

PLANNING COMMITTEE

WEDNESDAY, 17TH JULY, 2019, 6.00 PM

SHIELD ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND PR25
1DH

AGENDA

1 Welcome and Introduction

2 Apologies for Absence

3 Declaration of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of that item. If the interest is not a Disclosable Pecuniary Interest but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice their judgement of the public interest (as explained in the Code of Conduct) then they may make representations but then must leave the meeting for the remainder of the item.

4 Minutes of the Last Meeting

(Pages 5 - 8)

Held on Wednesday, 26 June 2019, to be signed as a correct record.

5 Appeal Decisions

An update will be provided at the meeting.

6 07/2019/3474/VAR - Land off Brindle Road, Bamber Bridge

(Pages 9 - 20)

Report of the Director of Planning and Property attached.

7 07/2019/5054/FUL - 25 Turpin Green Lane, Leyland

(Pages 21 - 30)

Report of the Director of Planning and Property attached.

8 07/2019/3551/FUL - Pearson House, Station Road, Bamber Bridge

(Pages 31 - 40)

Report of the Director of Planning and Property attached.

9 07/2019/5199/DEM - The Water Tower, 2 Cop Lane, Penwortham

(Pages 41 - 46)

Report of the Director of Planning and Property attached.

10 Exclusion of the Press and Public

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

By Virtue of Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Condition:

Information is not exempt if it is required to be registered under-

The Companies Act 1985

The Friendly Societies Act 1974

The Friendly Societies Act 1992

The Industrial and Provident Societies Acts 1965 to 1978

The Building Societies Act 1986 (recorded in the public file of any building society, within the meaning of the Act)

The Charities Act 1993

Information is exempt to the extent that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town & Country Planning General Regulations 1992(a).

Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town & Country Planning General Regulations 1992.

11 Appeal against the refusal of planning permission at Land at Olive Farm and Land North of Methuen Drive, Hoghton

(Pages 47 - 60)

Report of the Director of Planning and Property attached.

Electronic agendas sent to Members of the Planning Committee Councillors Caleb Tomlinson (Chair), Malcolm Donoghue (Vice-Chair), Jane Bell, Mary Green, Jon Hesketh, Mick Higgins, Cliff Hughes, Keith Martin, Christine Melia, Caroline Moon, D C Shaw, Phil Smith and Barrie Yates

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

6.00 pm Wednesday, 21 August 2019 - Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Procedure of Debate at Planning Committee

Whenever a planning application is dealt with by Planning Committee the Council is keen to allow the local community to participate in the process. The procedure that will ordinarily be followed is that:-

- Up to five members of the public who wish to speak against an application will be allowed to speak. Each will have up to four minutes in which to state their case.
- Up to five members of the public who wish to speak in favour of an application will then be allowed to speak. Again each will have up to four minutes in which to state their case.
- Borough councillors (not on Planning Committee) will then have the opportunity to make representations about the application. Each will have up to four minutes to state their case – whether for or against.
- The applicant/agent will then be invited to speak in support of the application. Ordinarily he/she will have up to four minutes to speak.
- The application will be then be discussed by Committee. At this point members of the public, the applicant and other councillors not on Committee will not be able to speak further.
- Planning Committee will then take a vote on the matter.
- No paperwork, plans or photographs will be allowed to be circulated by the applicant/agent or member of the public at the meeting.

The Chairman of Planning Committee has discretion to vary these rules when dealing with a particular application if he considers it appropriate. Whenever members of the public speak (whether in opposition to a proposal or in favour of it) they should avoid repeating the same points made by other speakers.

Filming/Recording Meetings

The Council will allow any member of the public to take photographs, film, audio-record and report on any Planning Committee meeting. If anyone is intending to record any such meeting (or part of such a meeting) then it would be very helpful if they could give prior notice of their intention to the Council's Democratic Services Team. Ideally 48 hours' notice should be given.

When exercising the rights to record a Planning Committee meeting a member of the public must not in any way be disruptive to that meeting. They must not provide an

oral commentary on the meeting whilst it is continuing. If disruption is caused then the Chairman of the meeting may exclude that person from the rest of the meeting.

