discharge restricted to greenfield run-off rates. Drainage must be in accordance with the established hierarchy and so the developer must demonstrate that infiltration is not practicable before considering other options. Schemes should be designed for exceedance working with the natural topography of the land. Flow balancing should be considered. A significant amount of guidance is available. SUDS can be multi-purpose and can offer multiple benefits. No development should cause deterioration in the quality of water bodies. Pollution control measures may be required and the applicant should seek advice. Land drainage consent may be required for any works to a watercourse and certain requirements must be met. Permeable surfacing on driveways must not be included in hydrological calculations; permeable paving on highways must be agreed with LCC. No objection is raised subject to the imposition of two conditions requiring the agreement of a surface-water drainage scheme and a lifetime management and maintenance plan for that scheme. Two advice notes are also recommended.

6.8 LANCASHIRE COUNTY COUNCIL (HIGHWAYS) -

6.8.1 Initially commented that the transport assessment should consider cumulative impacts on the local highway network and give greater consideration to address sustainable development issues in terms of contributions, funding, pedestrian and cycle improvements. Trip rates are noted to be low but in accordance with those used on the site to the north. A speed limit review would be required along with gateway and traffic calming measures.

6.8.2 In respect of earlier comments it is noted that further technical notes have been submitted. The development would include 93 dwellings and up to 850sq m of D1 floorspace and would lie immediately to the south of a site approved for 90 dwellings. Copp Lane is a classified road. It is lit and subject to a 40mph speed limit becoming 30mph closer to the village and then 20mph when the road enters the built environment. It predominantly carries local traffic. There is a footpath along the site frontage on one side only and it is narrow in places. As this footpath links the village to the local school, it should be improved. The 85th percentile traffic speeds were recorded at 37mph south-west-bound and 38mph north-east-bound.

6.8.3 The TRICS database has been used to establish trip rates. Those presented are slightly lower than would be recommended but have been accepted previously. They are not unreasonable and are accepted. Traffic distribution has been based on local work place destination data which is acceptable. Based on this, 50-51 vehicle movements are predicted in the peak hours. This would not significantly impact highway capacity or lead to any severe issues on the wider network. Traffic movements through Great Eccleston would increase by 20-22 movements in the peak hours and by 29 movements to the south-west of the settlement.

6.8.4 Access is a reserved matter. However, the applicant must demonstrate that a suitable means of access can be provided. A plan has been submitted showing a simple priority junction which, in this context, is appropriate. The Copp Lane frontage is some 300m and so for a 40mph road sightlines of 2.4m by 102m would be required. This could be achieved from the access point indicated on the illustrative plan and potentially from other points along the frontage. Some hedgerow would be impacted both to facilitate the provision of an access and the improvement of the footway. Future layout should conform to Manual for Streets and Creating Civilised Streets guidance. It should meet all necessary LCC standards for adoption. One injury accident has been identified in the vicinity in the last 5 years. It is argued that the road network operates well and is not inherently unsafe. This is difficult to contest. However, the increase in traffic at the Thistleton junction must be carefully considered. Highways England is the highway authority for that road and has considered this issue. Their conclusion is agreed, as is the need for cumulative impact to be considered and a coordinated approach to be taken towards infrastructure mitigation.

6.8.5 The site is some 400m as the crow flies from Great Eccleston village centre. There is a footway along the site frontage but not all footways in the village are continuous. However, as the speed limit in the village is 20mph, this does not necessarily discourage walking. The footway towards Elswick is not continuous. A 2m wide footway along the site frontage must be provided. The scheme must deliver good quality footway from Chesham Lodge to the nearby school. There have been recent cuts to public transport provision in the area. Service 80 provides a two hour service Monday to Friday and an extension of service 78 an hourly service Monday to Saturday. Both finish early evening and there is no Sunday service. LCC subsidises service 80. Given the level of development proposed, the frequency of service 80 should be increased to hourly and evening and weekend provision made. A total contribution of £200,000 over 5 years is sought towards public transport improvements. In addition, the local bus stops should be upgraded. Copp Lane forms part of a recognised cycle route but, because it is a rural road, no cycle lanes are marked.

6.8.6 The submitted accessibility questionnaire claims a score of 32 placing it at the higher end of the medium band. This score is not agreed. Great Eccleston is not accepted as an employment concentration and the identified play area is proposed, it does not yet exist. Furthermore, distance to facilities is only one consideration; the quality of those facilities should be taken into account. It is indicated that a travel plan would be submitted and this could be satisfactorily secured through condition. Developers should maximise opportunities to encourage sustainable travel. A travel plan in itself is insufficient to address this issue and so a range of necessary measures are identified. These include footway and public transport improvements, traffic calming and a speed limit review, with gateway treatment, on Copp Lane.

6.8.7 The developer should enter into a S278 legal agreement to provide the main site access; traffic calming, a speed limit review and a gateway treatment; a footway improvement scheme between Chesham Lodge and the nearby school; and the upgrade of local bus stops. These works would have to be done prior to first occupation. The developer should enter into a S106 legal agreement to provide contributions of £200,000 over five years towards public transport improvements and £6,000 towards travel planning. The travel plan and first bus service contribution should be paid prior to first occupation. As the application is made in outline, no conditions are requested but LCC has advised what information would be required at reserved matters stage.

6.9 LANCASHIRE COUNTY COUNCIL (EDUCATION) - no contributions towards primary school provision would be required but a contribution of £299,925.78 would be sought towards secondary school provision based on the information available and an assumption that the properties would offer four bedrooms. The contribution would go towards increased provision at Millfield Science and Performing Arts College and it has been confirmed that less than five contributions have been pooled towards this school and that the contribution would therefore be compliant with the Community Infrastructure (CIL) Regulations. This claim would need to be reassessed once accurate bedroom information becomes available.

6.10 NORTH WEST CLINICAL COMMISSIONING GROUP - no comments received in time for inclusion in this report. Any comments that are received in advance of the Committee meeting will be communicated through the update note.

6.11 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - the ecology reports submitted have been produced by suitably qualified consultants to an appropriate and proportionate standard. No further work is required. The site and its surroundings are not designated for their ecological value. It is agreed that the site has only low potential to support protected species except for a small number of foraging bats. The most important habitats for bats, the pond and hedgerows, could be retained and there is sufficient alternative habitat nearby. Owls feed over the site but sufficient habitat would remain in the area to support these species. The pond on site could support the common toad but this would be retained, protected and linked via greenspace to the wider landscape. Precautions should be taken during works. Again appropriate precautions should be taken in respect of birds during the breeding season. The site is predominantly species-poor improved agricultural grassland with some features of local value such as the pond, ditch and hedgerows. These could be retained or compensated for by new planting. High quality landscaping should be secured to off-set the loss of the site as an open field. Subject to the imposition of suitable conditions on any permission granted, no objection is raised.

6.12 LANCASHIRE CONSTABULARY - designing out future crime can make a significant difference. Various orientations of buildings allow good natural surveillance as does a cul-de-sac arrangement. Link footpaths between cul-de-sacs should be avoided. Good external lighting is required. Landscaping should not obscure lighting columns or create shaded areas. External doors and windows should be to appropriate standard. Rear garden boundary treatments adjoining public space should be 1.8m in height with cross-rails fitted internally. Back-to-back gardens are encouraged. Rear gates should be 1.8m high with centrally fitted bolts. They should be as close to the front elevation as possible. Public footpaths should be wide and open and well-lit where possible. The play area should be well overlooked. The location shown on the indicative layout plan may be too concealed. Parking should be within curtilages with parking courts kept to a minimum. Where they are used they should be well overlooked and lit. Defensive, thorny planting is recommended around the town centre car parking provision. Utility meters should be located at the front of properties. Garages and sheds should not have windows and sheds should be constructed of anti-tamper fixings.

6.13 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE) - no objection in principle but full details of surface water drainage must be submitted and agreed prior to development. There is a history of surface water flooding on Copp Lane and the applicant must ensure that drainage from the site would be sufficient and sustainable for the lifetime of the development. The site is in flood zone 1 and so is at a low risk of flooding.

6.14 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY) - the submitted report concludes that, with adequate mitigation, the construction phase impact on air quality would not be significant. This is accepted. In isolation, the operational phase of the development would be unlikely to cause exceedances of health-based national air quality objectives. However, a cumulative impact could result. It is therefore recommended that conditions be attached to any permission granted to require that each dwelling have a dedicated electric vehicle charging point, that the emissions of gas-fired heating boilers be limited, and that a dust management plan be agreed. Justification for these conditions is provided

6.15 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (LAND CONTAMINATION) - the standard condition relating to gas protection and the maintenance of a watching brief should be attached to any permission granted. The submitted study is mainly based on an Envirocheck report. Whilst wide consultation is encouraged, the historical information for this site suggests that it has been an agricultural field since the mid-1800s and so there is little additional data to be sought. The surrounding historical and current land uses do not suggest that there is potential for contamination that would affect human health or the environment. The preliminary conceptual site model confirms that potential risk is very low and this is agreed. Some environmental samples should be taken as part of the geotechnical investigation as a precaution but this is not essential. Gas may be an issue but there is nothing to suggest significant quantities of made land. Nevertheless, a condition is recommended as a precaution. The responsibility for the safe development of the site rests with the developer.

6.16 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE/ODOUR/DUST/LIGHTING) - no objection but a number of conditions should be imposed. These should: limit cumulative and maximum instantaneous noise; control stray cricket balls through the provision of a net; require artificial lighting to be designed in accordance with best practice; and require the agreement of a construction management plan.

6.17 WBC SERVICE DIRECTOR PEOPLE AND PLACES (PARKS AND OPEN SPACE) - it would be preferable for this site and that to the north to share a playground with more meaningful provision than could be achieved in two separate areas. At present the open space would be adjacent to a body of water with the other tucked behind an existing building.

6.18 WBC SERVICE DIRECTOR PEOPLE AND PLACES (TREE OFFICER) - the submitted information and tree survey is appropriate. If the arboricultural method statement and tree protection plan are followed in full there would be minimal impact on retained trees. A section of hedgerow to the centre of the site would need to be removed. This is not classed as 'important' under the hedgerow regulations but is still priority habitat. Consequently, native hedgerow and tree planting would be required to mitigate this loss.

## **7.0 REPRESENTATIONS**

7.1 206 representations have been received raising the following issues:

- No need for housing
- Development would be premature in advance of local plan
- Loss of greenbelt
- Loss of greenfield land
- Adverse change in the demographic balance

- Impact on the character of the settlement
- Great Ecclestone and Elswick would amalgamate
- Excessive in scale for size of village
- Cumulative impact
- The development would not be sustainable
- Loss of agricultural land
- Inadequate facilities to support the development, e.g. schools, medical services, youth activities
- Visual impact
- Development would not be in-keeping
- Heritage impact
- No employment in the area
- Local roads inadequate
- Existing high vehicle speeds and dangerous driving
- Increased traffic
- Impact on highway safety
- Increased danger for pedestrians, particularly school children
- Inadequate visibility (including due to parked cars)
- Deterioration of road surface
- Footpaths inadequate
- Inadequate public transport provision
- Insufficient parking in the village centre
- Proposed car park too remote
- Housing would not be affordable
- Increase in crime and impact on security
- Increase in disruption
- Impact of construction
- Increase in noise
- Loss of privacy
- Loss of daylight/sunlight
- Increase in pollution
- Contribution to global warming
- Increase in flood risk
- Lack of drainage
- Impact on wildlife
- Loss of habitat
- Pond would be dangerous for children
- The existing health centre should become a car park
- Impact on cricket club
- Loss of view
- Inadequate consultation
- Impact on tourism
- Medical centre should be closer to the centre of the village
- No benefits to local residents
- Strain on utilities providers and emergency services
- Impact on house prices
- Wyre BC identified new housing in Elswick to be unsustainable
- Development should take place elsewhere
- Development would set a precedent
- Application is misleading
- Community consultation has been disregarded
- Inadequate consultation

7.2 A letter has been received from Ben Wallace MP who objects on the basis of loss of greenfield and agricultural land, highway impact and the potential impact on the character of the settlement.

7.3 The Committee is respectfully reminded that preference for alternative proposals or development on other sites, loss of views and potential impact on property prices are not valid planning considerations. It is the responsibility of utilities providers and emergency services to meet the needs of new developments. The application is considered to be sufficiently accurate and detailed to enable a proper assessment of the proposal. The scheme has been publicised in accordance with the relevant statutory requirements. The site is not designated Green Belt land.

## **8.0 CONTACT WITH APPLICANT/AGENT**

8.1 Dialogue has been maintained with the agent throughout to keep them apprised of progress and consultee comments, and to seek clarification and additional information where necessary.

## **9.0 ASSESSMENT**

9.1 The main issues are considered to be:

- Principle of development
- Housing land supply
- Impact on the countryside
- Loss of agricultural land
- The acceptability of the land uses
- Housing density and mix
- Amenity impact
- Landscape and visual impact
- Heritage impact
- Access, parking and highway safety
- Ecological and arboricultural impact
- Flood risk and drainage
- Environmental impact
- Infrastructure and planning obligations
- Sustainability and planning balance

## **PRINCIPLE**

9.2 The application site falls within designated countryside. Policy SP13 of the adopted Local Plan seeks to prevent development within the countryside in order to protect its intrinsic open and rural character. Certain exceptions are listed but none would apply to the development proposed. Whilst Policy SP13, along with Policies SP2 and SP8, are saved policies of the Local Plan, they must be considered in light of the National Planning Policy Framework which is a more recent expression of planning policy published in March 2012. The need for sustainable development lies at the heart of the Framework. With regard to housing delivery, the NPPF makes it clear at paragraph 49 that policies relating to the supply of land must be considered to be out of date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The recently published Wyre Settlement Study places Great Eccleston sixth in the rank of borough settlements. As this ranking is based on considerations of size, accessibility, services, facilities and employment opportunities, it is considered to be valid indication of sustainability. The sustainability of the site in

terms of accessibility and connectivity is considered in paragraphs 9.21, 9.22 and in the assessment of sustainability.

## HOUSING LAND SUPPLY

9.3 The housing requirement for the borough was originally identified in the adopted Local Plan and set out in policy H1. This was then superseded by Policy L4 of the North West Regional Spatial Strategy (NWRSS). The NWRSS was revoked in May 2013. As the emerging Local Plan is not yet adopted, there is no up-to-date housing requirement for the borough set out in the Development Plan. The Fylde Coast Housing Market Assessment (SHMA) 2013 and subsequent updates represent the most up-to-date assessment of objectively assessed housing need. The Council has accepted a housing need of 479 new dwellings per annum between 2011 and 2030. As of September 2016, the Council had identified a 4 year supply of housing land, but this does not take into account any permissions for residential development granted since then. It is noted that the Planning Committee resolved to grant planning permission for 649 new houses along the A6 corridor on 22nd March 2017 and this will be reflected in the 31st March 2017 housing land supply report currently being prepared. Nevertheless, current indications are that the Authority is not able to identify sufficient deliverable sites to provide a five year supply of housing land based on the objectively assessed requirement. As such, the restrictive approach toward new development in the countryside as set out in Policy SP13 of the Local Plan must be considered to be out-of-date.

9.4 Paragraph 47 of the NPPF makes it clear that one of the government's key objectives is to significantly boost the supply of housing with paragraph 17 noting that every effort should be made to objectively identify and then meet the housing needs of an area. The current application seeks outline planning permission for the development of up to 93 new homes on the site. This would represent a significant quantitative contribution towards meeting the boroughs housing requirement that weighs heavily in favour of the application.

## IMPACT ON THE COUNTRYSIDE

9.5 Notwithstanding the position with regard to housing need, the supporting text to Policy SP13 makes it clear that the overall intention of the policy is to protect the inherent character and qualities of the countryside. This intention accords with the Framework to the extent that paragraph 17 expects new developments to take account of the different roles and characters of different areas, including the intrinsic character and beauty of the countryside.

9.6 The Council's emerging Local Plan has not yet been published. Nevertheless, there is an acknowledgement that development will have to take place on land that is currently designated as countryside around existing settlements in order for the boroughs housing needs to be met and sustainable economic growth to be delivered in line with the requirements of the NPPF. It is therefore inevitable that the character of the wider countryside will experience some erosion around existing settlements. It is noted that the application site has been identified in the emerging Local Plan Issues and Options Paper as having potential for future development, although given the stage of development of the emerging Local Plan this can be afforded little weight.

9.7 The application site lies immediately to the south-west of land recently granted reserved matters approval for a residential development of 90 dwellings. It is otherwise bounded by open countryside on all sides apart from a small cluster of



buildings immediately to the south-west and a short run of houses on the opposite side of Copp Lane to the west. Great Eccleston is an elongate settlement along the southern side of the A586 and, as such, the application site does not represent a logical extension to the village. However, given the relatively compact nature of the existing settlement, any significant expansion would necessarily represent a clear incursion into open countryside. Although only limited weight can be attached to the emerging local plan it is noted that, in addition to this site, land immediately to the north of Copp Lane and to the north and east of Hall Lane is also identified as having potential for future residential or mixed-use development. Great Eccleston and Little Eccleston together form an isolated urban mass with substantial expanses of open countryside in all directions. Consequently, whilst a significant localised impact on the character of the countryside would result, it is considered that the inherent qualities and function of the wider countryside of this area of the borough would not be compromised.

## LOSS OF AGRICULTURAL LAND

9.8 The records available to the Council show that approximately one third of the site falls within the Grade 2 agricultural land classification with the remainder falling within Grade 3. Grade 2 is described as very good quality with Grade 3 described as moderate to good quality agricultural land. It is noted that the developer considers that the entire site is Grade 3b and identifies an issue with soil wetness as the site is poorly drained. Paragraphs 17 and 111 of the NPPF encourage the effective use of land through the re-use of 'brownfield' land that has been previously developed. Paragraph 112 expects local authorities to take account of the economic benefits of the best and most versatile agricultural land and, where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be used in preference to that of higher quality. The NPPF itself does not provide a definition of 'significant development' but, as DEFRA must be consulted on schemes that result in the loss of 20 hectares or more of agricultural land, this can reasonably be considered to be a recognised threshold. The application site is 5.44ha in area and therefore falls well below this threshold. Within the Wyre borough there are substantial tracts of grade 2 land along with large areas of grade 3 land. Consequently, it is considered that the development of the site would not be significantly detrimental to the borough's supply of quality agricultural land. On this basis, regardless of the grading of the site, its loss as agricultural land is not considered to weigh significantly against the proposal.

## ACCEPTABILITY OF THE LAND USES

9.9 Whilst the layout of the site is not a matter for consideration at this stage, the acceptability of the two land uses proposed must be assessed. The application site falls within designated countryside but is otherwise unallocated on the Proposals Map to the adopted Local Plan. As such, it is not safeguarded for a particular use. Permission has been granted for residential development immediately to the north-east and there are no uses or operations in the nearby area that would conflict with such development. As such, housing is considered to be an appropriate land use in principle subject to consideration of sustainability.

9.10 The applicant has indicated that a class D1 non-residential institution would be provided on site. This category of development could include clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law courts, non-residential education and training centres. However, not all of these uses would be desirable or appropriate on this site and the Council is mindful that lack of

provision and pressure on existing medical facilities and school places is a key concern for many local residents. On this basis, the applicant has agreed to a condition that would limit future development to provision of a medical centre. The provision of a facility such as this as part of a mixed use development on the site would have clear sustainability benefits by reducing the need for private car travel. A condition could be attached to any planning permission granted to require the land to be set aside for an appropriate use thereby securing the potential for future provision. Ordinarily, this would weigh significantly in favour of the scheme. However, whilst the provision of a medical centre or similar community use would be acceptable in principle and would be welcomed, the weight to be afforded to its inclusion in the scheme must be predicated on its likely delivery.

