

**Application Number** 07/2016/0526/VAR  
**Address** Former Fishwick's Garage  
Hewitt Street  
Leyland  
PR25 3SN

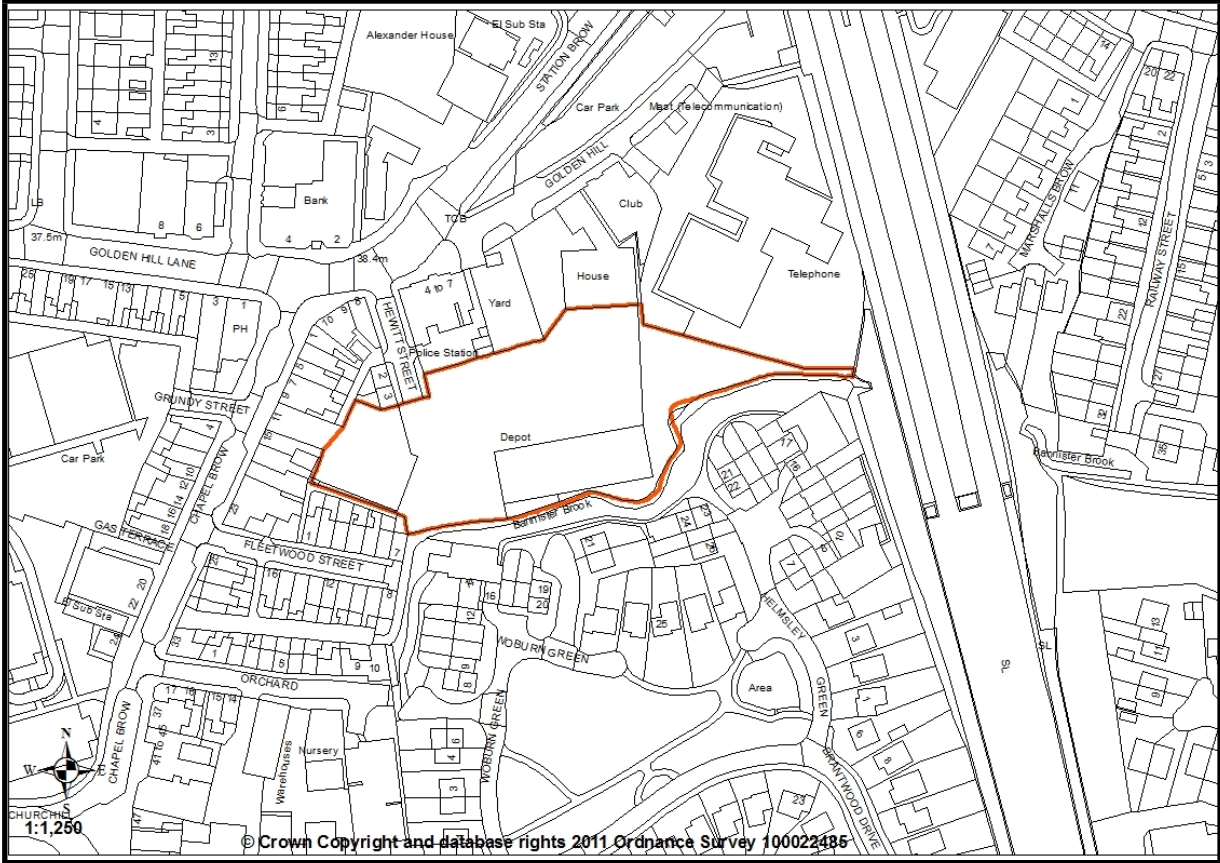
**Applicant** Primrose Holdings

**Development** Application for the variation of condition 2 of planning permission 07/2014/0555/FUL as varied by planning permission 07/2014/1154/VAR - Amend the site layout plan and floor plans relating to cycle storage provision (Amended Plan)

**Officer Recommendation** **Approval with Conditions**

Date application valid 18.07.2016  
Target Determination Date 17.10.2016  
Extension of Time N/A

