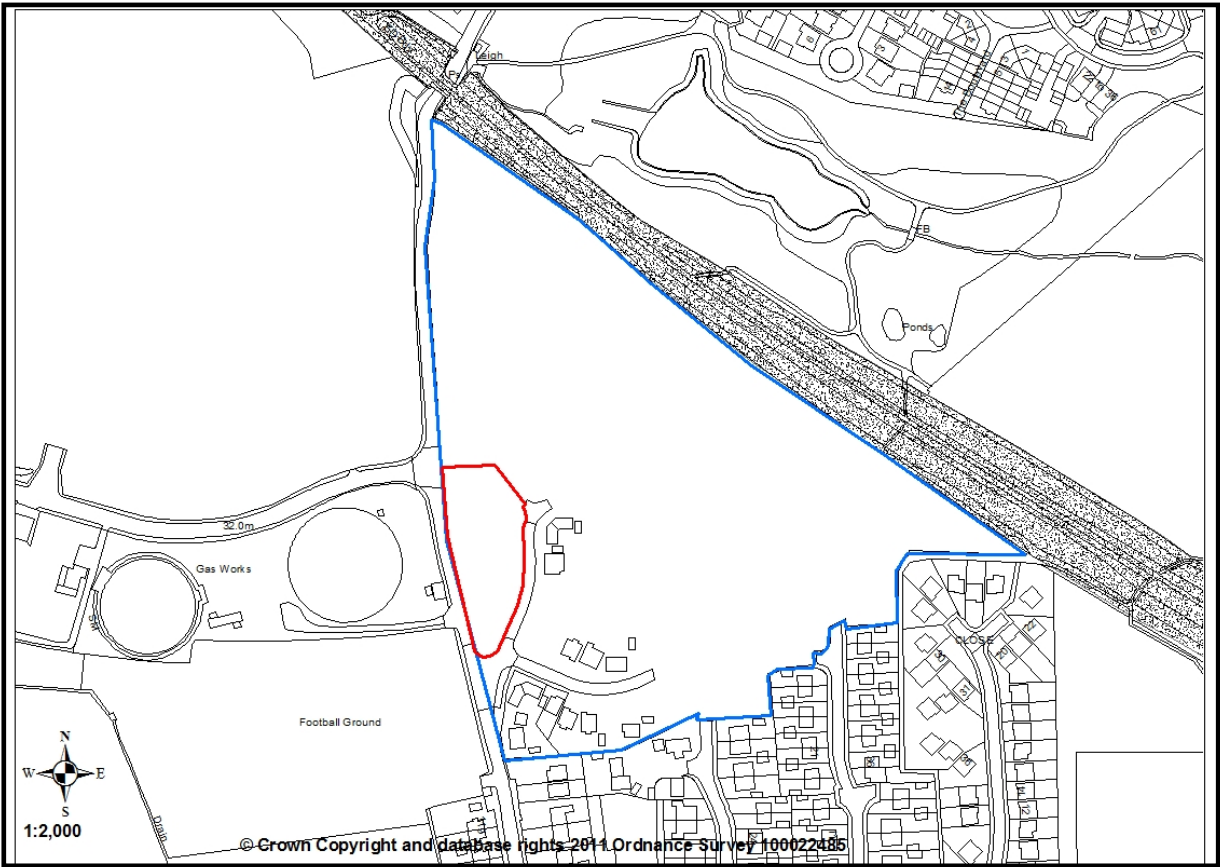


|                           |  |
|---------------------------|--|
| Application Number        | 07/2017/1072/FUL   |
| Address                   | Land Off<br>Wateringpool Lane<br>Lostock Hall<br>Lancashire                                    |
| Applicant                 | Morris Homes North   |
| Development               | Erection of 5 dwellings together with public car parking area for 15 vehicles (amended scheme) |
| Officer Recommendation    | Refusal  |
| Officer Name              | Mrs Janice Crook   |
| Date application valid    | 08.06.2017   |
| Target Determination Date | 03.08.2017   |
| Extension of Time         | 31.08.2017   |

Location Plan



1. Report Summary

1.1 The application proposes the erection of five dwellings on a parcel of land which was intended to be part of the open space provision for the wider residential development on the allocated housing site GG, Wateringpool Lane, Lostock Hall. The approved Landscape Structure Plan for that residential scheme, now known as St James' Field, showed this application site to include 15 car parking spaces, footpath/cycle path and landscaping

planting together with the retention of the existing hedgerow along Wateringpool Lane. This links with the main area of public open space to the northern part of the site which in turn links into an area of Green Corridor/Green Wedge which forms the Preston Junction Local Nature Reserve. This and a wider area of open space is also allocated as Central Parks under Local Plan Policy G6. Although the open space within the residential development on Site GG is not part of the Central Parks allocation, it is considered that this open space, including the application site, forms an important link between the St Gerrard's football field and the rest of the Central Parks allocation. Additionally, it is recognised that the route along Wateringpool Lane leads to one of four gateways into Central Parks and it is important to provide and retain a green, rural 'feel' along this route which the introduction of additional residential dwellings up to the boundary with Wateringpool Lane would compromise.