Members of the public will not be entitled to stay in the meeting if any confidential (exempt) items of business are being discussed.

Full details of planning applications, associated documents including related consultation replies can be found on the Public Access for planning system, searching for the application using the Simple Search box.
<http://publicaccess.southribble.gov.uk/online-applications/>

MINUTES OF PLANNING COMMITTEE

MEETING DATE **Wednesday, 26 June 2019**

MEMBERS PRESENT: Councillors Caleb Tomlinson (Chair), Malcolm Donoghue (Vice-Chair), Jane Bell, Mary Green, Jon Hesketh, Mick Higgins, Cliff Hughes, Keith Martin, Caroline Moon, D C Shaw, Phil Smith and Barrie Yates

OFFICERS: Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Jonathan Noad (Director of Planning and Property), Charlotte Lynch (Democratic and Member Services Officer), Catherine Lewis (Interim Assistant Planning Manager (Development Management)), Debbie Roberts (Planning Officer) and Chris Sowerby (Interim Assistant Planning Manager (Development Management))

OTHER MEMBERS: Councillor Damian Bretherton, Councillor William Evans (Cabinet Member (Planning, Regeneration and City Deal)), Councillor Michael Green, Councillor Margaret Smith (Leader of the Opposition and Leader of the Conservative Group), Councillor Stephen Thurlbourn and Councillor Karen Walton

PUBLIC: 42

12 Welcome and Introduction

The Chair, Councillor Caleb Tomlinson, welcomed members of the public to the meeting, introduced the committee and explained the roles of its members and proceedings.

13 Apologies for Absence

An apology for absence was received from Councillor Christine Melia.

14 Declaration of Interest

Councillor Keith Martin declared a prejudicial interest in Item 6 – Land Rear of Oakdene, Chain House Lane, Whitestake.

15 Minutes of the Last Meeting

RESOLVED: (Unanimously)

That the minutes of the meeting held on Wednesday, 29 May 2019 be signed as a correct record by the Chair.

16 Appeal Decisions

The Director of Planning and Property informed the committee of one appeal which had been referred to the Planning Inspector relating to:

- 57 Mounsey Road, Bamber Bridge – appeal dismissed

17 07/2018/9316/OUT - Land Rear of Oakdene, Chain House Lane, Whitestake

Councillor Keith Martin left the meeting for the duration of this item.

Speakers: 5 objectors, Councillor Michael Green, Councillor Karen Walton, and the Agent (Mr Stephen Harris)

Address: Land Rear of Oakdene, Chain House Lane, Whitestake, Lancashire

Applicant: Wainhomes (North West) Ltd

Agent: Mr Stephen Harris, Units 2-4 South Park Court, Hobson Street, Macclesfield, SK11 8BS

Development: Outline permission for up to 100 dwellings with access and associated works

RESOLVED: (Unanimously)

That the application be refused for the following reasons:

1. The application site is allocated as Safeguarded Land through Policy G3 of the South Ribble Local Plan. The proposal by virtue of its nature, scale and degree of permanence would be contrary to Policy G3 of the South Ribble Local Plan as the Council can demonstrate a 5 Year Housing Supply.
2. The proposal by virtue of its nature, scale and degree of permanence would be contrary to Policy G3 of the South Ribble Local Plan as the development would harm the ability of the Council to manage the comprehensive development of the area. Therefore, the scheme would not amount to a sustainable form of development.
3. Sufficient evidence in the form of an Air Quality Assessment has not been submitted that demonstrates that the proposed development would not cause harm due to air pollution and therefore, the proposal is contrary to Policy 30 of the Central Lancashire Core Strategy.

18 07/2019/2313/REM - Land at Bannister Lane, Farington Moss, Leyland

Councillor Keith Martin returned to the meeting.

Speakers: 3 objectors, Councillor Michael Green, Councillor Karen Walton, and a representative of the Applicant (Mr Paul Walton, Kier Living Ltd.)

Address: Land at Bannister Lane, Farington Moss, Lancashire, PR26 6PT

Applicant: Kier Living Ltd.