**Location Plan**



**1.0 Summary**

1.1 The application seeks a variation of condition 2 of planning approval 07/2014/0555/FUL as varied by planning approval 07/2014/1154/VAR which required the development to be carried out in accordance with the approved plans. The variation is in respect of the removal of the proposed cycle storage area from the site layout plan. The cycle storage is now provided for within the flats and there is now no need for separate

external cycle storage. This is due to the registered provider's preference and problems they have experiences with security and vandalism. The proposal is considered acceptable and is recommended for approval with the amendments to condition 2 and the re-imposition of all conditions previously imposed as this effectively replaces the planning permission.

## **2.0 Application Site and Surrounding Area**

- 2.1 The application relates to the residential development taking place on the former Fishwick's Garage site located on Hewitt Street in Leyland. The site is close to the Leyland Town Centre, is on a main bus route and close to the Leyland railway station.
- 2.2 To the south are residential properties on Helmsley Green, Woburn Green and Fleetwood Street. To the north and west are commercial properties on Chapel Brow and Golden Hill together with the railway station and to the east is the West Coast Mainline.
- 2.3 The site was allocated for residential development in the South Ribble Local Plan 2012-2026 and planning permission was granted in December 2014 for the erection of 33 dwellings.

## **3.0 Planning History**

- 3.1 The relevant planning history is as follows:
  - i. Planning application 07/2014/0555/FUL for the erection of 33 affordable dwellings following demolition of existing buildings was approved on 4 December 2014.
  - ii. Variation of condition application 07/2014/1154/VAR for a variation of condition 2 of planning approval 07/2014/0555/FUL to substitute drawings in respect of revisions to the road alignment, parking and orientation of plots 6 - 22 (flats) along with revised layouts and elevations to plots 6 – 22 was approved on 6 February 2015.
  - iii. Discharge of conditions application 07/2015/0015/DIS to discharge conditions Nos 3, 4, 5, 10, 12, 14, 15 and 18 of planning approval 07/2014/0555/FUL was approved on 6 February 2015.

## **4.0 Proposal**

- 4.1 The application proposes a further variation of condition 2 of planning approval 07/2014/0555/FUL, as varied by planning approval 07/2014/1154/VAR. This condition required the development to be carried out in accordance with the submitted plans and listed the plans by reference number. The relevant plan is Dwg 1409 02 Rev B Proposed Site Layout. The previous variation of condition 2 application amended the site layout plan in respect of the road alignment, parking and orientation and the plan was referenced Dwg 1409 02 Rev D Proposed Site Layout. The current proposal now amends the site layout plan in respect of the removal of the originally agreed secure cycle storage facility for the first floor apartments as this can be provided for with internal cycle storage within hallway of each of the apartments.
- 4.2 Initially the plan submitted had also omitted the external bin storage areas but this has been rectified and the new Proposed Site Layout plan is referenced 1409 02 Rev G and the revised condition will reflect this plan.

## **5.0 Summary of Publicity**

5.1 Neighbouring properties were notified and a site notice posted with one letter of representation being received, objecting on the following grounds:

- Agreed works have not yet been carried out in respect of the bin store
- Bins are an eyesore and have led to an increase in the number of flies in the vicinity
- Oppose any further changes until this is rectified.

## **6.0 Summary of Consultations**

6.1 **County Highways** raised no objections to the variation of condition 2 in respect of the cycle storage provision.

## **7.0 Policy Considerations**

7.1 The approved scheme was considered to be in accordance with the following policies contained in the Central Lancashire Core Strategy and the Partial Version Site Allocations Development Plan Document: Policy 1: Locating Growth; Policy 4: Housing Delivery; Policy 5: Housing Density; Policy 6: Housing Quality; Policy 7: Affordable and Special Needs Housing; Policy 17: Design of New Building; Policy 22: Biodiversity and Geodiversity; Policy 26: Crime and Community Safety; Policy 27: Sustainable Resources and New Developments; The Design Guide SPD; The Affordable Housing SPD; Policy D1: Allocation of Housing Land; Policy G10: Green Infrastructure Provision in Residential Developments; Policy G13: Trees, Woodlands and Development; Policy G14: Unstable or Contaminated Land and Policy F1: Parking Standards

7.2 In terms of this proposal to vary condition 2, the relevant policy is considered to be Policy F1: Parking Standards which requires new development to provide the appropriate number of car parking spaces and cycle spaces to the adopted standards which are set out in Appendix 4.