9.11 The NHS Lancashire North Care Commissioning Group (CCG) is responsible for the provision and maintenance of medical care across the sub-region. No representation has been received specifically on this application to date. However, on the basis of previous, informal discussions between Council officers and the CCG, it is understood that the provision of an NHS funded medical centre would be subject to a lengthy and complicated needs assessment and procurement process. Funding is seen as a key issue and accessibility would be a key consideration. The applicant has not provided any information to indicate that detailed consideration has been given to the development of this part of the site to provide a medical centre. Furthermore, it must be noted that the scale of development in itself is not sufficient to require the provision of a D1 community use such as a medical centre. As any requirement in a planning condition must be necessary, relevant, fair and reasonable in relation to the scheme proposed, it is considered that it would not be appropriate for the Council to condition the delivery of a D1 community use such as a medical centre in this instance. Instead, a condition could be attached to safeguard the land such that it would be available for medical centre development in the future. On this basis, little weight can be attached to this aspect of the proposal.

## HOUSING DENSITY AND MIX

9.12 The application is for outline planning permission only with the details of the layout of the site to be considered at a later date as a reserved matter. An illustrative site layout plan has been provided but this is indicative only and is not intended for detailed consideration at this stage. The site area is stated to be 5.44ha and up to 93 units are proposed. This would equate to a gross housing density of 17.1 dwellings per hectare. If 0.26ha is reserved for the proposed D1 use, this would increase the gross housing density to 17.9 dwellings per hectare. Given the character and otherwise rural location of this area of Great Ecclestone, this density is considered to be acceptable.

9.13 Whilst not a matter for agreement at this stage, it is envisaged that a mix of 2, 3, 4 and 5-bedroom houses would be provided. This is considered to be acceptable in principle and final details of housing mix would be agreed at reserved matters stage should outline permission be granted.

## IMPACT ON AMENITY

9.14 The application seeks to agree the principle of development with layout reserved for later consideration. There are some existing residential uses immediately to the south-west and to the west on the opposite side of Copp Lane. Reserved matters approval has also been granted in respect of a scheme for 90 houses on the land immediately to the north-west of the site. Residential

development on the site would therefore be a compatible land use. D1 uses can be found in town centre locations but are also common within established residential areas. On this basis, a D1 use would also be considered to be compatible with the existing surrounding development and the housing proposed. The layout of the site would be agreed at reserved matters stage and this could ensure that no unacceptable impacts arise to existing residential amenity by virtue of increased noise and activity. Similarly it is considered that an acceptable layout could be secured to ensure that the Council's minimum adopted separation standards are achieved in order to safeguard levels of daylight and privacy for both existing and future residents. Copp Lane is not a particularly busy main route and so, subject to the imposition of suitably worded conditions, no unacceptable impacts from noise nuisance are anticipated. A construction management plan would also be required through condition to prevent undue amenity impacts. Subject to these conditions, no unacceptable amenity issues are identified.

## LANDSCAPE AND VISUAL IMPACT

9.15 The applicant has submitted a Landscape and Visual Appraisal. The site falls within National Character Area 32: Lancashire and Amounderness Plain. This is characterised by a rich patchwork of fields and watercourses in a flat or gently undulating landscape punctuated by blocks of woodland and built form. The site also lies within Lancashire Landscape Character Assessment area 15d: Coastal Plain: The Fylde. The area can be defined as a gently undulating, farmed landscape dominated by improved pasture and scattered with historic halls, farms and woodland. Long views are available both towards the coast and towards the Bowland Fells. Urban development and man-made elements have eroded the rural character of the landscape to an extent. The landscape strategy for the area includes the retention of existing field boundaries and ponds. The application site is not nationally, regionally or locally designated but it is recognised that its general openness and the existing vegetation and mature trees around the edges of the site make a strong, positive contribution to the setting and visual amenity of the area.

9.16 The submitted assessment considers the landscape value of the site to be ordinary with medium importance and rarity. The site is predominantly visible from the immediate area and the adjoining residential properties. Immediate views are also available from a public right of way to the east. Longer distance views are considered to be less significant due to the wider landscape context and the low lying nature of the topography. The visual impact on a number of appropriate local receptor points has been assessed. The proposal would entail a minor to insignificant change to the landscape character area as a whole. The site itself is considered to have capacity to accept change. Overall, the landscape effect on character would be moderate. It is acknowledged that heritage assets have high sensitivity and nearby heritage assets, including the dovecote, have been considered. However, given the existing setting, it is considered that the potential impact on this receptor would be moderate. It is noted that the land to the north-west has been granted planning permission for residential development and that consideration of cumulative impact must be made. It is acknowledged that the urban extension would be particularly noticeable when travelling along Copp Lane but that this would be softened over time by planting along the road frontage.

9.17 It is recognised that residential receptors are highly sensitive and that there are a number of residential properties that would be affected by the proposal. Given the magnitude of the scheme, the visual effects are judged to be slight. Overall, a moderate effect on residential properties would result but it is considered that this could be mitigated through landscaping and site design. It is judged that any impact

on the views from local roads as receptors would be low close to the site and negligible with greater distance from the site as views would be passing and transient. Specific consideration has been given to the impact on the public right of way (PROW) further to the east of the site which is considered of high sensitivity as a receptor. Given that the scheme would constitute a minor part of the landscape but would nevertheless be irreversible, the effect is judged to be moderate. However, this could again be mitigated in the long term by landscaping. Overall, it is considered that the development would result in a moderate visual effect.

9.18 The submitted landscape assessment is accepted as being generally reasonable. It is considered that the proposal would have a significant localised visual impact and a moderate impact on the wider area. It is accepted that development of this scale on a previously greenfield site will always result in change and some visual impact, and this weighs against the proposal. In this case, however, given the landscape quality and the context of the site, the impact is not judged to be significant or sufficiently detrimental to warrant refusal on this ground. Nevertheless, it will be important to ensure that any visual impact is minimised through the agreement of appropriate layout, scale, design and landscaping at reserved matters stage should outline consent be granted.

## HERITAGE IMPACT

9.19 There are no designated heritage assets on site. The nearest designated asset is the dovecote to the north-west on the opposite side of Copp Lane. This dovecote is a grade 2 listed building and is also a scheduled monument. Under s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Local Planning Authority has a duty to have special regard to the desirability of preserving or enhancing a listed building or its setting. In respect of the outline planning application on the adjacent land to the north-west, Historic England raised objection. However, a refusal on this point was not considered to be justified because of the outline nature of the proposal. Furthermore, it was noted that the dovecote would have originally been enclosed from public view by trees and that the immediate setting of the dovecote when viewed from Copp Lane would not be materially affected. Historic England did not raise any objection against the subsequent reserved matters application. Advice was sought from the Council's retained heritage advisor and amendments made to the scheme to minimise any impact on the asset. The scheme was judged to be acceptable and reserved matters approval was granted. The current application site is nearly 300m from the dovecote along Copp Lane. Any direct view between the two would be interrupted by the housing approved on the land to the north-west if implemented. By virtue of this distance and the intervening approved development, no unacceptable impact on the significance, setting or heritage value of the dovecote is anticipated.

## ACCESS, PARKING AND HIGHWAY SAFETY

9.20 The application and submitted information has been considered in detail by Highways England (HE) and Lancashire County Council (LCC). These organisations are the respective highway authorities for the strategic and local road networks. Highways England noted particular concern in respect of the Thistleton and Windy Harbour junctions on the A585. Given that significant highway infrastructure improvements are planned in the wider area, it was ultimately accepted that no unacceptable impact would result to the Windy Harbour junction. The Thistleton junction was of more concern as it is noted that traffic levels and speed make it difficult to cross the junction towards the rural areas around Singleton or to turn right onto the A585 towards Garstang Road. Additional information was requested from

the applicant and a considerable amount of discussion took place between the applicant's highway consultants and HE / LCC officers. Ultimately, following further assessment, it has been determined that the impact arising from this scheme would not have a severe impact and would not therefore justify refusal of the application in accordance with the provisions of paragraph 32 of the NPPF. Highways England has advised that the cumulative impact of further development must be properly considered moving forward and this is noted in respect of the emerging Local Plan.

9.21 In respect of the local road network, LCC has taken account of the road speed limits in the area and the recorded traffic speeds. Consideration has also been given to local public transport provision and the extent and condition of local footpaths. It is acknowledged that a degree of additional traffic would be generated by the development and that this is a concern to local residents. Great Eccleston offers a range of community services and shops but these facilities are aimed at a village market and are limited in size and provision. Residents would have to travel to access supermarket shopping, leisure and employment. On this basis, it is considered that the developer should provide contributions towards improved public transport provision including an increase in bus frequency and an extension of operating hours into the evening and weekend. Further contributions towards the improvement of local footpaths, the provision of a footpath along the site frontage to connect the development to the north, and bus stops and to travel planning have also been requested to maximise the potential for residents to travel by sustainable means.

9.22 The submitted transport statement has been considered in respect of trip generation and distribution and is broadly agreed. On balance, it is considered that the development would not have an undue impact on highway safety. However, a number of works have been identified as necessary to ensure safety. These include traffic calming and the introduction of gateway treatments around the site, and these measures would be reinforced by the provision of improved footpaths. It is considered that a safe point of access with adequate sight-lines could be delivered along the site frontage. A condition to require the agreement of a Travel Plan as requested by Highways England is proposed. On this basis, no unacceptable impact on highway safety is anticipated.

## ECOLOGICAL AND ARBORICULTURAL IMPACT

9.23 The application has been considered by Natural England and the Greater Manchester Ecology Unit and no objections are raised. The information submitted is judged to be acceptable. It is noted that the site and its surroundings are not designated for their ecological value and that the site only has low potential to support protected species except for foraging bats. It is considered that the most important habitats for bats, the pond and the hedgerows, could be retained as part of the development. Furthermore, sufficient alternative habitat would be available nearby. This is also true for foraging owls. The pond could support common toads but this would be retained and could be linked to the wider landscape via greenspace thereby mitigating any impact. It is recommended that reasonable precautionary measures be adopted during construction and vegetation clearance and this could be secured through condition. Although the site is predominantly species-poor improved agricultural grassland, it does offer some habitat and features of local value. Losses must be compensated for by new planting and this could be secured through condition as part of a landscaping scheme. On this basis, and subject to the imposition of suitable conditions, no unacceptable impacts on ecology are anticipated.

9.24 The submitted tree information has been considered and agreed by the Council's tree officer and judged to be appropriate. Subject to the submitted arboricultural method statement and tree protection plan being followed in full, there would be minimal impact on the trees to be retained. It is acknowledged that some hedgerow would need to be removed across the centre of the site, and also to facilitate the creation of an access and footpath. Whilst not classified as 'important' hedgerow under the Hedgerow Regulations, it is nevertheless priority habitat and so new native tree and hedgerow planting would be required to mitigate this loss. This could be secured through condition and through the agreement of landscaping details at reserved matters stage. On this basis and subjection to the imposition of appropriate conditions, no unacceptable arboricultural impacts are expected.

## FLOOD RISK AND DRAINAGE

9.25 The site falls within flood zone 1. As such there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. The application has been considered by Lancashire County Council as the Lead Local Flood Authority (LLFA), the Environment Agency, the Council's Drainage Officer and United Utilities (UU). No objections have been raised. United Utilities have advised that foul and surface water must be drained separately and have set out some of their own specific requirements. The Environment Agency has noted that foul drainage should be directed in order of preference to a public sewer, a package sewage treatment plant or finally to a septic tank. Any discharge to a water body would require a permit. It is understood that specific requirements relate to foul drainage and these would have to be complied with. It is recommended that conditions be attached to any permission granted to require foul and surface water to be drained separately and to require the applicant to agree a strategy for foul drainage.

9.26 In respect of surface water, both the Lead Local Flood Authority (LLFA) and the Council's Drainage Officer have noted that there is a history of surface water flooding on Copp Lane. This must not be exacerbated. A scheme for the drainage of surface water must be agreed along with a lifetime management and maintenance plan for the scheme. This could be secured through condition. The LLFA advises that surface water should be managed in as natural a way as possible with discharge restricted to greenfield rates. It should be drained in accordance with the established hierarchy with order of preference given to infiltration, discharge to a watercourse and then to a surface water drain before finally the combined sewer. It is noted that pollution control measures may be required. It is considered that an acceptable drainage strategy based on sustainable drainage principles could be agreed. As such, and subject to the imposition of appropriate conditions, no unacceptable drainage or flood risk issues are identified.

## ENVIRONMENTAL IMPACT

9.27 It is considered that the quality of controlled waters and ground and surface water bodies could be adequately safeguarded through the agreement of a surface-water drainage scheme.

9.28 In respect of air quality, it is considered that with adequate mitigation, the construction phase impact would not be significant. Furthermore, the operational phase of the development in isolation would be unlikely to result in health-based national air quality objectives being exceeded. It is noted that a cumulative impact could result and, on this basis, conditions have been requested that would secure electric vehicle charging points and limit the emissions from domestic boilers.

However, there are no planning policies in place that would support the imposition of a requirement relating to electric vehicle charging points on sites in this area not near to any designated Air Quality Management Area (AQMA). Furthermore, specifications relating to domestic heating fall outside of the remit of the planning system. As such, it is not considered that such conditions could reasonably be imposed. A dust management plan would be required through condition and it is considered that this would be sufficient to avoid any unacceptable impacts on air quality.

9.29 With regard to land contamination, given the historic and current uses of the site, there is nothing to suggest that there is potential for contamination that would affect human health or the environment. It is recommended that some environmental samples be taken as part of the intended geotechnical investigation but this is not essential. It may be that gas is an issue but again there is nothing to suggest that there might be significant quantities of made land on the site. Nevertheless, in accordance with the precautionary principle, standard conditions relating to gas protection and the maintenance of a watching brief should be imposed. Subject to these conditions, no unacceptable impacts on human health or the environment arising from land contamination are anticipated.

## INFRASTRUCTURE AND PLANNING OBLIGATIONS

9.30 Where a Local Authority has identified a need for affordable housing provision, the NPPF expects policies to be set requiring development proposals to contribute towards this need on site. The 2014 SHMA identifies the boroughs needs with regard to affordable housing and supports the requirement, as set out in draft Policy CS21 of the emerging Local Plan, for residential developments of 15 or more dwellings to include 30% affordable provision on site. The application proposes up to 93 dwellings which would equate to a requirement for 28 affordable units. These should be provided on-site and should consist of a mixture of shared ownership and housing made available on an affordable rent basis. A mix of house types and sizes would be required. It is recommended that this be secured through condition.

9.31 On the basis of the information provided and at the time of assessment, LCC as the Local Education Authority (LEA) indicated that no contributions would be required towards local primary school provision but that a contribution of £299,925.78 would be sought towards the provision of 14 additional secondary school places at Millfield Science and Performing Arts College. The calculated contribution is based on certain assumptions and may change once detailed information becomes available and as other schemes come forward. The necessary contribution would be secured through a S106 legal agreement and this would set out that the ultimate figure would be calculated in accordance with LCC's published methodology.

9.32 Policy H13 of the adopted Local Plan requires public open space to be provided within new residential developments and stipulates a rate of provision of 0.004ha per dwelling. A scheme of 93 units would equate to a requirement of 0.37ha. The indicative layout plan submitted with the application suggests that public open space would be provided around the periphery of the site and around the existing pond. Whilst layout is not a matter for consideration at this stage, given the overall size of the site at 5.44ha, it is considered that adequate public open space provision could be secured on site. It is recommended that a condition be attached to any permission granted to secure this.

9.33 It is acknowledged that local residents are concerned about increased pressure on existing medical facilities arising from this proposal. It is further recognised that the development would have implications for health infrastructure.

However, at present there is no mechanism adopted by the Clinical Commissioning Group that identifies the requisite health infrastructure needs arising from development in this area nor how that could be equitably funded by developers in accordance with the National Planning Practice Guidance or the CIL regulations. As such, the Council has no mechanism available to it to secure planning obligations in respect of health infrastructure. However and as previously stated, the applicant has identified an area of the site for potential medical centre provision and has agreed to a condition that would safeguard this land for such use in the future. Obligations in relation to sustainable travel are outlined earlier in the report in the 'Access, Parking and Highway Safety' section.

## ASSESSMENT OF SUSTAINABILITY AND THE PLANNING BALANCE

9.34 The main thrust of the NPPF is the need to secure sustainable development. Sustainability comprises three dimensions; economic, social and environmental.

9.35 The land is not safeguarded for employment uses or mineral extraction and the loss of agricultural land that would result is not considered to weigh notably against the proposal. Some employment would be created through the construction process and future residents would support local businesses and public services. As such and on balance, the proposal is considered to be economically sustainable.

9.36 The site is not designated for its landscape or environmental value. Through the imposition of appropriate conditions, biodiversity on the site could be safeguarded and enhanced and trees and hedgerows protected as appropriate through the agreement of a suitable landscaping scheme. The proposal would have a detrimental visual impact on the character of the immediate area and this would weigh against the proposal. However, it is considered that the extent of impact would be limited and that the character and function of the wider countryside would be preserved. Appropriate design could be secured at reserved matters stage along with landscaping to minimise visual impact. It is acknowledged that natural resources would be used as part of the development process. No unacceptable impacts on water, land or air quality are anticipated as a result of the development. It is recognised that residents would have to travel to meet day-to-day needs for shopping, leisure and employment. In environmental terms this does weigh against the proposal but is not unusual in a rural area and can be mitigated through travel planning and by improvements to public transport provision, local bus stops and local footpaths. On this basis and on balance, the proposal is considered to be environmentally sustainable.

9.37 The scheme would represent an extension to Great Eccleston. The provision of up to 93 new homes would make a significant quantitative contribution towards meeting the borough's housing requirement and this weighs strongly in favour of the proposal. Affordable housing equivalent to 30% of the total residential development would be provided along with an appropriate level of public open space in accordance with the Council's requirements. A financial contribution towards local education provision would be sought to meet the additional need for school places generated by the development. It is agreed that an area of the site could be safeguarded through condition for the potential future provision of a medical centre to serve the local community, although as previously stated this can only be given limited weight as its delivery cannot be guaranteed. Great Eccleston village does offer a significant number of facilities such as pubs, shops, restaurants/cafes, places of worship and a medical centre. There is also a primary school relatively close to the site. Nevertheless, as stated above, it is recognised that residents would have to travel to meet their day-to-day needs. This warrants contributions towards public



transport improvements and bus stop and footpath upgrades, and these works to improve general accessibility would be of benefit to the wider community. It is considered that safe access to the site could be provided and that works to the public highway would ensure that no undue impact on highway safety would result. These improvement works to the public highway would potentially also deliver wider public benefit. No unacceptable impacts on the highway safety of the wider network are anticipated. Consequently and on balance, the scheme is considered to be socially sustainable.

9.38 In terms of planning balance, as set out above, the benefits of the proposal in terms of housing delivery are considered sufficient to outweigh any detrimental impacts arising from the development. The scheme when considered as a whole is judged to represent sustainable development and planning permission should therefore be granted in accordance with the provisions of paragraph 14 of the NPPF.

## **10.0 CONCLUSION**

10.1 In light of the assessment set out above, the scheme proposed is considered to represent sustainable development and so planning permission should be granted. No other material planning considerations have been identified that would outweigh this view.

## **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 outline planning permission subject to conditions and a S106 legal agreement to secure the necessary financial contributions towards local education provision and sustainable travel initiatives and to delegate authority to the Head of Planning Services to issue the decision following the satisfactory completion of the S106 legal agreement.