Additionally, the application site provides a pleasant open green area at the entrance to the St James' Field development which is considered to be a visually important transition between the new residential development and Wateringpool Lane. Therefore it is officer's view that the application site is an important area of public open space that should be retained as such in the interests of the character and appearance of the area. The application is therefore recommended for refusal.

## **2. Application Site and Surrounding Area**

2.1 The application relates to a 0.26 Ha parcel of land, part of the larger housing allocation, Site GG: Wateringpool Lane, Lostock Hall. The site was intended to provide part of the open space associated with the residential development known as St James' Field together with provision of a 15 space public car park.

2.2 The site is located to the north of Lostock Hall, bound by Wateringpool Lane to the west and Central Park Road, the new residential estate road, which wraps around the site to the south and east. Further to the south are residential properties on Doodstone Avenue, Doodstone Drive and Medway Close. An existing Green Corridor is located to the north of the site which is a wildlife corridor and also a local nature reserve, with areas of public open space beyond.

2.3 To the west of the site, on the opposite side of Wateringpool Lane is St Gerrard's Football Club and the former Gas Holders Site which has now been de-commissioned and is allocated for residential development as Site DD with the former Gas Works site, allocated as Site K, beyond.

## **3. Planning History**

3.1 Outline planning application 07/2011/0320/OUT for a residential development with new vehicular access and the provision of open space was the subject of an appeal (APP/F2360/A/11/2162175) against non-determination. Planning Committee considered the application and agreed that, had the application been determined, it would have been refused. The Planning Inspector allowed the appeal, concluding that the proposal would be in keeping with the character and appearance of the surrounding area and considered it would be appropriate for development under Local Plan Policies D1 and D3, both of which are consistent with the National Planning Policy Framework.

3.2 The Unilateral Undertaking agreed at the time of the appeal commits the application site to remain as public open space and free from development, along with land to the north of dwellings within the St James' Field Development. An amendment to Third Schedule of the Unilateral Undertaking (dated 6 March 2012) is required to ensure redevelopment of the site is not in conflict with the terms of the legal agreement.

3.3 Reserved Matters application 07/2012/0561/REM for the erection of 80 No dwellings, formation of new vehicular access and the provision of open space was conditionally approved on 15/2/2013.

3.4 Variation of condition application 07/2015/1506/VAR for the variation of condition 5 of planning approval 07/2012/0561/REM in respect of the location of the site compound, materials storage area and contractor's car parking was approved on 12/11/2015.

3.5 Variation of condition application 07/2016/0375/VAR for a variation of condition 2 of planning approval 07/2012/0561/REM as varied by 07/2015/1506/VAR in respect of approved Landscaping Plan M2136.01 Revision E and it was found that alternative planting would be more appropriate. This related to the type of plants/trees only and did not alter the areas of planting. This was approved on 23/8/2016.

3.6 Associated applications relating to the adjacent Gas Holders site are 07/2014/0363/SCE for an Environmental Screening Opinion and 07/2014/0330/DEM notification of demolition.

#### **4. Summary of Publicity**

4.1 Neighbouring properties were notified and a site notice posted with 22 letters of representation being received, objecting to the proposal on the following grounds:

- Chose to buy house specifically because it isn't overlooked at front
- Led to believe land in question would remain as open space and visitor parking
- Morris Homes assured new residents that land would never be built on and this was a fundamental factor in decision to purchase property
- Morris homes have been deceitful
- Area has been landscaped and trees planted in last 12 months as per original site plan
- Now houses looking onto this area of land have all been sold, Morris Homes new applying to build more houses
- Land has been documented as 'village green'
- Children use this area for playing on
- Land has wildlife on it now
- Environmental impact of the proposed development
- Dwellings would be built in close proximity to existing hedgerow
- Area is already busy with traffic, particularly at weekend with football supporters from the local club
- More traffic will make this narrow road unsafe for children and residents
- New dwellings will result in additional traffic and the 15 car parking space have proved inadequate. Changes to the parking area will exacerbate parking problems.
- This proposal represents a significant change to the planning permission for the whole site
- This would also require an application to vary condition 2 of planning permission 07/2012/0561/REM
- Footpath and cycle paths shown of original landscape plan have not yet been laid and this is a breach of condition 12.
- Contrary to the original plans
- Title deeds to property, a legal document, clearly show the land to be green space
- Loss of view
- Will result in whole estate feeling a lot more enclosed and cramped
- Will have a detrimental impact on the overall appearance of this part of the estate
- Will spoil the semi-rural feel of the are