## **8.0 Material Considerations**

8.1 Cycle storage facilities were originally proposed to be provided in the form of a powder coated secure covered cycle store to serve plots 6, 8, 10, 12, 14, 16, 18 and 20 which are first floor apartments with the cycle storage for the ground floor apartments to be provided in the under stair voids. The secure cycle storage was indicated on the originally approved plan Dwg 1409 02 Rev B Proposed Site Layout. The relevant plan was subject of a variation of condition application 07/2014/1154/VAR in respect of revisions to the road alignment, parking and orientation of plots 6 - 22 (flats) along with revised layouts and elevations to plots 6 – 22.

8.2 This permission effectively became the planning permission and was conditioned that the development be carried out in accordance with the plans with the relevant site layout plan becoming Dwg 1409 02 Rev D Proposed Site Layout. This current proposal amends the plan again in respect of the cycle storage and is now referenced 1409 02 Rev G Proposed Site Layout.

8.3 The proposal is due to advice from the Housing Association who have taken the site on that external communal cycle stores can attract problems with security, anti-social behaviour and vandalism. Therefore the alternative arrangements have been provided to ensure space within each flat for cycle storage. The previous variation of condition 2 planning approval altered the internal layout of the relevant flats and provides two areas of storage for the first floor flats, one under the stairs accessed from the rear and

one in the hallway to the side of the entrance doorway. Cycle storage for the ground floor flats is in the hallway adjacent the entrance door. County Highways have no objections in respect of the cycle storage provision and the proposal is considered to be compliant with Policy F1.

- 8.4 In terms of representations made to this application, a neighbouring residents has commented that certain previously agreed works have not yet been carried out in respect of the bin store. He considers the bins are an eyesore and have led to an increase in the number of flies in the vicinity and therefore opposes any further changes until this is rectified.
- 8.5 It was noted that the bin storage areas were omitted from the submitted plan but following contact with the applicant, the plan was further amended to include the previously agreed bin storage. The applicant has also confirmed that, although the bin storage has not yet been installed on site, this is in hand and timescales for their installation will be available hopefully in time for the committee meeting.

## **9.0 Conclusion**

- 9.1 For the reasons outlined above, the proposed amendments are considered acceptable and to be in accordance with Policy F1 and it is therefore recommended that condition 2 be varied to reflect the amended plan, reference 1409 02 Rev G Proposed Site Layout and subject to the re-imposition of all conditions previously imposed as this replaces the previous permission.

## **10.0 RECOMMENDATION:**

- 10.1 Approval with Conditions.

## **11.0 RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the submitted plans Dwg 1409 02 Rev G proposed site layout; 1409 03 plots 1-5 elevations and layouts; 1409 06 plots 22-33 floor layouts; 1409 14 plots 22-29 elevations; 1409 16 plots 6-21 layouts; 1409 17 Plots 6-21 elevations; 1409 19 plots 30-33 elevations  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. No development shall take place, including any works of demolition, until a Construction 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 proposed times demolition, construction and/or piling activities will take place
  - II. the parking of vehicles of site operatives and visitors
  - III. loading and unloading of plant and materials
  - IV. storage of plant and materials used in constructing the development
  - V. the location of the site compound
  - VI. wheel washing/road sweeping measures
  - VII. measures to control the emission of dust and dirt during construction
  - VIII. measures to control the emission of noise during construction
  - IX. details of all external lighting to be used during the construction