### **Recommendation: Permit**

#### **Conditions: -**

1. 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; and that 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.

2. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

3. Prior to the commencement of development a scheme for the drainage of foul water shall be submitted to and agreed in writing by the Local Planning Authority and this agreed drainage system shall be installed in full accordance with the approved details before any of the properties hereby approved are first occupied or any medical centre is brought into first use.

Reason: In order to ensure that the site is adequately drained and in order to avoid contamination of potable water supplies.

4. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and shall include the following:

a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;

b) A demonstration that the surface water run-off would not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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 where applicable;

f) Site investigation and test results to confirm infiltrations rates;

g) Details of water quality controls, where applicable.

Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The scheme shall be fully implemented and subsequently maintained, in accordance with the approved details including any timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG.

5. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or the management and maintenance by a Residents' Management Company;
- b) Arrangements concerning appropriate funding mechanisms for the on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

6. Prior to the occupation of the first dwelling, in accordance with the framework travel plan produced by PSA Design (Ref: D2238) or a timescale otherwise agreed by the Local Planning Authority, a full Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. This agreed Travel Plan and an associated Travel Plan Coordinator as specified in the agreed Travel Plan shall be in place and be implemented and operational in accordance with the agreed Travel Plan from the occupation of the first dwelling for a period of not less than five years from the date of full occupation of the residential development.

Reason: a Travel Plan is considered necessary to encourage travel by sustainable modes and reduce dependence on private car travel in the interests of sustainability and highway safety in accordance with the provisions of paragraph 17 of the NPPF. It is considered that this information is required to be agreed prior to the occupation of the first dwelling and implemented from that point in order to ensure that the measures set out in the agreed Travel Plan are effective in encouraging sustainable travel throughout the lifetime of the development.

7. Prior to the commencement of development a Habitat and Landscape Conservation and Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This agreed plan shall then be implemented as part of the development. The plan shall include:

- (i) details of hedgerows and trees to be retained and details of measures for their protection during construction;
- (ii) provision for the retention of the existing pond and surrounding habitats and details of measures for their protection during construction;
- (iii) provision of the retention of the boundary ditch and associated habitats and details of measures for their protection during construction;
- (iv) a method statement detailing measures to avoid harm to amphibians during the course of groundworks or construction;
- (v) details of biodiversity enhancement to include suitable planting schemes and provisions of features for wildlife such as bird nesting and bat roosting boxes.

Reason: In the interests of safeguarding and enhancing biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

8. No trees shall be felled or vegetation cleared during the main bird nesting season (March to July inclusive) unless a report undertaken by a suitably qualified and experienced ecologist demonstrating the absence of nesting birds has first been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF and to protect and prevent unnecessary disturbance of nesting birds in accordance with the Wildlife and Countryside Act 1981.

9. No development shall take place until a Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control methods to ensure that dust does not travel beyond the site boundary. The identified measures shall be implemented and maintained at all times. Should any equipment used to control dust fail, all handling of materials shall cease immediately until the dust control equipment has been repaired or replaced.

Reason: To minimise the risk of pollution that may cause nuisance and harm the amenity and/or health of occupiers of nearby buildings, in accordance with policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

10. The development shall incorporate suitable gas protection measures, details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The measures shall include as a minimum: ventilation of confined spaces within the buildings; a ground slab of suitable construction; a low permeability gas membrane; minimum (ideally none) penetration of the ground slab by services; and passive ventilation to the underside of the buildings. Alternatively, prior to the commencement of development, a gas monitoring programme and risk assessment of the results shall be undertaken to demonstrate that the above gas protection measures are not required. Any gas monitoring programme must be carried out over a period of at least three months and

include at least three readings where the atmospheric pressure is below 1000mb. Gas flow rates must also be provided. Results shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The development is within 250m of a closed landfill site. Works are therefore required in the interests of public safety and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

11. 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 by the Local Planning Authority, prior to first occupation of the development.

Reason: In order to safeguard human health and the environment from potential land contamination.

12. (a) The residential development hereby permitted shall be designed so that cumulative noise levels at each dwelling (from industrial, commercial and transportation sources) do not exceed:

- LAeq 50-55 dB 16 hours - gardens and outside living areas, daytime (07.00-23.00)
- LAeq 35 dB 16 hours - indoors, daytime (07.00-23.00)
- LAeq 30 dB 8 hours - indoors, night-time (23.00-07.00)
- LAFmax 45dB 8 hours - indoors, night-time (23.00-07.00)
- LAFmax 45dB 4 hours - indoors, evening (19.00-23.00)\*

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

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

(b) the rating levels for cumulative noise from all noise sources shall not exceed the existing background noise level (LA90), at noise-sensitive premises as assessed in accordance with British Standard 4142 (2014). Alternative levels and monitoring locations may be used subject to the prior agreement of the Local Planning Authority.

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

Reason: In order that there is no adverse effect on the health and quality of life of future occupiers of the proposed dwellings and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with the provisions of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

13. Prior to the commencement of development, a scheme detailing measures to prevent cricket balls from the adjoining cricket club from causing damage to property on the site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with the details of this approved scheme, which shall thereafter be retained and maintained. For the purpose of this condition, the scheme shall include details of the position, height and specification of protective netting.

Reason: In order to safeguard human health and prevent damage from stray cricket balls given the use of the adjoining land.

14. Prior to the commencement of construction in respect of any class D1 use on site, an Artificial Lighting Assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority that demonstrates that artificial lighting to the proposed D1 use, for example, flood lighting to the car park and outside areas, will be designed so that the Local Planning Authority is satisfied that it is not intrusive to nearby sensitive premises. The lighting shall be designed in accordance with the pre and post-curfew standards for 'Zone E2' as described by the Institution of Lighting Professionals' 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. Any lighting shall then be installed in accordance with these agreed details and maintained and retained thereafter.

Reason: In order to safeguard residential amenity in accordance with the provisions of Policy SP14 of the Wyre Borough Local Plan (1999) and paragraphs 17 and 125 of the NPPF.

15. Prior to commencement of development, a site specific Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and site lighting during the construction period. The plan shall include, but not be limited to:

- (i) procedures for maintaining good public relations, including complaint management, public consultation and liaison
- (ii) arrangements for liaison with the Council's Environmental Protection Team
- (iii) the intended hours of work. It should be noted that the standard permitted hours of operation expected in relation to all works and ancillary operations (including deliveries to and removal of plant, equipment, machinery and waste), which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, are 08.00-18:00 hours Monday to Friday, 08.00-13:00 hours on Saturdays and at no time on Sundays and Bank and Public Holidays
- (iv) Measures for controlling and monitoring:
  - (a) Noise and vibration
  - (b) Dust and air borne pollutants having regard to the location of nearby sensitive receptors and industry best practice
- (v) Measures for controlling the use of site lighting whether required for safe working or security purposes

- (vi) Procedures for emergency deviation of any agreed element within the Plan
- (vii) Measures for preventing deposit of mud on highway such as wheel washing facilities

- (viii) Routeing of construction vehicles

The approved plan shall be strictly adhered to throughout the demolition / construction period unless otherwise permitted by the Local Planning Authority in writing.

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

16. The development hereby approved shall be carried out in accordance with the Arboricultural Report produced by Urban Green in April 2016.

Reason: In order to safeguard existing trees and hedgerows identified for retention in the interests of biodiversity and the appearance of the site in accordance with the provisions of Policy SP14 of the Wyre Borough Local Plan (1999) and paragraph 17 of the NPPF.

17. The development hereby approved shall reserve an area of land equivalent to the area hatched in blue on submitted Parameters Plan ref. 14.132P (00)210 Rev A for the future provision of a medical centre for use within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification. For the purpose of this condition, a medical centre is taken to mean the provision of health and/or dental services, offered by a public sector provider, and any ancillary pharmacy use.

Reason: Providing an opportunity for a health centre and pharmacy to come forward at a future date within the application site (as indicated on the illustrative plan submitted with this outline planning application) to serve the wider community would enhance the economic and social benefits of this development and make it more sustainable.

18. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved)
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

19. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of saved Policy H13 of the adopted Wyre Borough Local Plan (1999), or any replacement Local Plan policy for the provision of public open space, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

Reason: In order to ensure adequate provision and delivery of public open space in accordance with the provisions of the NPPF and Policy H13 of the Wyre Borough Local Plan (1999).

**Notes: -**

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

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

2. This response does not grant the applicant permission to connect to the highway drainage network. Neither does this response cover the suitability of any highway drainage proposal. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 are for the Local Highway Authority to comment on.

3. All site investigations and assessments shall be carried out by appropriately qualified personnel, in accordance with British Standard 10175:2001 "Investigation of Potentially Contaminated Sites - Code of Practice".

All site investigations and assessments shall be in accordance with current Government and Environment Agency Guidance, and shall identify the type, nature and extent of any contamination present, the risk to receptor's and the potential for migration within and beyond the site boundary.

The responsibility for the safe development and secure occupancy rests with the developer. The Local Planning Authority may only determine the suitability of any scheme for investigation/remediation submitted, on the basis of the information submitted to it. Under no circumstances will the Local Planning Authority accept liability for inadequate remediation of the site.



Advice regarding the requirement to provide a Desk Study is available from the Council's website ([www.wyre.gov.uk](http://www.wyre.gov.uk)) under Environmental Services - Contaminated Land. Alternatively, enquiries can be made directly to the Council's Contaminated Land Officer.

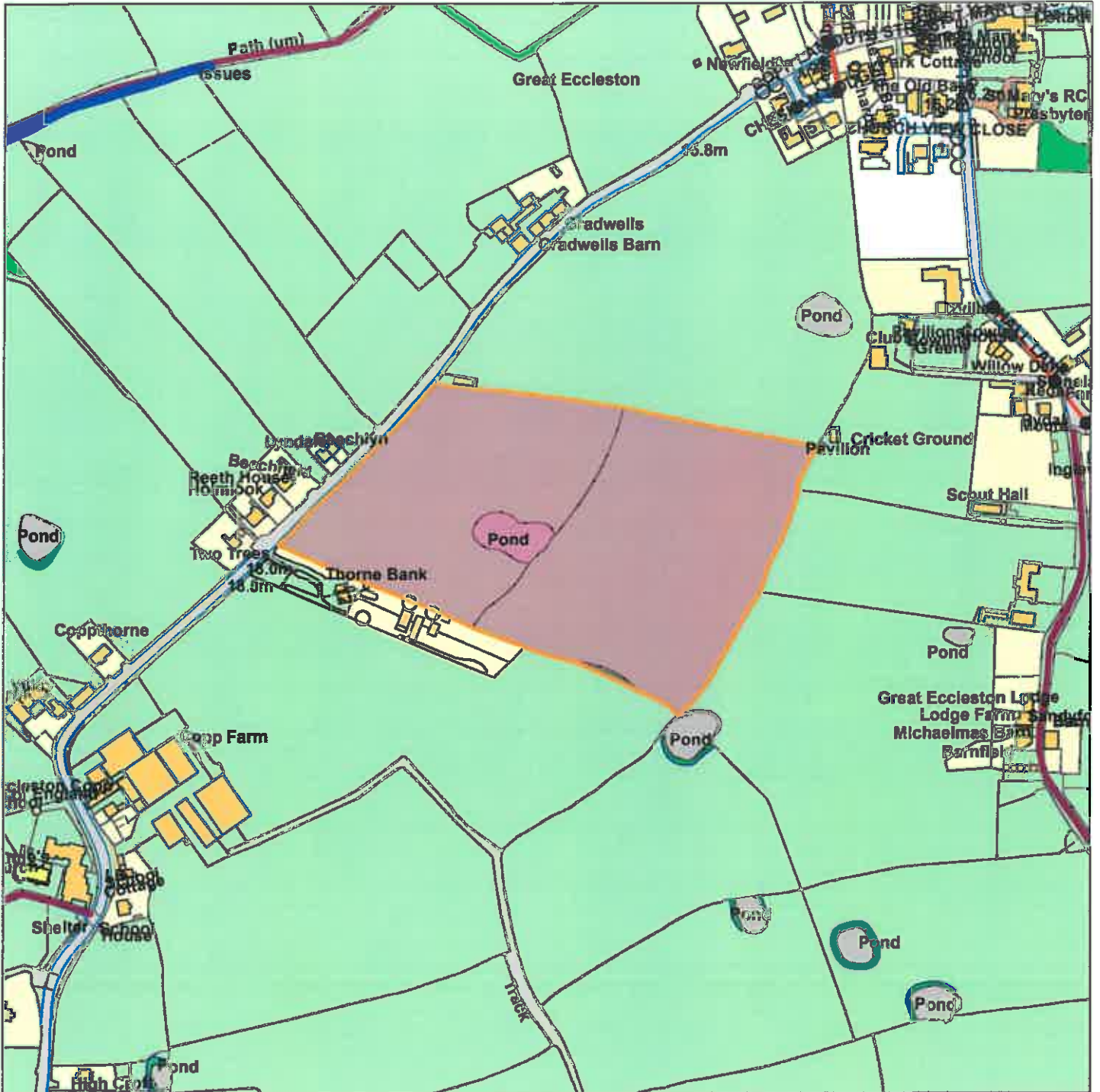
Advice regarding both landfill gas protection measures and landfill gas monitoring can be obtained from the Council's website ([www.wyre.gov.uk](http://www.wyre.gov.uk)) under Environmental Services - Contaminated Land. Alternatively, enquiries can be made directly to the Council's Contaminated Land Officer.

The presence of any significant contamination, which becomes evident during the development of the site, shall be brought to the attention of the Local Planning Authority.

arm/rg/pla/cr/17/0305nc4

# Planning Committee

16/00650/OUTMAJ - Land East of Copp Lane



Scale : 1:4161

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<b>Organisation</b>	Wyre Council
<b>Department</b>	Planning Department
<b>Comments</b>	Item 1
<b>Date</b>	21 April 2017
<b>SLA Number</b>	100018720

**Committee Report****Date: 03.05.2017**

<b>Item Number</b>	<b>02</b>
<b>Application Number</b>	<b>16/00090/FULMAJ</b>
<b>Proposal</b>	<b>Residential development of 26 dwellings with associated access, parking and landscaping.</b>
<b>Location</b>	<b>Land To The Rear Of 867 Garstang Road Myerscough Lancashire PR3 5AA</b>
<b>Applicant</b>	<b>Mr Ian Fowler</b>
<b>Correspondence Address</b>	<b>c/o NJL Consulting Katie Delaney 8 Ashbrook Office Park, Longstone Road, Manchester, M22 5LB</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Miss Susan Parker****1.0 INTRODUCTION**

1.1 The application is before members for determination because it is a major development and is one of a number of applications for major-scale residential development along the A6 corridor. Members will recall that nine applications for major-scale residential development along the A6 corridor were presented to the Planning Committee on 22nd March 2017. This application was not ready to be presented for determination at that time. However, the situation in relation to impact on the highway network and the approach by Lancashire County Council (LCC) in considering applications in the A6 corridor ready to be determined, that was set out in the introductory report to the 22nd March Planning Committee Agenda, equally applies to this proposal. That introductory report should be read together with and taken as a material consideration in conjunction with this report in determining this application. A summary of the response provided by LCC is set out in paragraph 6.7 of this report.

1.2 A site visit is proposed to enable Members to fully understand the proposal notwithstanding the information provided as part of the application, and because the full nature of the site and surroundings cannot be satisfactorily communicated through photographs.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application relates to 0.96ha of land to the west of the A6 in Barton. The site is immediately to the south of Rostock Dairy and sits opposite Long Croft, St. Lawrence's Avenue and South Grove. The main west coast railway line runs along the western boundary of the site with the A6 directly to the front / east. There are

residential properties fronting the A6 and an area of open land immediately to the south. The site currently comprises open countryside and is bound to the west and south and along part of the A6 frontage by hedgerows containing some trees. The site wraps around no 867 Garstang Road and the land associated with that property. There are no listed buildings or protected trees in the immediate vicinity and no ponds on the site. The site falls outside of any conservation areas or minerals safeguarding areas and is within flood zone 1. There is a public right of way that starts some 65m to the north on the opposite side of the A6 and runs eastward.

### **3.0 THE PROPOSAL**

3.1 The application seeks full planning permission for the erection of 26 new dwellings with associated access from the A6, parking and landscaping.

3.2 The application is supported by a:

- Planning, design and access statement including an affordable housing statement
- Agricultural land use assessment
- Ecological survey and assessment
- Tree survey and assessment
- Road and rail noise assessment
- Rail vibration assessment
- Air quality assessment
- Flood risk assessment and sustainable drainage assessment
- Transport statement
- Phase 1 geo-environmental desk study report

### **4.0 RELEVANT PLANNING HISTORY**

4.1 No relevant, recent planning history identified for this site.

4.2 On 22nd March 2017 Members resolved to grant outline planning permission for residential development on two sites nearby to the south of this site - 16/00625/OUTMAJ (Garstang Road, Barton) and 16/00807/OUTMAJ (Shepherd's Farm, Barton).

### **5.0 PLANNING POLICY**

#### **5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

5.1.1 The Framework was published on the 27th March 2012. It sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans. The NPPF sets out a presumption in favour of sustainable development (paragraph 14). Sustainability comprises economic, social and environmental dimensions and the planning system is intended to play an active role in the delivery of sustainable development. Proposals that accord with the development plan should be approved without delay and proposals for sustainable development should be supported where possible.

5.1.2 Twelve core planning principles are identified. These include supporting sustainable economic development to meet local need; securing high quality design and a good standard of amenity; recognising the different roles and characters of

different areas; accounting for flood risk; conserving and enhancing the natural environment; encouraging the effective use of land and mixed use developments; actively managing patterns of growth to maximise use of sustainable transport modes; and delivering sufficient community and cultural facilities and services to meet local needs.

5.1.3 Section 4 promotes sustainable transport and the location of development to maximise use of sustainable travel modes. Paragraph 32 sets the threshold of highway impact above which refusal of an application is justified as severe.

5.1.4 Section 6 relates to the delivery of a wide choice of high quality homes. This section expects Local Planning Authorities to identify a five year supply of housing land with an additional 5% buffer to promote choice and competition in the market. Housing applications should be considered in the context of the presumption in favour of sustainable development. In rural areas, new housing should be located where it would enhance or maintain the vitality of existing communities. Isolated new homes should be avoided unless special circumstances can be demonstrated.

5.1.5 Section 7 requires the planning system to secure good design and states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

5.1.6 Section 8 promotes the creation of healthy communities and acknowledges the important role the planning system can play in delivery.

5.1.7 Section 10 considers the challenge of climate change, flooding and coastal change. Inappropriate development in areas of flood risk should be avoided and the sequential test should be applied to direct development away from the areas of highest risk. Where development is necessary, it should be made safe without increasing flood risk elsewhere.

5.1.8 Section 11 aims to conserve and enhance the natural environment. This sections states that impacts on biodiversity should be minimised and net gains provided where possible.

## 5.2 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

5.2.1 The NPPG provides advice on Government policy. The sections below are of particular relevance to the application.

5.2.2 Air quality - this section provides guidance on how planning can take account of the impact of new development on air quality with particular reference to the development management process.

5.2.3 Design - this section provides advice on the key points to take account of when considering design.

5.2.4 Flood Risk and coastal change - this section expands upon the NPPF and explains the need to direct new development towards areas of lowest flood risk, concentrating on flood zone 1, and ensure that development would be safe and not lead to increased flood risk elsewhere.