- Disabled father has spent a great deal of money adapting new home which overlooks application site when children play. It's very important that he can watch as he can't take part
- Substantial yearly maintenance charge for maintenance of open space
- Contrary to local plan aims of prioritisation of open and amenable spaces on new estates

4.2 Following submission of an amended site layout plan which reduced the number of dwellings from 7 to 5, neighbouring residents were re-notified with an additional 2 letters of representation being received. Comments received include:

- Amended proposal will look just as unsightly and just as contrived
- Amendment is an insult to neighbours intelligence
- Will result in state looking and feeling overcrowded
- Currently estate has a good balance between dwellings and open space
- Spoil the open feel and aesthetically pleasing outlook
- Gate way into Central Parks
- Not enough open space will remain

## 5. Summary of Consultation Responses

**5.1 County Highways** have no objections in principle and considered that the proposed development should have a negligible impact on highways safety and capacity in the immediate vicinity of the site. From observations on site and the information provided on the submitted plans, the sight line requirements for all of the proposed driveways are fully achievable. The level of parking for each dwelling is in line with the adopted parking standards. The proposed site layout is acceptable but Council Highway require that, in order to accommodate pedestrian movement across the road, the footway adjacent to plot 83 should be either extended by 2m past the proposed rumble strip or the rumble strip moved. Therefore the submitted plans should be amended prior to determination. Subject to this amendment, County Highways require a condition be imposed in respect of the provision of wheel washing facilities for the duration of the development.

**5.2 United Utilities** have no objections to the proposed development providing the conditions are imposed to ensure foul and surface water are drained on separate systems; that a surface water drainage scheme based on the hierarchy of drainage option in the NPPG is submitted; and that a management and maintenance scheme for sustainable drainage systems is submitted.

**5.3 Arboriculturist** has no objections to the proposed development.

**5.4 The Council's Landscape Architect** advised that Central Parks is included as planning policy G6 in the Local Plan and should be acknowledged in any planning applications impacting on sites and routes included in the masterplan. In the original masterplan a pedestrian link and gateway feature was proposed for this location and in the revised masterplan, Wateringpool Lane forms part of an extension of Sustrans Route 55 and is designated route PR4. The point where Wateringpool Lane meets the Old Railway Line is one of four primary entrances to Central Parks, along with Leyland Road (opposite the fire station), the bridge across the Ribble into Avenham and Miller Park and Todd Lane North. The current proposal doesn't acknowledge the importance of Wateringpool Lane as a primary entrance to Central Parks and the preference would be for a greener solution to the edge of the proposal with significantly more vegetation and tree planting buffering the approach and hiding the presence of houses.

**5.5 Ecology** comment that no significant ecological constraints were identified by the applicant's ecological consultant. The only ecological constraint is the hedgerow along the boundary with Wateringpool Lane, which is to be retained. Therefore Ecology recommend

that a condition is imposed requiring the submission of a method statement to protect the hedgerow along Wateringpool Lane.

## **6. Development Proposals**

6.1 The application is for full planning permission for the erection of five, two-storey dwellings with associated parking and accessed off Central Park Road which in turn is off Wateringpool Lane.

6.2 The proposal also includes the re-configuration of the 15 visitor car parking space within a dedicated car parking area, accessed off Central Park Road, as required by the planning permission 07/2011/0320/OUT and secured as part of the Reserved Matters approval 07/2012/0561/REM.

6.3 The proposed dwellings are:

- 2 Bexton – detached, 4-bed dwelling with detached single garage
- 1 Ely – detached, 3-bed dwelling with integral single garage
- 2 Dunham – detached, 3-bed dwelling with detached single garage

6.4 As originally submitted, the application for 7 dwellings. However, during the assessment of the proposal it was apparent that the dwellings did not meet the required spatial separation distances to dwellings already constructed on the development site as a whole and therefore the application layout was re-designed resulting in 5 dwellings now proposed.

## **7. Submitted Documentation**

- Application Form and Certificates
- Completed CIL Forms
- Site Location Plan (dwg ref: N131/LP01)
- Proposed Site Layout Plan (dwg ref: N131/P/PL03 Rev A)
- Proposed House Type - Ely Housetype floor plans and elevations; Dunham 2 Housetype floor plans and elevations and Bexton housetype floor plans and elevations
- Proposed Landscape Structure Plan (dwg ref: M2136.06)
- Design and Access Statement
- Topographical Survey Plan (dwg ref: S10/185)
- Tree Survey Report and Tree Survey Plan (dwg ref: 3822.01)
- Energy Statement

## **8. Policy Considerations**

### **8.1 National Planning Policy Framework**

- The NPPF has a presumption in favour of sustainable development, which is a recurring theme throughout the document.
- Paragraph 14 states that development proposals which accord with the Development Plan should be approved without delay
- Paragraph 49 sets out that housing applications should be considered in the context of the presumption in favour of sustainable development.
- Paragraph 56 outlines that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 64 indicates 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.