- X. a scheme for recycling/disposing of waste resulting from demolition and construction works  
REASON: To safeguard the amenities of neighbouring properties in accordance Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the Partial Version Site Allocations Development Plan Document
4. Prior to the commencement of any works on site, details of the glazing specifications including acoustic trickle ventilation to plots 22-30 shall be submitted and agreed in writing with the local planning authority.  
REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy.
5. Prior to the commencement of development, a scheme for the provision of foul and surface water drainage shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved plans during the development and shall be thereafter retained and maintained for the duration of the approved use.  
REASON: For the avoidance of doubt and to protect the living conditions of future occupants of the site in accordance with Policy 29 in the Central Lancashire Core Strategy
6. That the development hereby permitted by carried out in accordance with the recommendations contained in the contaminated land report 'Walkover Survey and Desk Study' by Partington and Associates Ltd. On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the Local Planning Authority, that all works were complete in accordance with the recommendations.  
REASON: To ensure that the development will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the Partial Version Site Allocations Development Plan Document
7. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around all trees to be retained on the site as detailed in the Tree Protection Plan which has been agreed by the local planning authority. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant, removal or addition of soil may take place. This includes ground disturbance for utilities. The fencing shall not be moved in part or wholly without the written agreement of the local planning authority. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development.  
REASON: To prevent damage to trees during construction works in accordance with Policy G13 in the Partial Version Site Allocations Development Plan Document
8. That the development hereby approved shall be carried out fully in accordance with Section 10 Recommendations and Implications in the submitted Extended Phase 1 Habitat Survey by The Tyrer Partnership dated 29 July 2014.  
REASON: To ensure the protection of schedule species protected by the Wildlife and Countryside Act 1981 and so as to ensure work is carried out in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the Partial Version Site Allocations Development Plan Document
9. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within the site or trees and hedgerows in the area. The principles of relevant guidance should be

followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the Partial Version Site Allocations Development Plan Document

10. Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of invasive plants, as identified under the Wildlife and Countryside Act 1981 shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of invasive plants during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

REASON: The spread of invasive plants is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment recurs

11. Prior to first occupation of the (\*) hereby approved, the associated parking spaces shall be drained and surfaced with a material to be agreed by the Local Planning Authority. This area shall be retained at all times thereafter and shall not be used for any purpose other than the parking of vehicles.

REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy 3 in the Central Lancashire Core Strategy, Policy F1 and Policy G17 in the Partial Version Site Allocations Development Plan Document

12. No part of the development shall be commenced until all the highway works and off site works within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

Reasons: 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 premises in a safe manner without causing a hazard to other road users, in accordance with Policy G17 in the Partial Version Site Allocations Development Plan Document

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

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative as required Policy G17 in the Partial Version Site Allocations Development Plan Document

14. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be 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 or a private management and Maintenance Company has been established.

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 be in accordance with Policy G17 in the Partial Version Site Allocations Development Plan Document.

15. Notwithstanding the details of the submitted plans, the proposed driveways and other hard standing areas shall be constructed using permeable materials on a permeable base, the details of which shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development. The development shall be carried out using the approved materials and shall be retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To improve water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy

16. The approved landscaping scheme shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the local planning authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy, Policy G13 and Policy G17(e) in the Partial Version Site Allocations Development Plan Document

17. Prior to any works affecting land within 5m of Bannister Brook, a precautionary water vole survey should be undertaken. If water voles would be affected by the works, then a mitigation method statement should be submitted to, and approved by, the Local Planning Authority, in consultation with their ecological advisors. The approved mitigation measures shall be implemented in full.

REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the Partial Version Site Allocations Development Plan Document

18. No work shall be commenced until satisfactory details of the colour and texture of the facing and roofing materials for the dwellings, the materials for the hard landscaped areas, using permeable materials where possible, and materials to be used for the boundary treatments have been submitted to and approved by the Local Planning Authority.

REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17(a) in the Partial Version Site Allocations Development Plan Document

## **12.0 RELEVANT POLICY**

F1 Car Parking