5.2.5 Health and well-being - this section sets out the links between health and planning and the need to encourage opportunities for community engagement and healthy lifestyles.

5.2.6 Natural Environment - this section explains key issues in implementing policy to protect biodiversity, including local requirements. Particular reference is given to landscape, biodiversity, ecosystems, green infrastructure, brownfield land, soils and agricultural land.

5.2.7 Noise - this section explains that account must be taken of the acoustic environment and whether or not an adverse or significant adverse noise impact is likely to arise, and whether or not amenity could be safeguarded. The factors determining noise nuisance are discussed with references to the sources and receptors of the noise. The potential effect of noise nuisance should particularly be considered where new residential development is proposed near to existing commercial uses. Methods to mitigate noise nuisance are set out.

5.2.8 Rural housing - this section makes it clear that it is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the viability of facilities and services and the broader sustainability of villages and smaller settlements.

5.2.9 Travel plans, transport assessments and statements in decision-taking - this section discusses what these documents are, how they relate to one another, why they are important and what should be taken into account in their preparation.

### 5.3 WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.3.1 The following saved policies are of most relevance:

- SP8 - Definition of small rural settlements
- SP13 - Development in the countryside
- SP14 - Standards of design and amenity
- ENV7 - Trees on development sites
- ENV13 - Development and flood risk
- ENV15 - Surface water run-off
- H13 - Open space in new housing developments
- CIS6 - Securing adequate servicing and infrastructure

### EMERGING LOCAL PLAN

5.3.2 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between 17th June and 7th August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

- 5.3.3 The following emerging policies are of most relevance:
- CS1 - Spatial strategy for Wyre: distribution of development
  - CS2 - Spatial strategy for Wyre: settlement and centre hierarchy
  - CS8 - Strategy for central rural plain
  - CS13 - Sustainable development
  - CS14 - Quality of design
  - CS16 - Transport, accessibility and movement
  - CS18 - Green infrastructure
  - CS19 - Biodiversity and geodiversity
  - CS20 - Housing mix
  - CS21 - Affordable housing
  - CS24 - The countryside
  - CS25 - Flood risk and water resources

#### 5.4 SUPPLEMENTARY PLANNING GUIDANCE

5.4.1 SPG2 - Trees and development - this document sets out the Council's approach to the protection of trees affected by development and the provision of new trees.

5.4.2 SPG4 - Spacing guidance for new housing layouts - this document specifies the minimum separation distances considered to be acceptable to safeguard residential amenity and avoid physical dominance. In general for two storey developments, 21m should separate front and rear elevations, 13m should separate front/rear and side elevations, and 2m should separate side elevations.

#### 5.5 EVIDENCE BASE DOCUMENTS

5.5.1 THE RURAL HOUSING NEEDS SURVEY (2015) concludes that there is considerable need for affordable housing across the Borough of Wyre to ensure long-term community sustainability.

5.5.2 THE FYLDE COAST STRATEGIC HOUSING MARKET ASSESSMENT (SHMA) 2013 - this document was produced for the Fylde Coast Authorities (Wyre, Fylde and Blackpool) to provide evidence as to how many dwellings of different tenures may be needed over the next 15 years and beyond. The report presents an understanding of the sub-regional housing market and identifies a need for new housing across the Fylde Coast. The 2013 Fylde Coast SHMA and Addendums I&II represents the most up-to-date assessment of objectively assessed need (OAN) for Wyre. Addendum II completed in February 2016 takes account of the 2012 Household projections and updated economic growth projections in the 2015 Employment Land Study Update and Addendum. The SHMA Addendum II indicates that Wyre's OAN lies between 400 - 479 dwellings per annum from 2011 - 2031 with a recommendation that the OAN figure should be at the upper end of the range. The Council has accepted 479 dwellings per annum as the OAN figure for the Local Plan. There is an estimated need for 300 affordable homes per year (over the next 5 years).

5.5.3 WYRE AFFORDABLE HOUSING VIABILITY STUDY (2010) - this study identified that the level of viability for residential developments across the Borough could only sustain a maximum of 30% affordable dwellings, although in some areas it would be a lesser percentage.

5.5.4 WYRE SETTLEMENT STUDY (2016) - this study ranks the settlements within the borough according to their economic and social role using four indicators. These are population; the level of services and facilities provided; the accessibility of public transport and the connectivity to other settlements; and the employment opportunities available. These indicators are considered to be central to the notion of sustainability as they reflect the extent to which settlements can be economically and socially self-supporting. The overall settlement rank of the borough is provided in Appendix 5 of that document. Barton is ranked tenth within the list.

## **6.0 CONSULTATION RESPONSES**

6.1 MYERSCOUGH AND BILSBORROW PARISH COUNCIL - the proposed development would have an unacceptable and severe impact upon the capacity of the strategic highway network, particularly at junction 1 of the M55. It would also have an unacceptable and severe impact on the already overburdened sewage system in the locality. As such, the Parish Council objects.

6.2 BARTON PARISH COUNCIL - the Parish Council objects on the basis of the response from Preston City Council and the representation prepared by Leith Planning. Local residents object to the scheme and the Parish Council adopts these objections. The scheme is in conflict with the parish plan. To approve the scheme would be morally indefensible. The application should be considered by the Planning Committee.

6.3 NETWORK RAIL - no objection but the site is next to Network Rail land and infrastructure. As such, conditions/advice notes should be attached to any permission granted to ensure that no part of development adversely affects the railway. These conditions/advice notes would: require the developer to submit a risk assessment and method statement; require the agreement of the details of the fencing proposed; advise that no unauthorised access or encroachment must take place; ensure that scaffolding does not over-sail or fall onto Network Rail land; require details of vibro-compaction/piling machinery to be used to be agreed; ensure that all surface water be directed away from the railway and require the agreement of details; require review and agreement of all earthworks and excavation works; require a 2m gap between any structures and the boundary fencing; advise that discussions take place to determine the most appropriate noise and vibration mitigation measures for the site; prevent the planting of trees and non-evergreen shrubs near to the boundary.

6.4 UNITED UTILITIES - a public sewer crosses the site and building over it may not be permitted. An access strip of 3m either side of the sewer must be maintained. Either the layout must be revised or the sewer diverted at the applicant's expense. The applicant should contact United Utilities for further advice in the first instance. Deep rooted shrubs and trees should not be planted near to the sewer. No objections to the development are raised subject to the imposition of three conditions. These would require foul and surface water to be drained on separate systems; require the agreement of a surface water drainage scheme in-line with the established drainage hierarchy; and require agreement of a plan for the lifetime management and maintenance of the approved scheme. The site is located within a Source Protection Zone of abstraction boreholes. The applicant must demonstrate that the development would not impact upon ground water quality. Clean roof water may discharge to ground where rainwater goods are sealed against pollutants. If sustainable drainage solutions are proposed for water other than clean roof water, an Environment Agency risk assessment would be required along with approval from the local SUDS approval body. Some water mains reinforcement would be required to



serve development on the site. Each unit would require a separate metered supply with all fittings to current standards. If a sewer is discovered during construction, a Building Control body should be consulted.

6.5 ENVIRONMENT AGENCY - no comments to make.

6.6 PRESTON CITY COUNCIL - objection on the grounds that the proposal would be contrary to the hierarchy of locations for the focus of growth and investment which seeks to direct development to urban, brownfield and allocated sites. As such it would lead to unplanned and inappropriate development in the countryside which would not be sustainable. It is also considered that the development would have a severe impact upon highway capacity, particularly around the Broughton Crossroads and junction 1 of the M55. As such it would be contrary to elements of the Central Lancashire Core Strategy, the Preston Local Plan and the NPPF.

6.7 LANCASHIRE COUNTY COUNCIL (HIGHWAYS) -

#### GENERAL COMMENTS IN RESPECT OF DEVELOPMENT ALONG THE A6 CORRIDOR

6.7.1 An unprecedented level of development has been recently proposed in this area of Wyre. Cumulative impact has been considered and mitigation identified to support sustainable development. The A6 has been modelled from the M55 J1 to north of Garstang. A list of necessary highway infrastructure to maximise the level of development that can be accommodated in this area has been compiled. Co-ordinated, development funded change is needed to make the A6 more efficient and effective. It must be noted that development in Wyre also relies on changes funded by, or infrastructure provided by, schemes in Preston. The necessary mitigation measures would be secured through S106 and S278 legal agreements. Contributions sought reflect expected delivery costs and may change at detailed design stage. The strategy for the A6 does not include contributions towards public transport services or travel planning.

6.7.2 Given the limited capacity available in the A6 corridor, a staged approach taking account of risk was advocated and this was followed in the Wyre Planning Committee meeting on 22nd March 2017. It consisted of County's strategy being presented to Members, the Committee determining which applications were to be supported, and the issuing of planning permissions then being delegated to the Head of Planning Services once specific infrastructure requirements for each scheme had been agreed. The intention in pursuing this approach was to ensure an equitable distribution of mitigation costs between the different schemes.

6.7.3 As stated, significant work has been undertaken modelling the A6 including key junctions, new traffic data and committed development and other influencing proposals both within Wyre and neighbouring boroughs. Of key importance is the delivery of a new junction (J2) on the M55, the Preston Western Distributor (PWD) route and other infrastructure improvements including the Broughton Bypass and other North-West Preston Masterplan highway works. The additional modelling has revealed that additional development can be supported to that previously identified.

6.7.4 With regard to J1 of the M55, this had previously been assessed using a LINSIG signal model supported by a spreadsheet model and capacity issues were originally identified. However, the planning application for the PWD road included supporting information from a strategic Saturn model. This strategic model allowed traffic redistribution arising from the scheme to be investigated and enabled

committed and pending development proposals to be considered across a wider area. The outputs supported modelling of Broughton Roundabout using LINSIG software to test the capacity of that junction in 2026 with the impacts of smaller schemes and traffic growth factored in through TEMPRO. The work reveals that M55 J1 would operate at the limit of its theoretical capacity providing for the development assessed. This degree of operation depends upon the widening of both off slip roads from two to three lanes, the delivery of the PWD road and East-West link with a new M55 J2, and the provision of a link road between D'Urton Lane and Eastway. It also assumes that Broughton bypass and four southbound lanes to Broughton roundabout are operational. Currently £695,000 has been secured towards these measures which are estimated to cost £1.2m. This leaves a funding gap of £505,000 to be met through development.

6.7.5 It must be noted that individual changes ultimately provide A6 corridor benefits but also influence parts of the local and wider network and junctions, particularly in Preston, by affecting traffic levels and patterns of movement. The PWD infrastructure and new motorway junction would satisfy the needs of much of NW Preston as well as redistribution from the A6 corridor. At the current time, the applications for the PWD and M55 J2 have not been determined and so the benefits to the A6 corridor cannot be allocated to all of the development under consideration. It must also be noted that M55 J2 and the PWD have been funded by the Preston City Deal or by Preston Community Infrastructure Levy (CIL) monies.

6.7.6 In respect of other schemes, it is considered that the Broughton bypass will be completed and operational by mid-2017. The D'Urton Lane link is progressing well and the initial S278 works are being delivered. Road construction is expected to commence in the first quarter of the 2017-2018 financial year. Funds for the slip-road improvements to M55 J1 must come from Wyre developments and must be collected sufficiently early to enable the scheme to be designed and delivered without funds having to be returned.

6.7.7 Based on these works and known committed developments, it was considered that an additional 176 two-way trips at the average peak could be supported in advance of M55 J2 and the PDW being committed (approved). This figure was reported to the Wyre Planning Committee at its meeting on 22nd March 2017 and formed the basis for decisions on that day. The implications of the decisions made on that day in terms of remaining available capacity are set out below at paragraph 6.7.16. In terms of distributing this capacity fairly, it should be noted that development impacts have been determined using Turner Lowe information rather than the information set out in individual transport assessments to ensure consistency.

6.7.8 In terms of development along the A6, cumulative impact must be taken into account. It is recognised that development in Barton would have a much greater propensity to generate trips south than schemes further north. Schemes around Garstang, Catterall and Cabus have potential for greater impact on the section of the A6 including the key junctions at the A586, Longmoor/Moss Lanes, and the Croston/Cockerham Roads signals. The applications submitted in 2015/2016 did not provide sufficient information for the cumulative impact on these junctions to be considered. However, in 2014 three schemes were submitted in this area (at Daniel Fold Lane and Joe Lane in Catterall and at Nateby Crossing Lane in Garstang) and one included an adequate cumulative assessment. This enabled LCC to develop a coordinated strategy of highway improvements. More recently, a 2015 application (at Garstang Golf Club) has provided an updated cumulative assessment. This has enabled LCC to reach an informed decision and conclude that, subject to the delivery

of major improvement schemes, a level of development that includes the houses proposed under this application can be supported.

6.7.9 The works considered necessary to support this development are as follows:

#### INITIATIVE 1 - A6 Barton to Garstang Sustainable Transport Strategy

- (i) Provide continuous cycle lanes along the full length, achieved through carriageway widening, central hatching narrowing and coloured surfacing as appropriate;
- (ii) Provide traffic islands or refuge islands in central hatched area. This would help regulate traffic speed and provide improved crossing places;
- (iii) Use of gateway features to emphasise village entry points;
- (iv) Use of red texture flex sparingly but also continuously where required;
- (v) A review to declutter and re-sign, including SPIDs as appropriate;
- (vi) Speed limit review and supporting necessary changes to lower speeds to 40mph or 30mph where appropriate;
- (vii) Review of bus stops in the corridor and improvements to quality bus standards as appropriate.

This has been further split into seven schemes to ensure compliance with the CIL tests as follows:

- Scheme A - Longmoor Lane to north of Gubberford Lane - estimated cost £150,000 plus S278 works;
- Scheme B - A586 to Longmoor Lane/Moss Lane - estimated cost £130,000 plus S278 works;
- Scheme C - canal bridge north of Bilsborrow to A586 - estimated cost £120,000 plus S278 works;
- Scheme D - White Horse Lane to canal bridge north of Bilsborrow - estimated cost £120,000 plus S278 works;
- Scheme D1 - provision of toucan crossing, Bilsborrow - estimated cost £100,000;
- Scheme E - north of Broughton bypass to White Horse Lane - estimated cost £100,000 plus S278 works;
- Scheme F - Garstang town centre - estimated cost £75,000.

#### INITIATIVE 2 - WIDER IMPROVEMENT OF A6/CROSTON BARN ROAD/GREEN LANE WEST/COCKERHAM ROAD/CROSTON ROAD SIGNALISED JUNCTION

Originally this was to be funded and delivered through the three major schemes submitted in 2014 (Daniel Fold Lane, Joe Lane and Nateby Crossing Lane). The 2015 strategy included upgrade to MOVA operation and the provision of pedestrian and cycle facilities. A further improvement scheme has now been identified whereby Croston Barn Lane would no longer be a through route and the stopping points on the other roads would be brought forward to make the junction smaller.

### INITIATIVE 3 - IMPROVEMENT OF MOSS LANE/LONGMOOR LANE PRIORITY JUNCTION

The improvement scheme proposed would include S278 work supplemented by S106 funding and would include speed limit review, safety improvements and improvements for pedestrians and cyclists.

### INITIATIVE 4 - IMPROVEMENT OF A6/A586 PRIORITY JUNCTION

A scheme was identified in 2015 which can be delivered in stages. The full scheme includes full signalisation, pedestrian and cycle facilities, speed reduction and other safety measures. This was costed at £500,000 to be secured through S106. Of this, £350,000 has already been secured from the 2014 schemes at Daniel Fold Lane and Joe Lane. Since then, additional measures have been identified and an enhanced scheme developed. This scheme would cost £700,000 with the £350,000 shortfall to be funded by development.

### INITIATIVE 5 - M55 J1 WESTBOUND OFF SLIP IMPROVEMENT (ADDITIONAL LANE)

Since initial conception a more detailed cost estimate has been carried out and the scheme would now cost £700,000

### INITIATIVE 6 - M55 J1 EASTBOUND OFF SLIP IMPROVEMENT (ADDITIONAL LANE)

The estimated cost of this scheme is £600,000

6.7.10 A spreadsheet has been provided which contains the schemes identified in the highway strategy, the cost of each measure, the number of contributions currently secured from committed developments for each scheme, the areas where S278 works are integral to the strategy. LCC require all off-site highway works to be delivered under S278 agreements with no capping of contributions. The costs take account of design costs, site supervision, traffic management, utilities, part 1 claims and phasing. Contributions would have to be index linked and flexible to ensure the delivery of meaningful schemes. LCC would need to be party to any S106 agreements and these must be CIL compliant.

### SPECIFIC COMMENTS IN RELATION TO THIS APPLICATION

6.7.11 Whilst the A6 is a strategic route, given the nature of the road at this point, the Manual for Streets is the most appropriate design guidance. The 85th percentiles speed has been measured at 47.7mph northbound and 45.3mph southbound and this requires sight-lines to the north and south of 125m and 136m respectively. Sight-lines of 120m in either direction are shown but it is considered that 125m to the north is achievable. A sight-line of the 136m to the south is unlikely to be achievable but LCC would require the provision of a pedestrian refuge to the south and this would reduce vehicle speeds. Furthermore, a pedestrian refuge has just been installed some 130m to the south and this will also impact on vehicle speeds. As such, access arrangements are considered to be acceptable. A pedestrian refuge is proposed between the site access and the junction with South Grove. This may reduce speeds but the scheme does not indicate how cyclists would be catered for.

6.7.12 The Transport Statement submitted is largely appropriate for this scale of development but does not cover some key issues. No consideration has been given to other committed development that would impact the A6 corridor. No consideration has been given to impact of traffic growth. The trip rates used are slightly different to those accepted elsewhere. Existing traffic flows have been used to assign trip distribution which is not acceptable. The main attractors for traffic, employment and education, are to the south and so it is expected that 90% of traffic would go south and 10% north. Nine injury accidents are recorded in the vicinity over a six year period but, when causality is examined, there is no evidence that traffic from the development would have a severe impact on highway safety. No junction operational assessment has been carried out but, given the level of traffic on this section of the A6 and the level of traffic that would be generated; this is not a major concern. The key concern is cumulative impact on the A6 corridor. This has not been considered by the applicant but work carried out by others is available to enable an assessment by LCC.

6.7.13 The NPPF requires new development to maximise sustainable travel and be focused in locations that can be made sustainable. There are limited opportunities for walking or cycling from this site. There are no employment opportunities within 12 mins walking time and the on-road cycle path stops some 2km to the north. The nearest bus stops are 100m and 300m away to the north and south. There are regular services linking the site to Preston, Garstang, Blackpool and Lancaster. The bus stops should provide raised boarding areas to improve accessibility for a range of users.

6.7.14 Internally the layout is acceptable and in general meets with LCC adoption standards. Garages should measure 3m x 6m to count as a car parking space and also accommodate the storage of two cycles. The plans do not adequately detail cycle parking. A secure space should be provided for single-bedroom units and two spaces for two-bedroom units. No details of future management and maintenance of the roads are provided. The streets should be maintained in accordance with an agreed plan until either they are adopted under s38 or a private management company has been established. The site access and bus stop improvements would have to be carried out under a S278 agreement. Contributions will be sought through a S106 agreement towards the initiatives listed in paragraph 6.7.9.

6.7.15 In order for the LHA to have no objection, there must either be certainty that the slip-road improvements to J1 of the M55, the provision of J2 of the M55 and the Preston Western Distributor (PWD), and the other highway linkages will come forward or they must be in the gift of the LHA. In the absence of M55 J2 and the PWD being committed, the available capacity equates to 176 two-way trips. This is now reduced to 68 two-way trips following the appeal decision to grant outline planning permission for development at Nateby Crossing Lane. This scheme would generate 14 two-way trips. Overall, no objection is raised on the basis that appropriate funding is secured through S106 and all s278 measures are agreed and delivered in accordance with agreed trigger points and the application of Grampian type conditions as appropriate. Should the LPA be minded to grant planning permission, LCC would provide suitable conditions.