- Paragraph 69 requires that planning policies and decisions should aim to achieve places which promote, among others, safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

## 8.2 Central Lancashire Core Strategy

- **Policy 1: Locating Growth** aims to focus growth and investment in (among others) the main urban areas in South Ribble, which includes Lostock Hall. Policy 1 adds that in Lostock Hall, development will be focused on brownfield sites, although it recognises some greenfield development will be required.
- **Policy 3: Travel** seeks to reduce the need to travel and improve pedestrian facilities, cycling opportunities and public transport.
- **Policy 4: Housing Delivery** requires South Ribble Borough Council to deliver a minimum of 417 dwellings per annum to meet the Borough's housing needs.
- **Policy 17: Design of New Buildings** expects new development to have regard to the character and appearance of the local area, and be sympathetic to the surrounding land uses and occupiers. Landscaping should be provided as an integral part of new development, which should include protecting existing landscape features.

## 8.3 South Ribble Local Plan

- **Policy D1: Allocation of Housing Land** allocates land for housing and lists the site allocated. The application site is part of the wider site allocated at Site GG Wateringpool Lane, Lostock Hall with an estimated number of dwelling given as 80. The supporting text to allocation GG states: *"This is a roughly triangular site measuring 4.6 ha, currently in agricultural use. It lies at the edge of Lostock Hall and is bounded by a housing estate, Wateringpool Lane and a disused railway line, now used as a pedestrian and cycleway. Outline planning permission was granted in June 2012 for the development of 79 dwellings together with the landscaping of an area of accessible public open space. The site will be accessed from Wateringpool Lane."*
- **Policy G6: Central Parks** lies to the north east of Lostock Hall and runs westward from the east of London Way towards the allocated residential site K. The Central Parks allocation allows a natural break in the built environment between the areas of Lostock Hall, Walton-le-Dale to the North, Bamber Bridge to the east and Penwortham to the north-west.
- Central Parks will be delivered as a comprehensive parkland providing a range of recreational and leisure uses for the community. This will ensure the enhancement and protection of the existing Green Infrastructure in this area and aid the delivery of new Green Infrastructure provision within the Central Parks boundary.
- **Policy G7: Green Infrastructure – Existing Provision** seeks to protect and enhance the existing Green Infrastructure. Development which would involve the loss of Green Infrastructure will not be permitted unless alternative provision of similar and/or better facilities for the community will be implemented on another site or within the locality; or it can be demonstrated that the retention of the site is not required to satisfy a recreational need in the local area; and the development would not detrimentally affect the amenity value and the nature conservation value of the site.
- **Policy G8: Green Infrastructure and Networks – Future Provision** requires all new developments to provide appropriate landscape enhancements; conservation of important environmental assets, natural resources, biodiversity and geodiversity; provide for the long-term use and management of these areas; and provide access to

well-designed cycleways, bridleways and footways (both off and on road), to help link local services and facilities.

- **Policy G10: Green Infrastructure Provision in Residential Developments** requires all new residential development with a net gain of 5 dwellings or more to provide sufficient Green Infrastructure to meet the recreational needs of the development.
- **Policy G11: Playing Pitch Provision** requires all new residential development resulting in a net gain of five dwellings or more to provide playing pitches in South Ribble, at a standard provision of 1.14 ha per 1000 population. Contributions will also be sought to fund or improve associated facilities such as changing rooms.
- **Policy G12: Green Corridors/Green Wedges** requires that new development should provide new green corridors to the existing/neighbouring communities and built-up area. Green corridors can be in the form of linear areas of Green Infrastructure, such as footpaths and cycle ways, with the appropriate landscaping features such as trees, hedges and woodland.
- **Policy G13: Trees, Woodland and Development** has a presumption in favour of the retention and enhancement of existing tree, woodland and hedgerow cover on sites. Where there is an unavoidable loss of trees on site, replacement trees will be required to be planted on site where appropriate at a rate of two new trees for each tree lost. The policy requires that tree survey information should be submitted with all planning applications, where trees are present on site. The tree survey information should include protection, mitigation and management measures. Further, appropriate management measures will be required to be implemented to protect newly planted and existing trees, woodlands and/or hedgerows.
- **Policy G17: Design Criteria for New Development** seeks to ensure development does not have a detrimental impact on existing buildings, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, or use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect. At criteria b) the policy requires that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; and at criteria c) that the development does not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1; and at criteria e) that the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.