Development: Reserved Matters application for the erection of 174 residential units off Croston Road (147 dwellings and 27 affordable dwellings) following outline permission 07/2012/0627/ORM

An amendment was moved by Councillor Phil Smith and seconded by Councillor Mary Green that the application be deferred to seek amendments for the provision of bungalows. Upon being put to the vote, **the amended motion was lost** (Yes: 5 No: 6 Abstain: 1).

The vote on the substantive motion was then taken and it was

RESOLVED: (Yes: 9 No: 3)

That the application be approved subject to conditions and an additional condition that Bannister Lane shall not be used by construction vehicles and staff accessing and/or egressing the site during site preparation and construction works with exception to vehicles necessary for the required improvement works to Bannister Lane and the forming of the approved three shared driveways from the development onto Bannister Lane.

19 07/2019/3972/VAR - Wellington Park, Leyland

Speakers: None

Address: Wellington Park, Church Road, Leyland, PR25 3AB

Applicant: YourLife Management Services Ltd

Agent: Mr Chris Butt, Unit 3, Edward Court, Altrincham Business Park, Broadheath, Altrincham, WA14 5GL

Development: Application to vary condition 2 of planning permission 07/2018/8132/FUL – (Drawing Nos NW- 2595-04-008 NW-2595-04-009 NW-2595-04-051 NW-2595-04-052 and NW-2595-04-AC-017 elevations)

RESOLVED: (Unanimously)

That the application be approved subject to conditions.

20 07/2019/4178/REM - Military Aircraft Division, Samlesbury Aerodrome

Speakers: Councillor Stephen Thurlbourn

Address: Military Aircraft Division, Samlesbury Aerodrome, Myerscough Smithy Road, Balderstone, BB2 7LF

Applicant: BAE Systems Operations Ltd

Agent: Anne Hargreaves, Avison Young, City Point, 29 King Street, Leeds, LS1 2HL

Development: Reserved matters application for the erection of a two storey manufacturing building with associated works (outline application 07/2006/0824/OUT (South Ribble) / 3/2006/0583 (Ribble Valley))

RESOLVED: (Unanimously)

That the application be approved subject to conditions.

21 Variation of Section 106 Agreement - Land at Croston Road

The committee received a report of the Director of Planning and Property which sought approval for the variation of a Section 106 agreement for land between Moss Lane and the rear of 394 Croston Road, Farington, Leyland. The variation of the Section 106 agreement would enable South Ribble Borough Council to secure a financial contribution towards the provision of health and wellbeing infrastructure at an alternative site in lieu of the provision of land.

RESOLVED: (Yes: 10 Abstain: 2)

That members reject the proposed variation to the Section 106 Agreement relating to planning permission 07/2014/0184/ORM. The Council will now have the option to acquire the land for £77,095 plus VAT before 1 September 2019 dependent on a decision made by Cabinet.

Chair

Date

Application Number 07/2019/3474/VAR

Address Land Off
Brindle Road
Bamber Bridge
Lancashire

Applicant Bellway Homes (Manchester) Ltd

Development Application for the variation of condition 2 (Approved plans) and 7 (Environmental Noise study) to amend the boundary treatment measures of planning permission 07/2017/2900/FUL