## OFFICER OBSERVATIONS

6.7.16 At the Planning Committee meeting on 22nd March 2017, Members resolved to grant planning permission for eight proposals. These are as follows:

- 16/00550/FULMAJ - Garstang Business Centre, Garstang - 18 units generating 13 two-way trips at M55 J1
- 16/00241/OULMAJ - Land at Nateby Crossing Lane, Garstang - 269 units generating 108 two-way trips at M55 J1
- 16/00144/OUTMAJ - Land at Daniel Fold Lane, Catterall - 66 units generating 21 two-way trips at M55 J1
- 16/00625/OUTMAJ - Land at Garstang Road, Barton - 72 units generating 39 two-way trips at M55 J1
- 16/00807/OUTMAJ - Land at Shepherds Farm, Barton - 34 units generating 19 two-way trips at M55 J1
- 15/00891/OUTMAJ - Land at Garstang Golf Club, Bowgreave - 95 units generating 31 two-way trips at M55 J1
- 15/00928/OUTMAJ - Land off Calder House Lane, Bowgreave - 49 units generating 15 two-way trips at M55 J1
- 15/00420/OUTMAJ - Land off Garstang Road, Bowgreave - 46 units generating 14 two-way trips at M55 J1

6.7.17 Furthermore, since the meeting, an appeal (ref. 14/00458/OULMAJ) in respect of development at Nateby Crossing Lane has been determined and permission granted. This appeal ran parallel to application ref. 16/00241/OULMAJ listed above and was for essentially the same quantum of residential development. Both schemes (14/00458/OULMAJ and 16/00241/OULMAJ) would generate 108 two-way trips but, as they are both for the same site, only one can be implemented.

6.7.18 As previously stated, at the time of the 22nd March 2017 committee meeting, LCC had identified that M55 J1 could support a further 176 two-way trips prior to M55 J2 and the PWD route being committed. As a result of the decisions made on 22nd March 2017, 142 of these 176 two-way trips have been taken up by the schemes at Garstang Business Centre (16/00550/FULMAJ), Nateby Crossing Lane (16/00241/OULMAJ), and Daniel Fold Lane (16/00144/OULMAJ). These applications were considered to be the most sequentially preferable as they were located in or on the edge of the most sustainable settlements. This left a capacity of 34 two-way trips at M55 J1. The two schemes in Barton (16/00625/OUTMAJ and 16/00807/OUTMAJ) would generate 58 two-way trips and so the Committee resolved to grant planning permission in respect of these two applications subject to Grampian conditions. These conditions would limit the amount of development that could be delivered on these sites to 50% in advance of M55 J2 and the PWD being committed. This allowance equates to 29 two-way trips leaving 5 remaining. The three schemes in Bowgreave, which is considered to be the least sustainable settlement for development of those listed, together generate 60 two-way trips. These were approved subject to Grampian conditions meaning that no part of these developments can be delivered until M55 J2 and the PWD are committed i.e. are granted planning permission.

6.7.19 This application site falls within Barton which, having regard to the 2016 Settlement Study, is considered to be a more sustainable settlement than Bowgreave. The other two sites in Barton were approved subject to Grampian conditions limiting development to 50% in advance of M55 J2 and the PWD being committed. This approach could not be taken in respect of this scheme because 50% of the development would equate to 7 two-way trips when capacity for only 5 is remaining. However, a Grampian condition limiting development to 35% or nine units would ensure that the overall capacity of 176 two-way trips as originally identified by LCC would not be exceeded in advance of M55 J2 and the PWD being committed. In the event that Members resolve to grant planning permission subject to conditions

and a section 106 agreement for this application and these schemes are committed prior to a planning permission being issued for this application, then that Grampian condition would not be necessary.

6.8 HIGHWAYS ENGLAND - no pre-application discussion have taken place. The site is adjacent to the A6 which links into the strategic road network at junction 1 of the M55 approximately 2 miles to the south. This junction operates at or close to capacity. There are existing queuing problems on the west-bound off-slip road during weekday AM and PM peaks. The trip rates used in the transport assessment are reasonable but slightly low. A worst-case of 20.8 trips per peak hour has been assumed. The issues on junction 1 relate to traffic leaving the motorway. The majority of trips from the site in the AM peak would enter the motorway and the majority in the PM peak would leave the motorway to return home and so an impact would result. This has not been assessed by the applicant. The assumed worst-case-scenario would equate to an additional vehicle every three minutes. This could not be considered to be severe. Nevertheless a direct and cumulative impact would result. This should be minimised and mitigated as much as possible through the implementation of a meaningful Travel Plan which should be secured through condition.

6.9 LANCASHIRE COUNTY COUNCIL (LEAD LOCAL FLOOD AUTHORITY) - relevant guidance establishes a hierarchy of drainage solutions with order of preference given to infiltration; discharge to a surface water body; discharge to a surface-water, highway or other drain; and then discharge to the combined sewer. The applicant has not demonstrated that infiltration could not be used and so the strategy is contrary to the guidance. Surface-water should be managed to mimic pre-development flows as far as possible whilst reducing flood risk and taking climate change into account. Discharge should be restricted to greenfield rates as far as is practicable. A full ground investigation should be carried out prior to the design of the drainage scheme to determine if infiltration could be used. Consideration should be given to incorporating exceedance working with the natural topography of the site. Flow balancing should also be considered. SUDS can be multi-functional. The developer should ensure that no detrimental impacts arise to water quality. No works should take place within 8m of a watercourse if possible. Appropriate measures should be taken to protect biodiversity. Permeable paving used on driveways should not be included as part of hydrological calculations as non-permeable surfaces may then be installed. Overall no objection is raised subject to the imposition of four conditions and two advice notes on any permission granted. The conditions would require the development to be carried out in accordance with the submitted flood risk assessment; require agreement of a surface-water drainage scheme; prevent occupation until the agreed scheme is implemented; and require agreement of a plan for its lifetime management and maintenance.

6.10 LANCASHIRE COUNTY COUNCIL (EDUCATION) - the development would generate a requirement for 3 secondary school places. At current rates the necessary financial contribution to cover this requirement would be £55,191.84. No contribution towards primary school provision is sought at the current time. There are a number of planning applications that are pending decision however and, depending upon the decisions on these applications, a contribution of £97,675.20 towards primary school provision could be sought. Specific infrastructure projects would be identified at the point of determination.

6.11 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - no significant ecological constraints are identified. Minor issues relating to nesting birds, bats slow worms and ecological mitigation have been identified and can be resolved. The only

potential bat roosting opportunities on site are four mature trees. These are shown to be retained and this should be conditioned. Whilst none were found on site there is a record of a slow work some 120m distant. Reptiles are protected and so the reasonable avoidance measures identified in the submitted report should be secured through condition. Nesting bird habitat is likely to be lost and so to safeguard against impact a condition should be imposed preventing vegetation clearance during the season unless nesting birds are found to be absent. The existing hedgerows, ditch and trees are the only features of interest and all would be largely retained. Hedgerow loss could be easily mitigated through replacement planting. Some 0.9ha of low value grassland would be lost but any high value habitat created on site would be too small to make a significant contribution. Nevertheless, a landscape and environmental management plan should be conditioned to require new compensatory planting; enhancement of the retained ditch and hedgerows; mitigation for lost bird nesting habitat; and tree, hedge and ditch protection measures.

6.12 LANCASHIRE CONSTABULARY - all external doors and ground floor windows should meet PAS 24:2012 or an acceptable alternative; all ground floor windows should have restrictors fitted; opening windows adjacent to doors should not allow access to the door locks from outside; natural surveillance should be maximised and it is noted that the proposed car parking would be located where it would be well-overlooked; the car parking area should be illuminated by street lighting; access to the rear of all dwellings should be as close to the front elevation as possible. Rear access gates should be lockable from within the garden and should be 1.8m high as should rear garden boundary treatments; the proposed acoustic boundary treatment would reduce the risk of access from the railway line but all cross-rails should be fitted internally so as not to present a climbing aid; intruder alarms should be installed or provision made for such installation.

6.13 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE) - no objection. Full surface-water drainage details should be provided for approval. Surface-water should be discharged to a soakaway, subject to percolation tests, or a watercourse and not to the combined sewer. The site is in flood zone 1 and so is at low risk of flooding.

6.14 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE, VIBRATION, LIGHT, ODOUR) -

6.14.1 The submitted road and rail noise and rail vibration assessments have been considered. No objections are raised subject to the mitigation measures recommended in the noise assessment being secured through condition. The officer advises that acoustic fencing by its very nature is absorptive and so does not reflect sound. The proposed acoustic fences would not, therefore, increase noise impact from the A6 on the neighbouring property. Instead they would absorb some noise from the railway line. It is noted that a cheese production unit is located to the north of the site. However, a condition on the relevant permission secures a scheme for the prevention of undue odour. On this basis, and because of the direction of prevailing winds, no undue impact from this facility is anticipated.

6.14.2 The provision of a 2m high acoustic barrier in place of the 3m barrier originally proposed would result in higher noise levels in the gardens closest to the road. These levels would marginally exceed by 3dB the upper guideline value of 55LAeq16hr set out in BS8233 for external amenity areas. Whilst the applicant has sought to justify this on the basis that the reduction in height is at the request of the LPA and that the site is adjacent to the strategic transport network, it is the agreed policy of all Lancashire Authorities that a daily average noise in excess of 55dB in



outside amenity areas would result in a significant adverse impact on health and quality of life. It is the agreed approach that, in such circumstances, planning permission should be refused. The World Health Organisation also advises that community noise levels above 55dBLAeq would cause serious annoyance. It should also be noted that the standard of 55dB is an average over 16hr and so peak noise events, such as an HGV passing, would be likely to be more intrusive to people using their gardens. As such, unless alternative mitigation measures can be agreed, the 3m high acoustic fence should be retained.

6.14.3 Further to previous comments, it is noted that the site layout plan contained within the noise report is not the most recent iteration. However, the comments above still apply to the latest site layout plan.

6.14.4 In response to questions posed by local objectors and the planning officer, it has been confirmed that the 3m and 2m high acoustic fencing shown is required to screen main outdoor amenity areas; that it is not unreasonable for front elevations of properties to face the A6; that the information submitted adequately addresses all sources of noise around the site; and that because Preston CC did not identify any potential increased noise issue from the proposed development immediately to the east, it would be unreasonable for the Council to require further consideration of this proposal as part of this application. It is also noted that, whilst not ideal, protection would be offered to future residents through the statutory noise nuisance legislation.

6.15 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (LAND CONTAMINATION) - the submitted report concludes that an intrusive investigation is required because of an adjacent, potentially contaminative land use and a large bonfire seen during the site walkover. This is agreed. An area of potential dumping from the industrial developments to the north has been identified on the site and this may have caused contamination. Whilst the area appears to have grassed over it should nevertheless be investigated. Plans for this investigation should be agreed. The standard land contamination conditions should be attached to any permission granted. The responsibility for the safe development of the site lies with the developer.

6.16 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AIR QUALITY) - clarification is needed on two points: firstly that the traffic data used in the assessment is representative of the traffic figures presented in the traffic assessment (as they are in a different format no direct comparison can currently be made); secondly that no committed developments should be considered. Subject to such confirmation it is recommended that two conditions be attached to any permission granted. The first would require the provision of an electrical charging point for each dwelling and the second would specify a minimum standard for gas fired heating boilers. These conditions are recommended on the basis of best practice to mitigate impact on air quality.

6.17 SERVICE DIRECTOR PEOPLE AND PLACES (PARKS AND OPEN SPACES) - no public open space is shown within the development and so a contribution towards off-site provision/improvement of £46,298 is requested for use at Bilsborrow playing field.

6.18 SERVICE DIRECTOR PEOPLE AND PLACES (TREES) - the details provided in the submitted Tree Survey are agreed. A tree survey plan has been provided showing the root protection areas of trees. The proposed site layout shows minimal tree loss which is supported but it is noted that the 3m high acoustic fence would adversely affect the adjacent hedgerow due to proximity. To safeguard the

hedgerow, the fencing should be set-back by approximately 0.5m. Detail on the construction methodology should be provided to limit roof damage. The effect of the design of the scheme on trees has not been fully detailed. A Tree Protection Plan is therefore required showing how the retained trees would be protected by appropriate fencing. It is considered that tree T2 should be removed and replacement planting provided. The site would benefit from suitable new tree planting and details of this should be provided along with a maintenance regime in a Landscape Plan.

6.19 WBC HEAD OF BUILT ENVIRONMENT (BUILDING CONTROL) - no issues in terms of fire brigade access or manoeuvring. The Council's Waste Management team should be consulted with regard to access for refuse collection vehicles.

## 7.0 REPRESENTATIONS

7.1 Fifty-one representations have been received. Twenty-six individual representations have been submitted including seventeen from or on behalf of the same respondent. Twenty-five copies of a pro-forma letter of objection have also been received and five of these letters include additional written comments. Together these representations raise the following issues:

### Principle

- The application is premature in advance of the adoption of the local plan
- Cumulative impact
- No need for the development
- Development should be directed to brownfield sites
- Impact on the character of the area
- There is inadequate education, medical and service provision in the area to serve the development
- Impact on broadband provision/service quality
- Lack of employment opportunities locally
  
- Visual impact
- Impact on area of outstanding natural beauty
- Visual impact
- Over-intensive and incongruous development
- Scheme out of proportion for the area
- Poor design and amenity provision, the scale, mass and height of development would be inappropriate
- The scale cannot be established from the information submitted
- The submitted streetscene drawing does not adequately illustrate the scheme
- The proposed 3m high acoustic fence would be over-dominating

### Highways impact

- Proposed access is in a dangerous location close to the bridge
- Increase in traffic
- The A6 is already congested
- Existing traffic speeds are high
- Traffic calming is required
- Impact on highway safety particularly for pedestrians and school children
- Impact on existing access and local business operation
- Inadequate parking provision

- Residents would have to travel by car
- Submitted information is flawed
- No consideration has been given to existing traffic, particularly commercial traffic generated nearby

#### Flooding and drainage

- Inadequate drainage and sewerage infrastructure
- Impact on main sewer
- Increased flood risk
- The site is contaminated and floods
- Inadequate details provided

#### Amenity

- Impact on amenity of future occupants from surrounding commercial operations has not been considered and could be unacceptable
- The noise assessment is unacceptable, the reference points are unreliable and further testing is required
- The plan used in the noise assessment is incorrect
- Increased light pollution
- Noise impact
- The proposed acoustic fence would have an over-bearing impact
- The proposed acoustic fence will reflect noise on the neighbouring land
- There are houses that would sit close to the A6 that would not be protected by the acoustic fence

#### Other

- Impact on trees, including from the acoustic fence
- No need for an acoustic fence
- The information submitted is inadequate, inconsistent and inaccurate
- The address is unclear
- The plans are not accurately drawn
- The site boundary is not accurate
- Permitted development rights should be removed
- Bungalows should be provided
- Encroachment onto neighbouring land
- No party wall notice has been served
- The development would result in the loss of an award winning cheese production plant
- Inadequate publicity of application prior to submission
- Objections submitted on behalf of couples should count as two objections
- An appeal decision in Barton from 1994 is considered to be relevant.

7.2 In response to some of the points raised, officers consider the information submitted to be sufficient to enable the site to be accurately identified and to enable a full and robust assessment and determination of the application. Preference for an alternative scheme cannot be taken into account. Encroachment onto private land and party wall issues are a private legal matter and not a material planning consideration. The appeal decision from 1994 significantly pre-dates the current planning policy context and cannot be considered to be comparable. Whilst pre-application consultation with local residents is encouraged it cannot be required. All local residents have the right to comment. Where a single representation is submitted on behalf of a household it must be treated as such.

7.3 A letter has been received from Lancashire North Clinical Commissioning Group (CCG) who raise concerns about the planned housing developments along the A6 corridor and the impact that this will have on primary care provision and demand for other health care provision like community services including district nurses. Any substantial increase in population will have a huge impact on these practices. The CCG would expect that prior to any plans to build these houses being progressed, the impact that this would have on the ability to provide appropriate and safe healthcare is fully assessed.

7.4 A letter has been received from Windsor Surgery (Garstang Medical Centre). This provides background information on the impact on Primary Care health services which will occur following the inevitable increase in patient list sizes due to the proposed housing developments around Garstang. There is no further scope for innovative working within its building to free up more space or facilitate increased capacity of work. There is a fear they will be unable to provide adequate care, given their current limits on Primary Care provision. They are aware they will now be hamstrung by the resultant massive increase in list size which will be generated by these housing developments. They would submit that any planning for further housing development should have adequate provision to meet the healthcare needs of the local population. They would support any levy of funding which allowed this to happen in the Garstang area.

## **8.0 CONTACT WITH APPLICANT/AGENT**

8.1 Dialogue has been maintained with the agent throughout to keep them apprised of progress and consultee comments, and to seek clarification and amended or additional information where necessary.

## **9.0 ASSESSMENT**

9.1 The main issues are considered to be:

- Principle of development
- Housing land supply
- Impact on the countryside
- Loss of agricultural land
- Housing density and mix
- Amenity impact
- Landscape and visual impact
- Access, parking and highway safety
- Ecological and arboricultural impact
- Flood risk and drainage
- Environmental impact
- Infrastructure and planning obligations
- Sustainability and planning balance

## **PRINCIPLE**

9.2 The application site falls within designated countryside. Policy SP13 of the adopted Local Plan seeks to prevent development within the countryside in order to protect its intrinsic open and rural character. Certain exceptions are listed but none would apply to the development proposed. Whilst Policy SP13 is a saved policy of the Local Plan, it must be considered in light of the National Planning Policy Framework which is a more recent expression of planning policy published in March

2012. The need for sustainable development lies at the heart of the Framework. With regard to housing delivery, the NPPF makes it clear at paragraph 49 that policies relating to the supply of land must be considered to be out of date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The recently published Wyre Settlement Study places Barton tenth in the rank of borough settlements. As this ranking is based on considerations of size, accessibility, services, facilities and employment opportunities, it is considered to be valid indication of sustainability.

#### HOUSING LAND SUPPLY

9.3 The housing requirement for the borough was originally set out in Policy H1 of the Local Plan. This was then superseded by Policy L4 of the North West Regional Spatial Strategy (NWRSS) which was subsequently revoked in May 2013. As the emerging Local Plan is not yet adopted, the borough does not have an established housing requirement. The Fylde Coast Strategic Housing Market Assessment (SHMA) 2013 and subsequent updates represent the most up-to-date assessment of objectively assessed housing need. The Council has accepted a housing need of 479 new dwellings per annum between 2011 and 2030. As of September 2016, the Council had identified a 4 year supply of housing land, but this does not take into account any permissions for residential development granted since then. It is noted that the Planning Committee resolved to grant planning permission for 649 new houses along the A6 corridor on 22nd March 2017 and this will be reflected in the 31st March 2017 housing land supply report currently being prepared. Nevertheless, current indications are that the Authority is not able to identify sufficient deliverable sites to provide a five year supply of housing land based on the objectively assessed requirement. As such, the restrictive approach toward new development in the countryside as set out in Policy SP13 of the Local Plan must be considered to be out-of-date.