## **9. Material Considerations**

### **9.1 Principle of Development**

9.1.1 The principle of the residential development on Site GG: Wateringpool Lane, now known as St James' Field, was established as a result of an appeal decision in 2012 against the refusal of outline planning permission for a residential development of 79 dwellings. The application site was shown to be part of the open space provision at both the outline stage and subsequent Reserved Matters application. The application site also provides public car parking for 15 vehicles. The applicant, in the submitted planning statement, indicates that the application site was included as part of the open space provision for the St James' Field

development in order to ensure that built development was not located within the gas holder 'blast zone area' associated with the gas holders site. These were located on the opposite side of Wateringpool Lane. The blast zone area is no longer in place as the gas holders have been de-commissioned and demolished and therefore the applicant now considers there is no requirement for the application site to be kept free from development and have therefore submitted this application for a residential development of 5 dwellings. They also consider that the open space provided for Site GG was in excess of what would normally be required.

9.1.2 It is considered that there are other issues which must be considered not just the application site's proximity to the gas holder site or the amount of open space provided. These include the character and appearance of the area, the site's proximity to Central Parks and the route leading to one of the Park's accesses, the provision of footpath/cycleway linkages, the impact on residential amenity and the impact on the entrance into the St James' Field development.

## 9.2 Public Open Space

9.2.1 Local Plan policies G10 and G11 require all new residential developments resulting in a net gain of five dwellings or more to provide open space and contributions to playing pitches in South Ribble. This application proposes five dwellings and as such, policies G10 and G11 apply as the threshold has been met.

9.2.2 The applicant's consider that the St James' Field Development provided public open space far in excess of that required by the planning policies in terms of Green Infrastructure. A total of 1.84ha was provided across the wider site, which includes the application site which measures 0.26ha. Developing the site to accommodate 5 dwellings together with the reconfiguration of the visitor car park will leave 1.58ha of public open space to serve the St James' Field site, a reduction of 14%. The applicants therefore consider that, taking this proposed development of 5 dwellings, together with the St James' Field development of 80 dwellings, there is ample public open space across the wider site to serve both existing residents, and future occupants of the proposed development.

9.2.3 Although it is accepted that sufficient amenity open space would remain to serve the St James' Field development together with this application site, if the St James' Field Development together with this proposal were submitted at the present time as a whole, there would be a total of 85 dwellings which, in line with the adopted Central Lancashire Open Space and Playing Pitch SPD, would be required to provide, among others amounts, a contribution of £507 per dwelling in relation to Central Parks, as the development is within 1000m of Central Parks. Therefore the developer's would be expected to provide a much greater contribution in monetary terms than what is provided in spatial terms.

9.2.4 In respect of the applicant's view that the site is no longer required for open space due to the de-commissioning of the Gas Holder site, in looking back to the inspector's appeal decision, the use of the site for open space had additional considerations other than its proximity to the blast zone. The Planning Inspector, in the Appeal Decision, at paragraph 34, states that they take account of the proposed redevelopment of the gas holder site in reaching their decision. The Inspector also included the following comments relating to the public open space proposed at that time:

*"8. In its existing condition the appeal site contributes to the greening of the environment. From the school playing fields and football field, however, to the Old Tram Road, nature reserve and fields beyond, the immediate area appears to be well provided with open green space. Moreover, the proposed development would retain a **considerable proportion of the site, about 1.9ha of the total 4.6ha, as landscaped open space with the benefit over the existing site of it being publicly accessible.** This would be considerably larger than normally required by the Council on such development. Its precise location and extent would be fixed through the unilateral undertaking.*



9. The proposed housing area itself would be on the higher part of the site but set well back from the Watlingpool Lane and Old Tram Road boundaries behind the wide margin of open space. The new houses would be screened from those viewpoints by the extensive tree and shrub planting proposed and the retention of existing hedgerows. The openness of the site would be reduced, therefore, but not lost altogether. Nevertheless, it would clearly be a developed site where many people would prefer to see an untouched field. It is my view, however, that the site's appearance would be altered by the proposed scheme but not depleted or harmed.

10. The site is visible from Watlingpool Lane, stretches of the Old Tram Road and the footpath around the southern edge of the site, all of which are well-used. Its currently open nature contributes to the users' enjoyment of these routes but, in my view, once construction was completed and the landscaping established, that enjoyment would not be significantly lessened.

11. The Old Tram Road and nature reserve to its north are the essential elements separating Lostock Hall from the neighbouring settlement of Walton Park. The appeal site's contribution to this function is somewhat undermined by the adjacent, and obviously previously-developed, gasworks site which already extends part of the settlement's edge up to the Old Tram Road. **In any event the location of the substantial area of open space proposed, which would be similar in appearance to the existing nature reserve, would consolidate and enhance the separating piece of land. Although greatly reduced in width a visual break would also be retained in some views.**

13. Local Plan paragraph 3.19 explains that part of the quality of the environment derives from the presence of open areas and the separation between developed areas. This statement is within the justification, however, rather than part of the policy itself and does not amount to a ban on the development of open sites. Furthermore, the proposed development will retain to a significant degree those characteristics - openness, greenness and separation - which are of value at present.

34. The edge of the existing development can be seen clearly across the field from several viewpoints. The irregular route of that boundary results in small pockets of land, which are difficult to manage, and the fences and so on enclosing the adjacent gardens are not uniform. Whilst its appearance is not up to the standard considered appropriate today the development edge is not significantly untidy or unsightly. Its removal would be a benefit of the proposed scheme but does not weigh heavily in its favour. **I am aware that there is an outline proposal for mixed uses on the neighbouring former gas works site and have taken this into account in reaching my decision.**

38. The appellant has provided a signed and otherwise complete unilateral undertaking which would ensure the payment of the highways' contribution, the provision of 20% of the dwellings as affordable units and the **area of public open space as shown on the submitted drawings. With the exception of the fifteen public car parking spaces within the open space, these provisions would all be necessary in order to make the proposal acceptable in planning terms and would comply with the statutory requirements of the Community Infrastructure Levy Regulations 2010. I can, therefore, attach considerable weight to the undertaking.**

#### **Conclusions**

The site has a complicated planning history: the tussle over its use for housing, open space or a mixture of the two has been going on for many years and has involved the High Court as well as previous inspectors. My interpretation of the position is that the site has generally been agreed to have some value as an open area and in reaching their respective decisions this has been weighed against the availability of and need for housing land. With regard to this proposal my conclusion is that it would **strike an appropriate balance between protecting the landscape qualities of the site whilst making a very helpful contribution to the stock of housing land in the borough.**"

9.2.5 A Unilateral Undertaking was also entered into as part of the appeal decision. The Third Schedule of the UU states at paragraph 1.1: "That a formal area of public open space

*("open space") provided along the northern and western boundary of the Land and shown edged green on the Plan shall remain open and unbuilt upon and **available for the use and amenity of the public**".* The planning statement indicates that the applicant intends to pursue a Deed of Variation to alter the UU to facilitate development on the application site, for seven units (now amended to five units) with associated landscape and a visitor car park. The Deed of Variation has now been submitted and indicates that the original Undertaking is varied by substituting the Public Open Space plan N131/P/POS01 for the plan in the original undertaking (unreferenced).

9.2.6 The details of the public open space areas formed part of the consideration of the Reserved Matters application submission, with the Committee Report outlining:

*"The application proposes a large area of public open space to the north of the site and its extent and location was agreed within the terms of the Unilateral Undertaking. The proposal is to create a variety of footpaths and cycle routes throughout the development linking in with the Old Tramway cycle routes within both existing and proposed development. It also shows proposals to enhance existing hedgerows and provide feature landscaping.*

*Neighbourhood Services (Parks) made a number of comments relating to the proposed footpaths/cycleways running through the public open space area in terms of their width and surface finish which the applicants have taken on board. The amended landscaping plan shows the footpath/cycleways to be 3.0m wide and finished in bitmac.*

*The proposed public open space is considered to be in accordance with Policy 18 of the Core Strategy and Policy G12 in the emerging Site Allocations DPD. It is proposed that a management company will be responsible for the maintenance of the public open space and the phasing and maintenance of the open space can be secured by way of a condition to supplement requirements of public open space provision in the Unilateral Undertaking."*

9.2.7 The footpaths/cycleways to be provided within the parcel of open space subject of this application, link in with the larger area of open space to the north of the site and to the Preston Junction Nature Reserve beyond.

9.2.8 Additionally, in consideration of the allocated housing Site K: The Gas Works on the opposite side of Wateringpool Lane, the developer was required to provide open space adjacent to Wateringpool Lane with linkages to meet up with the footpath/cycleway within the Wateringpool Lane site. The combination of the two areas of open space either side of Wateringpool Lane, are considered to provide a fitting 'green' route leading to the entrance to Central Parks, where, at the point where Wateringpool Lane meets the Old Railway Line, one of four primary entrances to Central Parks has been identified in the Central Parks Masterplan. This important route would be diminished with the construction of additional dwellings up to the Wateringpool Lane boundary. The Council's Landscape Architect advised that Local Plan Policy G6: Central Parks, should be acknowledged in any planning application which impacts on sites and routes included in the Masterplan. In the original masterplan a pedestrian link and gateway feature was proposed for this location and in the revised Masterplan, Wateringpool Lane forms part of an extension of Sustrans Route 55 and is designated route PR4. The current proposal does not appear to acknowledge the importance of Wateringpool Lane as a primary entrance to Central Parks.