9.4 Paragraph 47 of the Framework makes it clear that one of the government's key objectives is to significantly boost the supply of housing with paragraph 17 noting that every effort should be made to objectively identify and then meet the housing needs of an area. The scheme proposed would provide 26 new homes on the site which would represent a notable quantitative contribution towards meeting the boroughs housing requirement weighing clearly in favour of the application.

#### IMPACT ON THE COUNTRYSIDE

9.5 Notwithstanding the position with regard to housing need, the supporting text to Policy SP13 makes it clear that the overall intention of the policy is to protect the inherent character and qualities of the Countryside. This intention accords with the Framework to the extent that paragraph 17 expects new developments to take account of the different roles and characters of different areas, including the intrinsic character and beauty of the countryside.

9.6 The Council's emerging Local Plan is still at a relatively early stage of development. Nevertheless, there is an acknowledgement that some development will have to take place on land that is currently designated as countryside around existing centres in order for the boroughs housing needs to be met and sustainable economic growth to be delivered in line with the requirements of the National Planning Policy Framework. It is therefore inevitable that the character of the wider countryside will experience some erosion around existing settlements.

9.7 The application site is bounded by the main-line railway line to the west and the A6 to the east. The main body of the settlement of Barton lies to the south and on the opposite side of the A6 to the east. The existing Rostock dairy site lies to the north with the main railway line crossing the A6 beyond. Given this site context and despite the scale of development proposed, no unacceptable impact on the character or appearance of the wider countryside is anticipated. Nevertheless, it is recognised that a localised impact would result and that this would weigh against the proposal.

#### LOSS OF AGRICULTURAL LAND

9.8 The application site falls within Agricultural Land Classification Grade 3b according to the relevant report submitted with the application. Grades 1, 2 and 3a are considered to be the best and most versatile land; it therefore does not fall into this category and so the loss of such land does not require further consideration in accordance with paragraph 112 of the NPPF. Within the Wyre borough there are substantial tracts of grade 2 land along with large areas of grade 3 land. The application site is only 0.96ha in area. As such, its loss as agricultural land is not considered to weigh notably against the proposal.

#### HOUSING DENSITY AND MIX

9.9 The application proposes the provision of 26 dwellings on a 0.96ha site. This equates to a housing density of 27 dwellings per hectare. This is considered to be relatively high but nevertheless reasonable to make efficient use of the land whilst respecting the local context and semi-rural location of the site. The majority of properties on the site, some 69%, would offer four or five bedrooms with the remainder having two bedrooms. These smaller properties would be made available on an affordable basis. The wider area is characterised by larger, predominantly detached properties. On this basis, the density and nature of the development would be in-keeping with the locality whilst providing an element of housing mix. Whilst a larger proportion of smaller properties would be preferable in line with the housing need requirements outlined in the 2013 SHMA, in the absence of a housing mix policy at present which can be afforded any weight, it is not considered that a refusal on these grounds could be substantiated.

#### IMPACT ON AMENITY

9.10 The application site adjoins the main railway line and would be set back only by a short distance from the A6. Future residents would therefore potentially be subject to noise nuisance from both of these sources. There are also existing commercial operations immediately to the north and east of the site which could be a source of noise. The application, including the submitted noise assessments, has been considered by the Council's Environmental Protection (EP) team. The validity and propriety of the information submitted has been questioned but the Council's EP officer has confirmed it to be acceptable. By virtue of the duration of noise recording at the site, it is considered that the likely level of noise generation from all sources has been adequately accounted for.

9.11 It has been suggested that the acoustic fencing proposed would reflect noise, thereby increasing noise levels for existing neighbours. However, acoustic fencing by its nature absorbs sound and so would not act to reflect noise. Instead this provision would be more likely to shield existing neighbours from the surrounding noise sources.

9.12 Some concern has been raised over the potential amenity impact of the surrounding commercial uses on the dwellings proposed, particularly with regard to the cheese production unit to the north and the recent planning permission granted on the land to the east. In respect of the unit to the north, Members are respectfully advised that condition 2 attached to the permission ref. 12/00611 for that development required the agreement of a scheme to prevent odour nuisance from that site. Furthermore, as the prevailing winds are westerly, it is considered unlikely that the cheese production unit would cause nuisance to dwellings located to the south. On this basis, no unacceptable odour issues are anticipated. In respect of the development to the east, Preston CC application ref. 06/2016/1293, the agents statement in support of the proposal made it clear that activities on site would not substantively change. Preston CC did not identify a potential noise issue and did not require any assessment to be submitted. On this basis, it must be assumed that the proposal would not substantively increase noise levels. That said, should any activity around the site generate sufficient noise as to be problematic, recourse for future residents would be available through statutory noise nuisance legislation. On this basis, no unacceptable impacts on future residential amenity from the surrounding land uses are anticipated.

9.13 Particular concern has been raised over the proposed acoustic fence. It is suggested that at 3m in height the fence would have an over-bearing impact on neighbours. Given that the neighbouring property in this instance is industrial in use, no unacceptable impact on amenity is identified. The fence would be high relative to a typical boundary treatment but it is noted that it would only run along one side of the gardens serving plots 21 and 23 with standard fencing or walling to the other side and rear of those plots. As such it is considered that it would not be unduly over-bearing. It is recognised that the acoustic fence would sit some 3.5m in distance from the rear elevation of the apartment block. However, these units do not have dedicated garden space and, at that distance and height, it is not considered that the fence would have an unacceptable impact on light into the ground floor windows. Whilst the fence would have an impact on the communal outdoor space surrounding the building, on balance this is not considered to weigh substantively against the scheme. Concern has also been raised because the 3m high fence would not offer protection to the front elevations of plots 1, 25 and 26. However, the Council's EP Officer has confirmed that the standards for acceptable noise levels relate to main outdoor amenity areas, namely the back gardens of properties. It is considered that the houses on these plots would adequately protect their rear garden areas from noise from the A6. As such, no unacceptable issue on this point is identified. 2m high acoustic fencing is proposed along the north, west and southern boundaries.

9.14 The application site would surround the existing premises at no. 867 Garstang Road and would sit to the north of an existing residential property at no. 855 Garstang Road. The Council's adopted supplementary planning guidance note, SPG4, specifies that minimum front/rear-to-front/rear separation distances of 21m; minimum front/rear-to-side distances of 13m; and minimum side-to-side distances of 2m must be achieved in order to ensure an adequate level of residential amenity and prevent unreasonable overlooking or overshadowing. Rear gardens should measure 10.5m in length. These standards are met across the site with the exception of the relationship between the property on plot 21 and the building at no. 867 Garstang Road. The side elevation of the property on plot 21 would be separated from the rear elevation of this building by only 5m at the closest point. However, this building is not in use as residential accommodation and no windows are proposed at first floor level in the proposed property. A 3m high acoustic fence and landscaping is proposed between the two. As such, the relationship is considered to be acceptable. The proposed site access would be offset from the property on the opposite side of the

A6 and there is an intervening landscaped island. As such, no unacceptable impacts arising from headlight glare are expected. On this basis, the layout is considered to be acceptable.

9.15 The site at present is not level as there is notable rise to the north and the south-western and south-eastern corners with a central dip. Land levels vary between 32.4m and 34.5m above ordnance datum. The applicant proposes to level the site somewhat with finished floor levels to be between 32.8m and 34.2m above ordnance datum. A streetscene drawing has been produced to show how the properties proposed would sit alongside the nearest residential neighbour to the south. This drawing indicates that the roof ridge of the proposed properties would sit no more than 300mm higher than that of the house at no. 855 Garstang Road. Given the separation distance of 20m, this is considered to be acceptable. It is noted that the neighbouring properties to the north and east are commercial properties. On this basis, no unacceptable amenity impacts as a result of level changes are anticipated.

9.16 Light pollution has been raised as a concern but, given the position of the site between the railway and the A6 with built development to the north, south and east, no unacceptable impacts on residential amenity from light spill are anticipated.

9.17 In light of the above and subject to the imposition of appropriate conditions on any permission granted, no unacceptable amenity issues from noise nuisance, vibration, odour, dust or light are identified.

#### LANDSCAPE AND VISUAL IMPACT

9.18 Given the relatively small scale of the proposal, no landscape and visual impact assessment has been submitted. However, it is considered that the visual impacts of the scheme can be adequately assessed on the basis of the information available. The site falls within National Character Area 32: Lancashire and Amounderness Plain. This is characterised by a rich patchwork of fields and ditches in a flat or gently undulating landscape punctuated by blocks of woodland. The site also lies within Lancashire Landscape Character Assessment area 15d: Coastal Plain: The Fylde. This is defined as gently undulating farmland divided by ditches and hedgerows with a high density of small ponds, woodland blocks and red-brick buildings. The site at present is bound by the main railway line to the west, the A6 and industrial property to the east, a dairy to the north and a residential property to the south. There are hedgerows along the site boundaries that contain a number of trees. Whilst these are of local landscape value, the site as a whole is not considered to offer significant, wider landscape value. It is not nationally, regionally or locally designated.

9.19 The site is clearly visible from the railway line and from the A6 on the approach in either direction. However, from the railway line the development would be viewed against the backdrop of Barton village. The existing hedgerow along the A6 frontage would be retained and additional planting is proposed. The development would wrap around the back of no. 867 Garstang Road and this separation would further reduce the visual impact when viewed from the A6. As such no unacceptable impacts on these receptors are identified. There is a public right of way running west-east some 75m to the north of the site but, by virtue of the intervening built development, no significant visual impact on users of this footpath is anticipated. Given the degree of separation, no unacceptable impact on the Forest of Bowland AONB is anticipated.



9.20 The scheme itself has been amended a number of times since first submission. The changes have included moving properties further away from the internal access road to prevent the development from appearing overly cramped and over-bearing and introducing design features to break up the massing of the flat block and the blank walls facing onto public areas. There was some concern over the visual impact of the 3m high acoustic fence proposed to the rear of the flat block and along the side of plots 21 and 22. The provision of a 2m high screen was considered but was found to offer inadequate protection against potential noise nuisance. This 3m fence would be screened from the A6 by vegetation within the site boundary and the section which runs alongside plots 21 and 22 is to the rear of no. 867 Garstang Road and so not adjacent to the road frontage. Whilst the 3m high fence would have a greater visual impact, it is not judged to weigh materially against the proposal given the screening available.

9.21 The houses proposed are fairly traditional in design with dual-pitched roofs, facing brickwork and decorative headers and cills around windows. Canopies are proposed over main doorways on some house-types with small roofs over front bays and entrance points on others. Decorative features such as brick soldier courses and headers have been introduced to side elevations facing onto the main access road. Together these features are effective in breaking up the elevations of the properties and creating visual interest. Particular attention has been paid to the apartment block and the properties around the site entrance that would be most visible from the A6. Drainpipes and small gable features have been added to the flat block to give the impression of three individual houses and thereby break up the massing of the building. The properties around the main entrance would be dual-aspect to address both the A6 and the estate road. A total of ten different house-types are proposed across the site and this variety would create an interesting and engaging streetscene. The ancillary garage buildings have also been designed with traditional brick faces and dual-pitched roofs to complement the dwellings. The properties are all two-storey in scale and this is considered to be appropriate in the setting.

9.22 It is recommended that conditions be attached to any permission granted to require details of the materials, surfacing, boundary treatments and landscaping to be agreed prior to the commencement of development of these elements. Subject to these conditions, the design of the scheme in terms of layout, scale and the appearance of the properties are considered to be acceptable.

#### ACCESS, PARKING AND HIGHWAY SAFETY

9.23 As set out above, this application has been considered in considerable detail by Highways England and LCC as the Local Highway Authority. The isolated and cumulative impacts on the highway network have been taken into account. Members will be aware that nine proposals for residential development along the A6 corridor were presented for determination at the Committee meeting on 22nd March 2017. This application was not ready to be presented at that meeting but, in terms of highway impact, has been assessed alongside those proposals.

9.24 Highways England (HE) is the highway authority for the strategic road network. This includes the M55. HE notes existing issues with queuing on the west-bound off-slip but does not consider that the level of traffic generated by this scheme would result in a severe impact on highway safety. As such, no objection is raised. Mitigation in the form of a traffic plan is nevertheless required to minimise potential impact as much as possible.

9.25 LCC as the local highway authority has considered both the isolated and cumulative impacts of the scheme. In recognition of the unprecedented level of development pressure currently being experienced in the A6 corridor, LCC have developed a comprehensive strategy to maximise capacity for development along the A6 corridor and at junction 1 of the M55. This strategy is summarised above and includes six initiatives. These initiatives will improve key junctions, encourage sustainable travel and introduce new lanes on the M55 J1 slip roads to reduce delay. The overall cost of this strategy has been calculated as far as is possible and the intention is that this cost will be apportioned equitably between the different schemes granted planning permission along the A6 corridor. Whilst it is considered that this and the schemes previously approved by Members' at the committee meeting on 22nd March 2017 could be accommodated by the LCC strategy, it is recognised that capacity at M55 J1 will be limited to 176 two-way trips in advance of M55 J2 and the Preston West Distributor (PWD) route being committed. As explained in paragraphs 6.7.16 to 6.7.19, in March 2017 the majority of this unfettered capacity was allocated to schemes in Garstang and Catterall, considered to be the most sequentially preferable locations for new development. The remaining trips were allocated to two other proposals in Barton, considered to be the next sequentially preferable location, with only 50% of each of these schemes to be commenced before the M55 J2 and PWD are committed. The other applications approved by Members' and which are located in Bowgreave, considered to be the least sequentially preferable location, are entirely dependent upon M55 J2 and the PWD being committed before development can be commenced.

9.26 As explained in paragraph 6.7.19, following on from the decisions made by Members at that March Committee Meeting, as well as reflecting the Nateby Crossing Lane appeal decision, capacity remains for 5 two-way vehicle trips at M55 J1 in advance of M55 J2 and the Preston West Distributor (PWD) route being committed. This would equate to 35% of the development proposed in this application or nine dwellings. It is considered that this level of development could come forward without detriment to the wider highway network. The remainder (65%) of the scheme could only be safely delivered once M55 J2 and the PWD are committed. Subject to the applicant entering into a S106 legal agreement to secure the necessary contributions towards the LCC strategy and subject to conditions, no unacceptable individual or cumulative impacts on the safe operation of the A6 are anticipated. On this basis, the level of development proposed is considered to be acceptable in highway terms.

9.27 LCC has also considered the proposed site access and the internal layout. As traffic calming measures have been implemented nearby and are proposed, it is judged that appropriate sight-lines could be provided. Were the Council minded to support the development, a condition could be attached to any permission granted to require a scheme for immediate off-site highway works to be agreed to ensure a safe point of access. Local bus stops would have to be upgraded to maximise accessibility. Internally, the layout is considered to be acceptable by LCC and by the Council's Building Control service which assesses accessibility for fire appliances. No response has been received by the Council's Waste Management service but it is reasonable to assume that a refuse wagon could successfully negotiate a road layout considered adequate for a fire appliance. Details of adoption or maintenance by a private management company of the internal roads can be secured by condition.

9.28 The scheme is proposing 26 units, 17 of which would offer four bedrooms with a further 8 offering two bedrooms and 1 five bedroom house. The two-bedroom properties would all have two parking spaces. The remaining properties would all have three parking spaces. Neither the detached nor the integral garages proposed

would quite meet the standard of 3m by 6m specified by LCC but none of the garages would be the principal parking space for the property and all would be large enough to accommodate a parked car. The rear garden areas are all large enough for garden sheds to be erected if desired to provide for cycle storage. The flat block would have a dedicated secure cycle store. As the Council does not have any published requirements relating to cycle parking, this is considered to be acceptable. It is noted that no additional parking would be available for visitors or to serve as overspill parking. Furthermore, given the layout of the site, it is likely that on-street parking would present access issues. However, sufficient car parking is provided for the individual properties and so it is not considered that objection could reasonably be raised on this point. On this basis and in light of the above, no unacceptable issues relating to access, parking or highway safety are identified.

## ECOLOGICAL AND ARBORICULTURAL IMPACT

9.29 Greater Manchester Ecology Unit has considered the ecological information submitted and judged it to be acceptable. The site is not designated for its nature or landscape conservation value. There are some features of local ecological value present on site and the majority of these are proposed for retention. Whilst some low value habitat would be lost, it is considered that adequate scope exists for appropriate mitigation. Subject to the imposition of conditions that seek to protect bats and nesting birds, manage invasive plant species and secure a landscape management plan with biodiversity enhancement, no unacceptable ecological impacts are anticipated.

9.30 The application has been considered by the Council's Tree Officer who agrees with the assessment of the existing trees on site. The proposed layout would result in minimal tree loss which is supported but further information is required to demonstrate how the existing trees would be protected during construction. This, along with details of new tree planting and an appropriate maintenance regime, could be secured by condition should planning permission be granted. As such, no unacceptable arboricultural issues are identified.

## FLOOD RISK AND DRAINAGE

9.31 The site lies within flood zone 1 and so is at low risk of flooding. Nevertheless, it is noted that there is significant concern amongst local residents over existing, localised flooding and the potential for this development to overwhelm existing drainage and sewerage systems. The application has been considered by United Utilities, the Lead Local Flood Authority and by the Council's drainage officer. No objections are raised subject to the imposition of appropriate conditions on any permission granted. These would require development to proceed in accordance with the submitted flood risk assessment; foul and surface water to be drained separately; the agreement of a surface water drainage scheme along with arrangements for its lifetime management; and the implementation of this agreed system prior to first occupation. It is considered that water quality, including that within the identified Source Protection Zone, could be adequately safeguarded through the agreement of an appropriate surface water drainage scheme. It is acknowledged that there is United Utilities infrastructure beneath the site that may require diversion but this is a private matter for the developer to resolve with that agency. Subject to the imposition of the suggested conditions, no unacceptable impacts upon flood risk or drainage are anticipated.

## ENVIRONMENTAL IMPACT

9.32 As set out above, it is considered that the quality of controlled waters and ground and surface water bodies could be safeguarded through condition.

9.33 With regard to air quality, the agent has confirmed that the data used to produce the air quality assessment is consistent with that used to produce the Transport Statement. On this basis, the information submitted can be considered reasonable. The Council's Environmental Protection team has suggested that the LPA confirm whether or not any committed developments should be considered in the air quality assessment. Officers are mindful that other developments with a resolution to grant permission within the A6 corridor could have a cumulative impact. However, because there are no Air Quality Management Areas close to the application site, and because the Council currently has no adopted policies relating to air quality, it is not considered that further work to consider cumulative impact is justified. Two conditions have been recommended for attachment to any permission granted. The first would require the provision of an electrical vehicle charging point for each dwelling and the second would specify a minimum standard for gas fired heating boilers in line with best-practice standards. However, the Council has no adopted standards with regard to electrical vehicle charging points and the specifications of internal fittings are not a matter for planning consideration. As such, it would not be considered reasonable for such conditions to be imposed. On this basis, and notwithstanding the comments of the Council's Environmental Protection team, no unacceptable impacts on air quality would be anticipated.

9.34 Were the Council minded to support the application; it is considered that the imposition of standard conditions and advice notes relating to potential land contamination would be sufficient to safeguard the environment and public health.

## INFRASTRUCTURE REQUIREMENTS AND OBLIGATIONS

9.35 Where a Local Authority has identified a need for affordable housing provision, the NPPF expects policies to be set requiring development proposals to contribute towards this need on site. The 2013 SHMA identifies the boroughs needs with regard to affordable housing and supports the requirement, as set out in draft Policy CS21 of the emerging Local Plan, for residential developments of 15 or more dwellings to include 30% affordable provision on site. The proposal for 26 units would generate a requirement for 8 affordable units. The six two-bedroom apartments would help to meet identified rural housing needs. The two three-bedroom houses initially proposed have since been replaced with two-bedroom houses. This is now considered acceptable. All should be made available for affordable rent. This would need to be secured through a condition and the applicant has agreed to this.