9.2.9 It is officer's view that the proposal to erect 5 dwellings on this parcel of land which was intended for the purposes of public open space would be contrary to the requirements of the outline planning approval and the view of the appeal inspector in determination of the appeal for the wider site, later allocated as Site GG in the Local Plan. As such the proposal would be contrary to Policy D1 Site GG. Whilst the site is not covered by Policy G6, it is also considered that the proposal would compromise the provision of a green route leading to the

Central Parks entrance. Therefore due regard must be given to Policy G6 in consideration of this application together with paragraphs 56, 64 and 69 of the NPPF which aim to achieve improvements to the character and quality of an area and the way it functions, and promote legible pedestrian routes and high quality public space which encourage activity and use.

9.2.10 Additionally, the proposal does not include any details of how the wider footpath/cycleway network will be altered to accommodate this proposed residential development and therefore the proposal would also be contrary to the agreed Landscape Structure Plan M2136.01\_H, secured by condition 12 of planning approval 07/2012/0561/REM as varied by 07/2016/0375/VAR

### **9.3 Housing Position**

9.3.1 The submitted planning statement recognises that South Ribble Borough Council has an up to date Development Plan and that the Council has identified sufficient sites through allocations to meet the housing requirement for the Borough over the plan period (equivalent of 417dpa). However, the statement also indicates this is a minimum figure to achieve and not a maximum.

9.3.2 Within the Local Plan, site GG was allocated for residential development for 80 dwellings. The supporting text at paragraph 7.65 states: *"This is a roughly triangular site measuring 4.6m ha, currently in agricultural use. It lies at the edge of Lostock Hall and is bounded by a housing estate, Wateringpool Lane and a disused railway line, now used as a pedestrian and cycleway. Outline planning permission was granted in June 2012 for the development of 79 dwellings together with the landscaping of an area of accessible public open space. The site will be accessed from Wateringpool Lane."*

9.3.3 This allocated housing site has now been developed by Morris Homes, and is known as St James' Field. Whilst the site was allocated for 80 dwellings in the Local Plan, the applicants consider it has capacity to deliver the 5 extra dwellings proposed following the decommissioning of the Gas Holders.

9.3.4 The planning statement indicates that the site is also allocated within the existing built up area, and therefore Policy B1 should apply in determining this application. Policy B1 supports development in the existing built up area, subject to criteria relating to access, parking, appearance/character and amenity. However, the site is not allocated under policy B1 and remains an allocated housing site under Policy D1 with Policy B1 not being the relevant policy in this case. Furthermore, going forward, any review of the Local Plan would most likely result in the site being allocated as Green Infrastructure.

### **9.4 Design, Character, Appearance and Residential Amenity**

9.4.1 In terms of the design of the proposed dwellings, they aim to mirror those of the adjacent St James' Field development, delivered by the same developer, and includes similarly designed housetypes – the Bexton, Ely and Dunham. The dwellings are all two storey in scale. The scheme for seven dwellings, as originally submitted, failed to achieve the normally required separation distance between first floor facing windows of 21m in order to protect the residential amenity of existing residents in terms of loss of privacy and overlooking. Therefore amended plans were requested and received to ensure the required spatial separation distances to existing dwellings is fully achieved. The only exceptions is existing Plot 48 which indirectly faces the blank gable end of plot 82 with a distance of 15m being achieved which is acceptable for windows facing a blank gable. Therefore the proposal is considered acceptable in terms their relationship to the existing dwellings Policy G17.

9.4.2 However, the location of the application site, adjacent to the site's access route into the wider site, is considered to provide a spacious entrance into the site which effectively results in a soft, green transition between built development and the rural feel of Wateringpool Lane. The new dwellings, part of the St James' Field development, are arced around and front onto the application site. The dwellings are mixed in style and design and

include a mews of whitewashed cottage style dwellings. The combination of mixed house styles, their setting fronting the open space result in a 'village green' entrance to the site which is visually pleasing. The proposal would undoubtedly compromise this pleasant entrance to the site resulting in a detrimental impact on the character and appearance of the St James' Field development.

## **9.5 Access, Parking and Traffic**

9.5.1 Access to the proposed development is to be taken by way of private driveways off Central Park Avenue which in turn is taken off Wateringpool Lane. In considering the St James' Field development, at reserved matters stage, County Highways considered the access would slow the speed of vehicles entering and exiting the site and would also assist and protect pedestrians along Wateringpool Lane. The proposed development for five units will not alter the access layout into the wider site.

9.5.2 The applicant also considers the scheme will not cause any adverse impact on the highway network as a whole. Transport mitigation measures were introduced for the St James' Field Development and it is considered that these measures can also accommodate this development for a further five dwellings.

9.5.3 County Highways have considered the proposal and raise no objections in principle and considered that the proposed development should have a negligible impact on highways safety and capacity in the immediate vicinity of the site. From observations on site and the information provided on the submitted plans, the sight line requirements for all of the proposed driveways are fully achievable. The level of parking for each dwelling is in line with the adopted parking standards.

9.5.4 Council Highway confirm that the site layout is acceptable but required that, in order to accommodate pedestrian movement across the road, the footway adjacent to plot 83 should be either extended by 2m or part the proposed rumble strip or the rumble strip moved. Therefore the plans were amended in line with County Highways comments. County Highways also require a condition be imposed in respect of the provision of wheel washing facilities for the duration of the development and this is considered reasonable and necessary in order to prevent mud and debris being deposited on the adopted highway.

## **9.6 Trees, Hedgerow and Ecology**

9.6.1 The site comprises of amenity grassland with 5 newly planted, young trees. The site is generally of low ecological value. The existing hedgerow running along the site's western boundary will not be altered as part of this proposed development.

9.6.2 An updated letter report by Ecology Services Ltd submitted following a site survey to assess the site's potential for roosting bats linked with the removal of amenity grassland and the 5 young trees. The report concludes that the young trees do not provide roosting habitat and the grassland is of limited foraging value. The hedgerow present along the western boundary is to be retained in line with the original recommendations of the 2010 ecological report.

9.6.3 The Council's Ecological Advisors have considered the report and comment that no significant ecological constraints were identified by the developer's ecological consultant. The only ecological constraint is the hedgerow along the boundary with Wateringpool Lane, which is to be retained. Therefore a condition is recommended should planning permission be granted, requiring the submission of a method statement to protect the hedgerow with measures to be implemented and maintained for the duration of the construction phase of the development. Additionally, the Council's Arboriculturist has no objections to the removal of the trees.

## **9.7 Drainage**

9.7.1 Drainage plans were submitted and United Utilities considered these plans and comment that, in accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The drainage options are in the following order of priority:

- i. into the ground (infiltration);
- ii. to a surface water body;
- iii. to a surface water sewer, highway drain, or another drainage system;
- iv. to a combined sewer.

9.7.2 United Utilities have no objection to the proposed development provided that conditions are attached to any approval granted requiring that foul and surface water shall be drained on separate systems; that 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 be submitted

9.7.3 United Utilities also advise that, without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, they have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. They want to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. Therefore they also recommend a condition regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

## **9.8 Community Infrastructure Levy**

9.8.1 The proposed 5 dwellings have a total floorspace of 469.53 which gives a CIL liability of £37,294.77 for the proposed development.

## **10. Conclusion**

10.1 The proposal to construct five dwellings on the application site is considered to compromise the delivery of the agreed landscaping scheme for the St James' Field residential scheme of 80 dwellings on the allocated housing site, Site GG Wateringpool Lane. Further, it is considered that the application site forms an important link between different elements of the Central Parks scheme as it effectively links the St Gerrard's Football pitch with other areas of the Central Parks and without which this football pitch would be remote from the remainder of the Parks.

10.2 Therefore, the proposal to construct five dwellings on land which was to form part of the open space provision for the Wateringpool Land residential development would result in a detrimental impact on the character and appearance of Wateringpool Lane, which forms an important access route into the Central Parks.

## **11. Recommendation**

11.1 Refusal.

## **12. Reasons for Refusal**

1. The proposal to construct five dwellings on the application site is considered to compromise the delivery of the agreed landscaping scheme for the St James' Field residential development scheme on the allocated housing site, Site GG Wateringpool Lane. As such the proposal would result in a detrimental impact on the approved

housing development by introducing built development which would compromising the visually high quality gateway to the development, contrary to Policy G17 criteria b) in the South Ribble Local Plan 2012-2026.

2. The proposal to construct five dwellings on land which forms part of the open space provision for the St James' Field development, would result in a detrimental impact on the character and appearance of the stretch of Wateringpool Lane to which it is adjacent, in terms of bringing built development closer to the boundary of the Lane which is rural in nature and forms an important access route leading into Central Parks. As such the proposal fails to improve the character and quality of the area and the way it functions and does not contribute positively to making the area better for residents and users of the area, contrary to Policy G17 criteria a) in the South Ribble Local Plan 2012-2026 and paragraphs 56 and 64 of the National Planning Policy Framework.

### **13. Relevant Policy**

#### **13.1 National Planning Policy Framework**

#### **13.2 Central Lancashire Core Strategy**

Policy 1 Locating Growth

Policy 3 Travel

Policy 4 Housing Delivery

Policy 17 Design of New Buildings

#### **13.3 South Ribble Local Plan**

G6 Central Park

D1 Allocations of housing land

G7 Green Infrastructure Existing Provision

G8 Green Infrastructure and Networks Future Provision

G10 Green Infrastructure Provision in Residential Developments

G11 Playing Pitch Provision

G13 Trees, Woodlands and Development

G17 Design Criteria for New Development