9.36 On the basis of the information provided, Lancashire Education Authority had responded to confirm they would seek a financial contribution of £55,191.84 towards the provision of three secondary school places. They also confirmed no contribution towards primary school provision would be sought. Members will be aware that the potential cumulative impact arising from the level of development proposed along the A6 has caused particular problems for LCC in its capacity as the Local Highway Authority (LHA). These issues have led LCC to devise a bespoke approach to the calculation of highway contributions. It is considered that the same approach should be taken with regard to education contributions to ensure that all schemes make an equitable contribution towards local education provision at the most appropriate schools. Should Members support this application, LCC will be asked to determine the levels of contribution and identification of the most

appropriate schools having regard to those other permitted schemes. This is in line with the approach taken with the applications for development on the A6 corridor which were considered at the Committee Meeting on 22 March 2017. This assessment would be in accordance with LCC's standard Education Methodology and the CIL Regulations 2010 in terms of naming of infrastructure. In the event that a different approach is to be taken the applications would be brought back to Committee. The education monies would be secured through a S106 legal agreement and the applicant has agreed to this.

9.37 Policy H13 of the adopted Local Plan requires public open space to be provided within new residential developments and stipulates a rate of provision of 0.004ha per dwelling. A scheme of 26 units would equate to a requirement of 0.104ha. The submitted layout plan does not indicate any public open space provision on site. The Council's Parks and Open Space Officer has indicated that a financial contribution of £46,298 towards local open space development could be made but that this would be put towards improvements to provision in Bilborrow.

9.38 The issue of public open space has been subject to further officer discussion. The policy in the adopted Local Plan, which forms part of the Development Plan for Wyre, requires the public open space necessitated by a development to be provided on site. The policy does not make any provision for financial contributions in lieu of on-site provision. This requirement is considered to be in general accordance with the provisions of the NPPF which acknowledges the importance of access to high quality open space and opportunities for recreation to health and well-being at paragraph 73. However, in order to demonstrate flexibility and ensure community access to high-quality open space and meaningful recreation provision, financial contributions in lieu of on-site provision have been accepted in the past. Such contributions have been used to improve access to or facilities at established areas of public open space within reasonable distance of development sites.

9.39 The identified contributions towards improved play facilities at Bilborrow would be some 2km from the application site. This is significantly above the maximum recommended reasonable walking distance of 1.2km advocated by the Institution of Highways and Transportation and is considered to be too remote to serve the needs of residents in Barton. Furthermore, there is no specific scheme identified at present that additional funding from this development would be required to contribute towards.

9.40 Within Barton there is a village hall directly opposite the application site offering a bowling green, tennis courts and an area of open greenspace. However, whilst the agent states that it has been gifted to the Parish Council, the only information available to the Council records it as being in private ownership. The agent has not been able to provide any evidence to demonstrate that the facility is in the control of the Parish Council. Any contributions towards public open space provision or improvement must support schemes that are reasonably open and accessible to the general public. Based on the information available, the Council would have no means to ensure that any recreational provision at the village hall would be accessible to the wider community in perpetuity. As such, this option is not considered to be acceptable. There is a second option in Barton in the form of a recreation ground some 1.65km to the south of the application site. This land falls within the borough of Preston City Council. A CIL charging regime is in place in this area but it is considered that it would still be possible for a contribution to be made towards a public open space scheme through a S106 legal agreement with a separate agreement being entered into between the Council and Preston City

Council relating to the transfer of and the expenditure of the contribution. However, in accordance with the CIL Regulations, the contribution would have to be made against an identified scheme for the provision or improvement of public open space. Discussions with Preston City Council have revealed that no such schemes are proposed / can be identified. Furthermore, it is noted that, at 1.65km distant, this recreation ground is also beyond the maximum recommended reasonable walking distance of 1.2km advocated by the Institution of Highways and Transportation. On this basis, it is also not considered to be a reasonable option.

9.41 Whilst there is no obligation for the Council to identify alternative options on behalf of the applicant, it is noted that the intended developer, Wainhomes, has other land interests in the area. Members will recall that a resolution was made to grant planning permission for residential development on land to the south of the application site under reference 16/00625/OUTMAJ at the Committee meeting on 22nd March. This application was outline in nature and layout was not a matter for determination. Nevertheless, the resolution to grant planning permission was subject to the imposition of a condition requiring sufficient public open space to be provided on site to meet the needs of the development proposed. It is considered that it would be possible for sufficient public open space to be provided on this site to meet the needs generated by both 16/00625/OUTMAJ and 16/00090/FULMAJ. Given the proximity of this land to the south to the application site, this would be considered to be a suitable solution. However, whilst Wainhomes would be the developer in each case, it is recognised that the sites are in different land ownership. It would therefore be necessary for any grant of planning permission to be subject to the completion of a S106 legal agreement that would satisfactorily bind both of the sites such that the development proposed under 16/00090/FULMAJ could not be commenced until the public open space secured as part of the development under 16/00625/OUTMAJ had been delivered and is of sufficient scale to meet the needs generated by both developments.

9.42 Officers are mindful that there is currently very limited public open space provision with unrestricted community access within Barton, and that the development of additional housing without public open space would exacerbate this situation. Consequently, it is felt that this option must be pursued in order for sustainable development to be delivered. Officers consider the most appropriate route for satisfactorily securing the necessary public open space is through a combination of conditions and legal agreement tied to this development.

9.43 It is acknowledged that the development will have implications for health infrastructure in the area but at present there is no mechanism adopted by the CCG that identifies the requisite health infrastructure needs arising from development nor how that can be equitably funded by developers in accordance with National Planning Practice Guidance and the CIL Regulations.

## OTHER ISSUES

9.44 It has been suggested that the proposal is premature in advance of the adoption of the emerging Local Plan. The NPPG discusses the issue of prematurity and notes that it is unlikely to justify refusal of an application unless the development proposed is so substantial as to fundamentally undermine the plan-making process and that process is at an advanced stage. It further clarifies that refusal will seldom be justified where a draft Local Plan has not yet been submitted for examination as is the case in Wyre. On this basis, and given the scale of development proposed, it is not considered that the application can reasonably be refused on the grounds of prematurity.

9.45 It has also been suggested that the development should be directed to a brownfield site and that permitted development rights should be removed. Whilst the NPPF does encourage the efficient use of land through the reuse of brownfield land, there is no requirement for proposals for residential development to demonstrate compliance with the sequential test. In any event, it is inevitable that development of greenfield sites will have to take place if Wyre is to meet its objectively assessed housing need. With regard to the removal of permitted development rights, it is noted that the Council's minimum separation distances are met across the site and that the majority of properties face in towards the central access road. This means that the types of extensions typically allowed by permitted development rights could be erected without undue detriment to residential amenity. On this basis, there is considered to be no justification for the removal of permitted development rights.

9.46 The impact on broadband provision has been raised but this would be a matter for resolution by the independent providers.

9.47 The comments of Preston City Council are noted but conflict with the development plan for that borough is not a material consideration in the determination of a planning application within Wyre.

#### ASSESSMENT OF SUSTAINABILITY AND THE PLANNING BALANCE

9.48 The main thrust of the NPPF is the need to secure sustainable development. Sustainability comprises three dimensions; economic, social and environmental. The issues set out above have been considered as part of an assessment of the overall sustainability and planning merits of the development proposed.

9.49 The land is not safeguarded for employment uses and the loss of agricultural land that would result is not considered to weigh notably against the proposal. The site does not form part of a Minerals Safeguarding Area. Some employment would be created through the construction process and future residents would support local businesses and public services. As such the scheme is considered to be economically sustainable.

9.50 The site is not designated for its landscape or environmental value. Through the imposition of appropriate conditions, biodiversity on the site could be safeguarded and enhanced and trees and hedgerows protected as appropriate through the agreement of a suitable landscaping scheme. The proposal would have a detrimental impact on the character of the immediate area and this would weigh against the proposal. However, it is considered that the extent of impact would be limited and that the character and function of the wider countryside would be preserved. The scale, layout and design of the proposal are considered to be acceptable. It is acknowledged that natural resources would be used as part of the development process. No unacceptable impacts on water, land or air quality are anticipated as a result of the development. In these terms it is considered that the site is an environmentally sustainable location for residential development in principle.

9.51 The proposal would represent an extension to Barton village. It is recognised that capacity issues exist at junction 1 of the M55 and that this is a limiting factor on the level of development that can be supported within the A6 corridor. However, a range of improvement works have been identified to the local highway network in order to increase capacity, avoid undue delay and congestion,

and improve facilities for travel by sustainable modes. The available capacity is now understood to be 68 two-way peak hour movements in advance of the M55 J2 and the PWD becoming committed. The level of development proposed by this development equates to 14 two-way traffic movements. Barton is considered to be the third most sustainable settlement to support new development within the A6 corridor. This reflects that, whilst there are a number of community facilities in Barton such as the village hall, two primary schools, recreational facilities, a pub (recently closed) and a restaurant, there are no shops to provide for day to day essential needs and limited employment opportunities. When viewed in isolation and cumulatively with the other applications that the Committee resolved to grant planning permission for in its meeting on 22nd March 2017, it is considered that 35% of the development, or nine dwellings, could be supported to come forward on an unrestricted basis before M55 J2 and the PWD Route is committed. The remaining development would be subject to a Grampian condition to prevent delivery before the necessary infrastructure is in place. Subject to these provisions, no unacceptable highway impacts are anticipated.

9.52 The provision of up to 26 new homes would make a meaningful quantitative contribution towards meeting the borough's housing requirement and this weighs notably in favour of the proposal. Affordable housing equivalent to 30% of the total residential development would be provided. The applicant has also agreed to make the relevant financial contribution required to ensure that adequate education provision exists to support the development. As set out above, the applicant has also offered to provide sufficient public open space to meet the needs of this development on a different site to the south. This provision, which can be satisfactorily secured through conditions and a legal agreement, would deliver an appropriate level of public open space within a reasonable distance of the application site and would therefore be acceptable. On balance, the scheme is considered to be socially acceptable.

## **10.0 CONCLUSION**

10.1 In light of the assessment set out above, and subject to the imposition of the conditions and planning obligations suggested within the report, the development proposed is considered to be in accordance with the aims and objectives of the NPPF and Development Plan and is therefore acceptable. No other material planning considerations have been identified that would outweigh this view and so full planning permission should be granted.

10.2 Members are advised that this application should be subject to a Grampian style condition in relation to Junction 2 of the M55 and the Preston Western Distributor (PWD) route being committed before this development could come forward in its entirety. In the event of J2 of the M55 and the PWD route gaining planning permission and being treated as a commitment prior to a decision on this planning permission being issued then a Grampian condition would no longer be relevant and need not be imposed.

## **11.0 HUMAN RIGHTS ACT IMPLICATIONS**

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

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



## **12.0 RECOMMENDATION**

12.1 That members resolve to grant full planning permission subject to conditions and a S106 legal agreement to secure appropriate financial contributions towards local education, sustainable travel and highway improvement works, and to secure the necessary public open space provision, and that the Head of Planning Services be authorised to issue the decision upon the agreement of heads of terms with regard to the contributions towards the highway initiatives and local education provision to be determined by LCC Highways Lancashire County Council in its capacity as Local Education Authority and Local Highway Authority and the satisfactory completion of the S106 agreement.

12.2 Whilst it is recommended that a Grampian condition be imposed to prevent no more than 35% of the development to be commenced until and unless planning permission has been granted for the development of J2 M55 and the Preston Western Distributor (PWD) route, it is considered that a decision on that scheme is likely to be made within the next two months. Due to the time that it will take to negotiate the s106 agreement, it is likely that J2 M55 and the PWD route will be a commitment (i.e. it will have the benefit of planning permission) before the decision on this application is issued. If that is the case the Grampian condition would be unnecessary and members are asked to authorise the Head of Planning Services to issue the decision without such a condition under those circumstances.

### **Recommendation: Permit**

#### **Conditions: -**

1. The development must be begun not later than 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 validated by the Local Planning Authority on 29/04/16 including the following plans:

#### General plans:

- Location plan ref. 15-080 OS-01
- Topographical land survey ref. S15/562
- Proposed site layout plan ref. 15-080 0001 Rev K
- Proposed streetscene drawings ref. 15-080 0002 Rev B

#### House and garage plans:

- Plot 1 - Whitemoor - ref. 4.344/P/BU/L10/300 Rev A
- Plots 2, 9 - Newton - ref. 4.201/P/BU/L10/300 Rev A
- Plots 3, 6 - Haversham - ref. 4.342/P/BU/L10/300 Rev #
- Plot 4 - Stephenson - ref. 4.203/P/BU/L10/300 Rev A
- Plots 5, 12 - Oxford - ref. 4.309/P/BU/L10/300 Rev #
- Plots 7, 8 - Shakespeare - ref. 4.341/P/BU/L10/300 Rev A
- Plot 10 - Cavendish - ref. 5.340/P/BU/L10/300 Rev #
- Plot 11 - Eton - ref. 4.343/P/BU/L10/300 Rev #
- Plots 13, 14 - Churchill - ref. 2.214/P/BU/L10/300 Rev #

- Plots 15, 16, 17, 18, 19, 20 - Oakmere - refs. 2.346/P/BU/L10/1 Rev A and 2.346/P/B/L10/2 Rev A
- Plot 21 - Scott - ref. 4.406/P/BU/L10/300/ROS Rev B
- Plot 22 - Scott - ref. 4.406/P/BU/L10/300 Rev #
- Plots 23, 25 - Nightingale - ref. 4.204DA/P/B/L10 300/ROS Rev B
- Plot 24 - Shakespeare - ref. 4.341/P/BU/L10/300/ROS Rev A
- Plot 26 - Nightingale - ref. 4.204CB/P/B/L10 300 Rev #
- Single garage ref. PGL/2.0/1/B Rev B
- Paired/double garage ref. PGL/1.0/1/B Rev B and PGL/5.0/2/B Rev B
- Cycle store ref. 15-080 CS-014

Technical plans:

- Tree protection plan dated December 2015
- Tracking plans refs. A095430-TR001 Rev B and A095430-TR002
- Post-development impermeable areas plan ref. HYD043 201 Rev D
- Post-development overland flood flow routing plan ref. HYD043 202 Rev D

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. The development shall not begin until a scheme for the provision of affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units.
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no Registered Provider is involved)
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of the NPPF.

4. Prior to the commencement of the development hereby approved, the details of the materials to be used on the external elevations and roofs of the dwellings hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with these agreed details.

Reason: In the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

5. Prior to the commencement of the development hereby approved, the details of the hard surface materials to be used on the site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with these agreed details.

Reason: In the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

6. (a) Before any property hereby approved is first occupied, the car parking area shown on drawing ref. 15-0080-0001 Rev K as serving that property shall be laid out, surfaced and drained and every parking area shall not thereafter be used for any purpose other than for the parking of vehicles.

(b) Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) or Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no development or change of use shall take place that would prevent the use of the garages and driveways hereby approved from being used for the parking of private motor vehicles.

Reason: In order to ensure that adequate off-street car parking is available to meet the needs of residents in the interests of the appearance of the site and highway safety in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

7. (a) Prior to the commencement of construction of the apartment block hereby approved, details of the cycle storage provision shown on drawing ref. 15-080-0001 Rev K shall be submitted to and approved in writing by the Local Planning Authority.

(b) Prior to any part of the apartment block hereby approved being first occupied, the cycle storage provision shown on drawing ref. 15-0080-0001 Rev K shall be provided in accordance with the details agreed under part (a) of this condition and shall thereafter be retained and maintained as such.

Reason: In order to encourage travel by sustainable modes in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

8. (a) Prior to the commencement of construction of the apartment block hereby approved, details of the refuse storage provision shown on drawing ref. 15-080-0001 Rev K shall be submitted to and approved in writing by the Local Planning Authority.

(b) Prior to any part of the apartment block hereby approved being first occupied, the refuse storage provision shown on drawing ref. 15-0080-0001 Rev K shall be provided in accordance with the details agreed under part (a) of this condition and shall thereafter be retained and maintained as such.

Reason: In the interests of the appearance of the site and the amenity of residents in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

9. No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing, by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures, complaint management and arrangements for liaison with the Council's Environmental Protection Team;
- vii. a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
- viii. 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
- ix. a scheme to control noise and vibration during the construction phase identifying suitable mitigation measures and complaint management and arrangements for liaison with the Council's Environmental Protection Team
- x. the routing of construction vehicles and deliveries to site
- xi. intended hours of work
- xiii. how biodiversity would be protected throughout the construction period

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of ecology, to prevent pollution from foul and surface water and to protect drinking water supplies.

10. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

11. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) January 2016, reference:HYD043\_ROSTOCK.DAIRY\_FRA&SDA, Betts Hydro Consulting Engineers and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Demonstration within the FRA that the improvement/protection and maintenance of existing flood defences will be provided.
3. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
4. Confirmation of the opening up of any culverts across the site.
5. Setting finished floor levels a minimum of 150mm above the external levels following any re-grade

The mitigation measures shall be fully implemented prior to first occupation of the development or subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water and compensatory storage of flood water from the site is provided, to ensure safe access and egress from and to the site, and to reduce the risk of flooding to the proposed development and future occupants.

12. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and shall include the following:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
- b) A demonstration that the surface water run-off would not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- 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 where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

h) Soakaways, as a means of storm / surface water disposal must not be constructed within 10 metres of Network Rail's boundary and storm / surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.

Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The scheme shall be fully implemented and subsequently maintained, in accordance with the approved details including any timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

No part of the development hereby approved shall be first occupied until the agreed drainage scheme has been implemented in full.

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG.

13. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company;

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

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

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.

14. Prior to the commencement of development, a scheme to ensure that the development would not impact upon ground water quality in the area shall be submitted to and agreed in writing by the Local Planning Authority and that approved scheme shall be implemented and thereafter retained and maintained.

Reason: The site lies within a potable water source protection zone and in order to ensure that the development approved would not have a detrimental impact on potable water supplies.

15. No part of the development hereby approved shall commence until a scheme for the construction of the site access and off-site highway improvement works, including a timetable for implementation, has been submitted to and agreed in writing by the Local Planning Authority. The site access and off-site highway works shall be constructed in accordance with the approved scheme and implementation programme. The off-site highway works include:-

- (i) provision of the main site access onto the A6;
- (ii) provision of a pedestrian refuge island to the south of the site;
- (iii) upgrading of the nearest north and south-bound bus stops to provide raised boarding areas.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users.

16. No more than nine of the units (35% of the development) hereby approved shall be first occupied in advance of the proposed junction 2 of the M55 and the Preston West Distributor Route becoming committed developments. For the purpose of this condition, the developments will become committed at the point at which planning permission is granted.

Reason: The delivery of these major highway infrastructure schemes is within the gift of the Local Highway Authority subject to planning permission being granted. In advance of these schemes, junction 1 of the M55 does not have the capacity to accommodate the likely traffic flows that would be generated from this development as a whole, but could accommodate the likely traffic flows from the development of nine homes on the site. As such, until the Local Highway Authority has certainty that the major highway infrastructure schemes will be delivered, this condition is considered necessary to appropriately mitigate risk and avoid a severe detrimental impact on the operation and safety of the wider highway network.

17. Prior to the occupation of the first dwelling, a full Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. This agreed Travel Plan and an associated Travel Plan Coordinator as specified in the agreed Travel Plan shall be in place and be implemented and operational in accordance with the agreed Travel Plan from the point of the occupation of the first dwelling for a period of not less than five years from the date of full occupation of the residential development.

Reason: a Travel Plan is considered necessary to encourage travel by sustainable modes and reduce dependence on private car travel in the interests of sustainability and highway safety in accordance with the provisions of paragraph 17 of the NPPF. It is considered that this information is required to be agreed prior to the occupation of the first dwelling and implemented from that point in order to ensure that the measures set out in the agreed Travel Plan are effective in encouraging sustainable travel throughout the lifetime of the development.

18. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development, including details of a private management and Maintenance Company to be established if applicable, have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be managed and maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason: To ensure that all highways will be delivered to adoptable standards, to ensure that highways safety is not compromised, to ensure that all highways will be maintained by either LCC as local highway authority or by a site management company.

19. The reasonable Avoidance Measures for slow worm shall be carried out in accordance with the details contained in the Ecological Survey & Assessment -ERAP Ltd, Ref. 2015-292 Section 5.5 as submitted with the planning application.

Reason: In order to safeguard biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

20. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Reason: In order to safeguard biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

21. A landscape and environmental management plan along with a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development. The content of the plan should include elements to:

- (i) Provide new planting for loss of any trees shrubs and hedgerows
- (ii) Enhancement of retained hedgerows and ditch
- (iii) Mitigation for loss of bird nesting habitat.
- (iv) Measures to protect the retained trees and hedgerows
- (v) Measures to protect the ditch along the southern from dust, debris and pollution

The approved plan shall thereafter be implemented in accordance with the approved details/timescale.

Reason: In order to safeguard and enhance biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF.

22. Prior to the properties hereby approved being first occupied, the noise mitigation measures set out in the Road and Rail Noise Assessment ref. 201601077596 dated 8th January 2016 shall be implemented in full and thereafter retained and maintained as such.



Reason: In order to safeguard the residential amenities of future residents in accordance with the provisions of paragraphs 17 and 123 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

23. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: In order to safeguard human health and the environment from potential land contamination.

24. Notwithstanding the information submitted as part of the planning application, prior to the commencement of development, the following details shall be submitted to and agreed in writing by the Local Planning Authority:

- (i) plan showing the trees and hedgerows to be retained;
- (ii) tree protection plan to include arboricultural method statement to show how the trees and hedgerows proposed for retention would be protected during construction. This plan should include details methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of specialist construction methodology in relation to the interfaces between the development and the tree(s) indicated as being retained;
- (iii) an ecology survey for those trees identified for removal which surveys the possible presence of roosting bats and nesting birds. If bats or birds are found to be present by the ecology survey then it shall also be accompanied by a Method Statement giving details of measures to be taken to avoid any possible harm to bats or birds during tree works;
- (iv) a scheme and details for the provision of acoustic fencing to demonstrate that this would not damage the existing hedgerow that would screen this fence from the A6.

The approved tree protection measures shall be in place prior to development works commencing and shall remain until the development is completed. If required, the approved Method Statement must be implemented in full. The approved acoustic fencing details shall be implemented in accordance with the approved details.

Reason: In order to safeguard existing trees and hedgerows in the interests of the appearance of the site and biodiversity in accordance with the provisions of paragraphs 17 and 118 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

25. a) No development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include areas of soft landscaping, planting plans

specifications and schedules (including plant size, species and number/ densities). For the purpose of this condition, the details shall include the provision of appropriate replacement tree planting to compensate for any trees lost.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner).

c) Any trees or shrubs planted in accordance with this condition or any trees or shrubs planted in replacement which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting 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: In order to ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

26.(a) Notwithstanding the information provided, details of the boundary treatments shown on the approved site plan, including technical specifications of the acoustic fencing, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction of the properties.

(b) No property hereby approved shall be first occupied before the associated boundary treatments have been installed in full accordance with the details approved for part (a) of this condition and the approved boundary treatments shall thereafter be retained and maintained.

Reason: In the interests of the appearance of the site and to safeguard privacy and residential amenity in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

27. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking and re-enacting that Order with or without modification no rails, walls, fences or other means of enclosure shall be erected forward of the front elevation of any property.

Reason: The scheme has been designed as an open plan estate and this approach would be compromised by the uncontrolled erection of front boundary treatments. The erection of front boundary treatments would also compromise the contribution of landscaping to the benefit of the streetscene. This condition is therefore required in the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policy SP14 of the Wyre Borough Local Plan (1999).

**Notes: -**

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

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

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

3. The developer is advised that prior to the commencement of development, the following shall be submitted to and agreed in writing with Network Rail:

(i) a risk assessment and method statement (RAMS) in respect of the adjoining railway

(ii) details of acoustic fencing wind loading and foundation measures

(iii) a method statement detailing the erection of any scaffolding within 10m of the site boundary and measures to prevent construction materials from affecting the adjoining railway

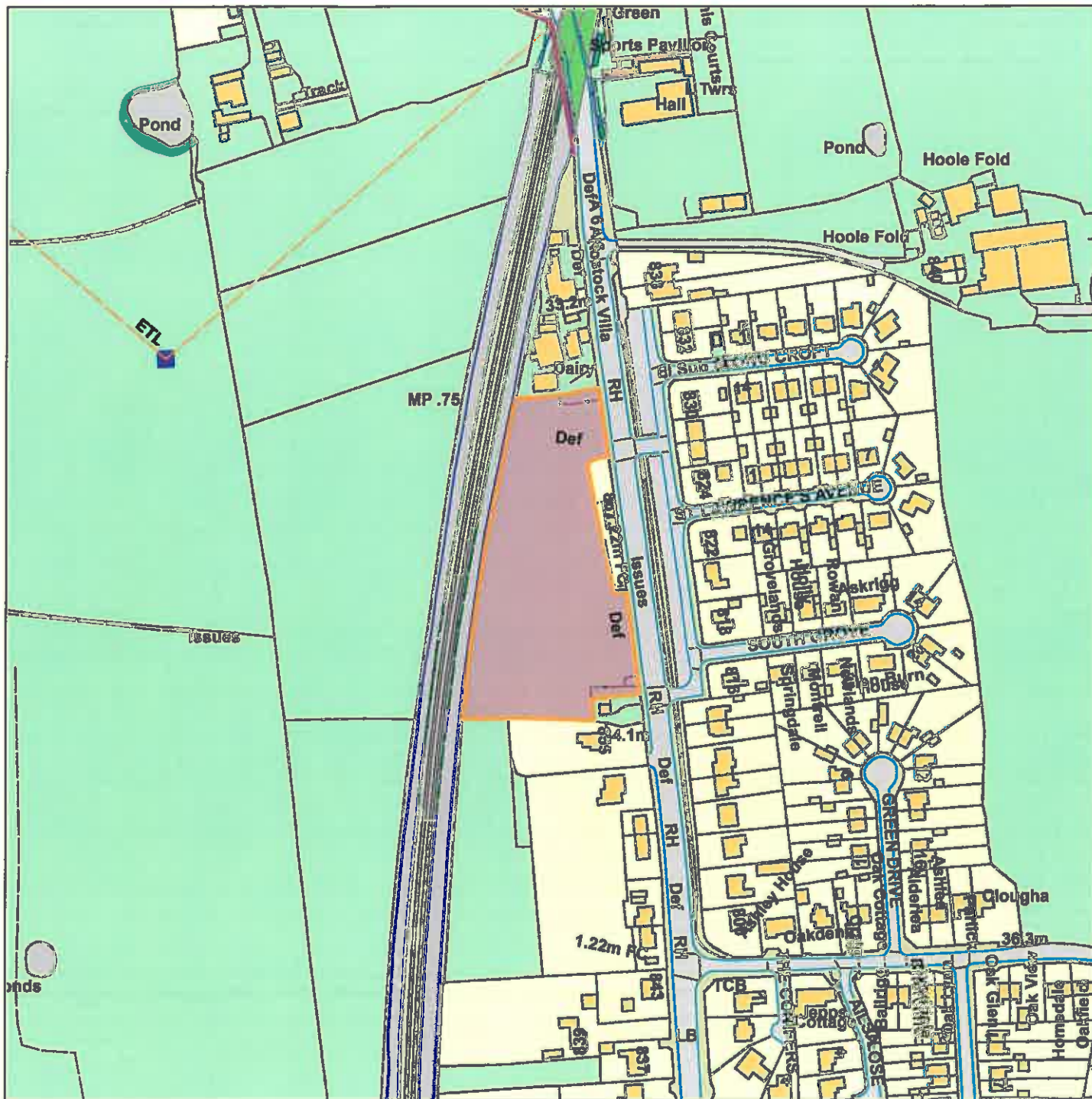
(iv) a risk assessment and method statement in respect of any vibro-impact works to be carried out on site

(v) details of ground levels, earthworks and excavations to be carried out.

arm/rg/pla/cr/17/0305nc5

# Planning Committee

16/00090/FULMAJ - Land to rear of 867 Garstang Road



Scale : 1:2774

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<b>Organisation</b>	Wyre Council
<b>Department</b>	Planning Department
<b>Comments</b>	Item 2
<b>Date</b>	21 April 2017
<b>SLA Number</b>	100018720

**Committee Report****Date: 03.05.17**

<b>Item Number</b>	<b>03</b>
<b>Application Number</b>	<b>16/00621/FUL</b>
<b>Proposal</b>	<b>Two storey rear extension (resubmission of planning application 15/00618/FUL)</b>
<b>Location</b>	<b>Cobblestone Cottage 76 Chapel Street Great Eccleston Preston Lancashire PR3 0ZE</b>
<b>Applicant</b>	<b>Mr Carl Green</b>
<b>Correspondence Address</b>	<b>Cobblestone Cottage 76 Chapel Street Great Eccleston Preston Lancashire PR3 0ZE</b>
<b>Recommendation</b>	<b>Permit</b>

**REPORT OF THE HEAD OF PLANNING SERVICES****CASE OFFICER - Mrs Mandy Ramsden****1.0 INTRODUCTION**

1.1 This application is before Planning Committee as the applicant is a senior officer of Wyre Borough Council.

**2.0 SITE DESCRIPTION AND LOCATION**

2.1 The application site is situated within the rural settlement of Great Eccleston on the eastern side of Chapel Street, approximately 8 metres from its junction with High Street. The site comprises a linked detached two storey dwelling set on the back of the footpath. The property is joined at first floor to Mews Cottage allowing vehicle access between the two properties to the rear. At the rear of the property there is a single storey flat roof extension and a pair of free standing flat roof garages, one of which relates to the application site. The adjoining property has a single storey pitched roof rear extension. The application property is finished in a painted render with a slate roof. The rear garden area sits at a raised level to the rear (east) of the garage.

**3.0 THE PROPOSAL**

3.1 The proposal is for a replacement rear extension which will have a depth of 4.4 metres and a width of 4.28 metres, which is the same as the existing house excluding the first floor link, with a first floor depth of 3.15 metres. The extension would have a height of 2.6 metres to the flat roof of the single storey element rising to 2.95 metres to a parapet wall. It would measure 4.9 metres high to the eaves of the two storey element, which is the same as the existing house, and 6.3 metres high to the ridge, which is 0.6 metres lower than the main roofline. The roof over the two storey aspect would be hipped. Materials are proposed to match the existing house.

The extension would be approximately 2.8 metres from the adjoining house to the south and a minimum of 3 metres from the adjacent property to the north, Cavendish House.

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

4.1 15/00618/FUL - Single and two storey rear extensions - withdrawn

#### **5.0 PLANNING POLICY**

##### **5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

5.1.1 The NPPF was published by the Department of Communities and Local Government (DCLG) on 27th March 2012. It sets out the Government's planning policies for England and how these are expected to be applied in the determination of planning applications and the preparation of development plans. There is a presumption in favour of sustainable development. Section 7 is of most relevance to the application and requires good design and a good standard of amenity for all development.

##### **5.2 ADOPTED WYRE BOROUGH LOCAL PLAN 1999 (Saved Policies)**

5.2.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms the development plan for the district. Due weight should be given to relevant policies according to their degree of consistency with the NPPF.

5.2.2 The following saved policies are considered to be of most relevance to the determination of this application:

- SP14 - Standards of Design and Amenity
- H4 - Alterations and Extensions to Residential Properties

##### **5.3 EMERGING LOCAL PLAN**

5.3.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between the 17th of June and the 7th of August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the NPPF.

5.3.2 Relevant policies in the emerging Local Plan include:

- CS14 - Quality of Design

##### **5.4 WYRE SUPPLEMENTARY PLANNING DOCUMENTS (SPDs)**

5.4.1 The following Supplementary Planning Document is considered to be of relevance:

Extending Your Home Supplementary Planning Document  
Design Note 1 - General Principles

Design Note 4 - Single Storey Rear Extensions  
Design Note 5 - First Floor Rear Extensions

## **6.0 CONSULTATION RESPONSES**

6.1 GREAT ECCLESTON PARISH COUNCIL - No comments received.

## **7.0 REPRESENTATIONS**

7.1 One letter of objection raising the following points –

- Two storey extension would dominate the space, overshadow and alter levels of light, view and privacy from the adjoining property;
- A four bed roomed house in the footprint of a single fronted cottage seems inappropriate; a larger single storey extension seems sufficient;
- Side wall would create a tunnel effect by extending to the width of the underpass and doorway onto the underpass is a safety issue;
- Concern over limited site parking;
- Site levels will require retaining walls and drainage channels;
- Concerns could be resolved by widening the extension to the other side;
- Disruption, noise, dust and damage during construction

7.2 Two further letters of objection have been received making the following comments after neighbouring properties were re-notified of revised plans:-

- Previous comments apply;
- Loss of light;
- Overshadowing;
- Loss of privacy;
- Over bearing and overdevelopment.

## **8.0 CONTACTS WITH APPLICANT/AGENT**

8.1 There has been contact with the applicant to request revised plans to reduce the scale of the extension.

## **9.0 ISSUES**

9.1 Principle of development - In this instance it is considered that an extension to an existing residential property within its curtilage is acceptable in principle. The main issues to be assessed are as follows:

- Design and Visual Impact
- Impact on Residential Amenity
- Highways / Parking

Design and Visual Impact

9.2 The revised proposal is considered to be appropriately designed to respect the scale and proportions of the property. The rear extension is considered to appear subordinate to the main dwelling in terms of the extent of projection and roof massing, and would relate well to the existing property in terms of design and materials. Being contained at the rear, the extensions would have limited impact on the visual amenity of the street scene. The proposal is therefore considered to be in

accordance with saved policies SP14 and H4 of the Local Plan and the Council's Extending Your Home SPD in respect of design and visual impact.

#### Impact on Residential Amenity -

9.3 The neighbouring property to the south, Mews Cottage (No.77), is a house linked with the application site at first floor and roof level. The separation distance between the proposed extension and the rear of the adjacent property would be 2.8 metres. This property has a single storey pitched roof rear extension which is 4.2 metres deep and lies adjacent to the site boundary and the joint driveway. This extension has two side windows and two roof lights in the north elevation facing the application site. It also has rear windows in the east facing elevation. Given that the proposed extensions are to the north of this extension and that these facing windows are not the only windows serving room(s) within the extension there is not considered to be any unacceptable detrimental overshadowing or loss of light as a result of the proposal on this property. No windows are proposed on the southern elevation of the extension facing onto No.77 and the first floor rear facing window would be enclosed by a Juliet railing to prevent overlooking. A condition is recommended to prevent the flat roof area being used as a balcony.

9.4 The neighbouring property to the north, Cavendish House, has ground and first floor windows in its southern elevation which would be approximately 3 metres from the proposed extension at its nearest point, increasing to 4.5 metres. The proposed ground floor extension would be in the same position as at present and to the same length. Therefore the issue is the impact on Cavendish House as a result of the first floor extension. The main orientation of this neighbouring property is to the west and north with an amenity area to the east and patio area to the east of the rear elevation of this property adjacent to a rear door and the southern boundary. One of the first floor windows in this property facing the proposed extension relates to a landing/stairway area and the other relates to a first floor bathroom. Neither of these are habitable rooms and so are afforded very limited weight in assessing amenity. There is also a ground floor kitchen / dining room window facing the applicant's garden area. This room is also served by a smaller window in the north elevation. Whilst the kitchen / dining room is a habitable room, it does benefit from two windows. The south facing / rear kitchen window which faces the applicant's garden is off-set and at an angle to the proposed extension, and the two storey element would not project beyond this window. The proposed extension would also not encroach upon the existing and intervening amenity area towards the northern boundary of the application site. Whilst the two storey element of the proposal would bring additional shadowing to this kitchen window, coming closer to it than the existing two-storey house, this would be in the afternoon and late evening. Due to the off-set of the kitchen window to the proposed extension there is not considered to be any significant loss of daylight or detrimental oppressive outlook or overbearing impact on this window in particular or on the outside amenity space. Therefore the proposal is considered to have an acceptable impact on the residential amenity of the occupants of this neighbouring property. No windows are proposed in the north side elevation thereby there would be no overlooking towards this property.

9.5 The depth of the proposed first floor extension is 3.15 metres. The Council's Extending Your Home SPD states that first floor rear extensions should not project beyond the main wall of the neighbouring property by more than 1.5 metres plus half of the separation distance. The depth of the proposed ground floor extension is 4.4 metres. The Council's Extending Your Home SPD states that first floor rear extensions should not project beyond the main wall of the neighbouring property by



more than 3 metres plus half of the separation distance. The proposed depth of both the ground and first floor extension meets these requirements.

9.6 Any impact on amenity during construction would only be for a short term period and is not a material consideration in determining the application.

#### Highways / Parking

9.7 Notwithstanding concerns raised by a neighbouring property, existing access arrangements and on-site parking provision would be unaffected by the proposed extension. The driveway width would be the same width as the underpass. There is no door proposed in the side elevation facing onto the driveway which was another neighbour concern raised. There would be approximately 7 metres between the garage and proposed extension which is considered adequate distance to enable the manoeuvring of vehicles.

#### Flood Risk -

9.8 The site is within flood zone 1 which is not an area identified as at risk from flooding. A Flood Risk Assessment is not required.

### **10.0 CONCLUSION**

10.1 The design of the proposal is considered appropriate to the existing dwelling, and will not harm the visual amenity or character of the area, and it will not have an unacceptable impact on neighbouring amenity. The proposal is considered to meet the Council's Extending Your Home SPD and relevant local plan and national policy and is therefore acceptable.

### **11.0 HUMAN RIGHTS ACT IMPLICATIONS**

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

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

### **12.0 RECOMMENDATION**

12.1 Grant planning permission subject to conditions.

#### **Recommendation: Permit**

#### **Conditions: -**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

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 11 July 2016, including the following plans:

- Site Location Plan
- Proposed Site Plan 126 (PL) 03 REV A

- Proposed First Floor Plan 126 (PL) 10 Rev C received 10 March 2017
  - Proposed Rear Elevation 126 (PL) 13 Rev C received 10 March 2017
  - Proposed Ground Floor Plan 126 (PL) 08 received 10 March 2017
  - Proposed Side Elevations 126 (PL) 14 Rev B received 10 March 2017
3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building in form, colour, and texture.
4. The flat roof at first floor to the rear (above the ground floor extension) shall not be used as a balcony, roof garden, sitting out area or for any purpose of a similar nature without the prior written consent of the Local Planning Authority.

**Reasons: -**

1. 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. For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.
3. To ensure that the existing materials are used as far as possible, thus protecting the appearance of the building in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
4. To protect the privacy and amenities of occupiers of neighbouring residential properties in accordance with Saved Policies SP14 and H4 of the Wyre Borough Local Plan.