Officer Recommendation Approval with Conditions

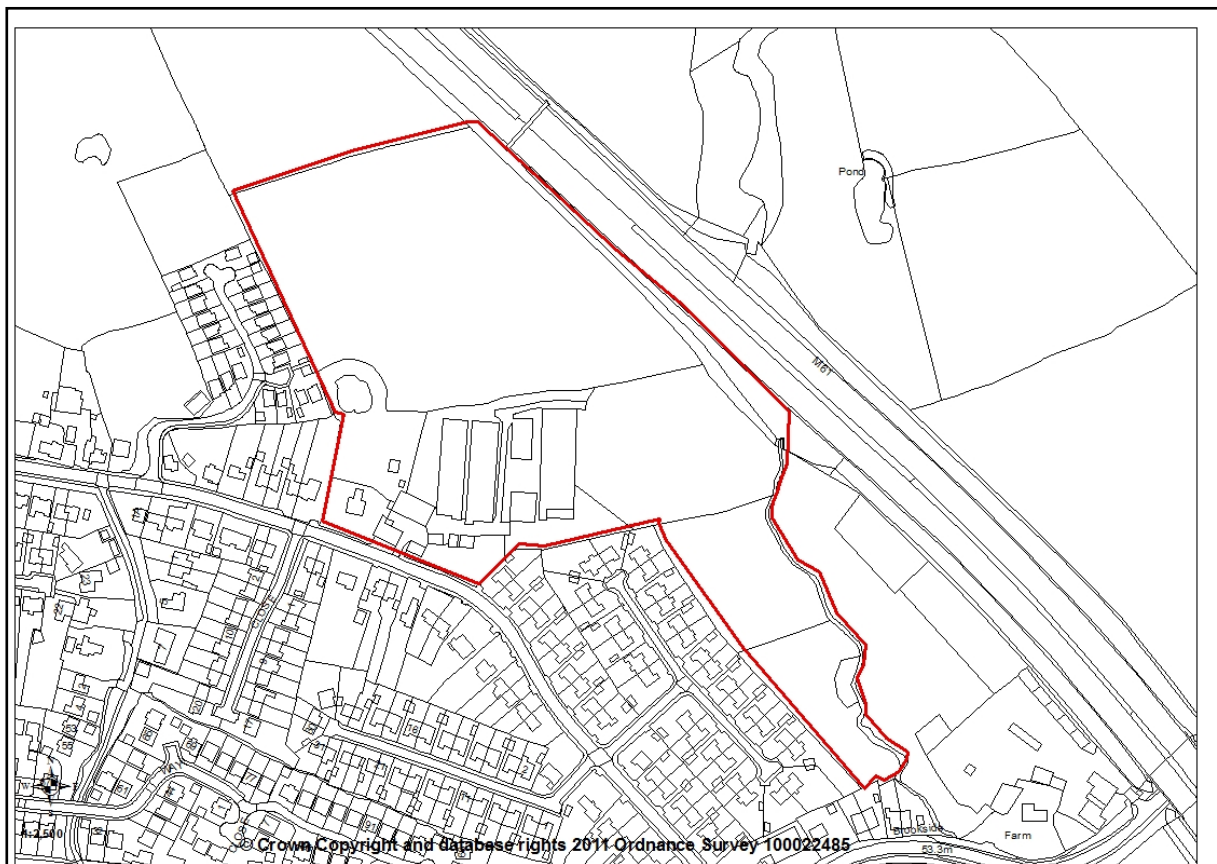
Officer Name Mrs Janice Crook

Date application valid 17.04.2019

Target Determination Date 17.07.2019

Extension of Time 26.07.2019

Location Plan



1. Report Summary

1.1. The application has been called to Planning Committee for determination by the local Ward Councillor.

1.2. The application is a Section 73 Variation of Conditions application for minor material amendments to the boundary treatments within the approved residential housing development. The boundary treatments affected are within the site and are not considered to have any impact on existing residential properties. The amendments include swapping brick walls for acoustic fences, changes in the height of walls/fences and addition of trellis to some fences. There are no objections for neighbouring residents or statutory consultees and the application is recommended for approval subject to the imposition of conditions and with the decision being delegated to the Director of Planning and Property in consultation with the Chair and Vice Chair of Planning Committee following the completion of an amended Section 106 Agreement.

2. Site and Surrounding Area

2.1 The application site is part of a larger site allocated for residential development in the South Ribble Local Plan under Policy D1 site S. It is approximately 6.4ha in size and is bounded to the north-west by agricultural land, the remainder of the housing allocation; to the east is the M61 motorway with residential properties to the south on Bank Head Lane and to the west on Stephendale Avenue.

2.2 The site is sloped gradually descending from west to east. The area is semi-rural with the adjacent residential areas characterised by bungalows, two and three bed terraced, semi-detached and detached properties.

2.3 Part of the site included Grey Gables Farm, a former chicken farm which consisted of the farmhouse, a number of large chicken sheds and silos. These building have all now been demolished.

2.4 A Public Right of Way runs from Brindle Road and along the site's boundary with the residential development known as Cottage Gardens.

2.5 Development has commenced on an approved residential development for 193 dwelling.

3. Planning History

3.1 Planning history relating to this site is 07/2017/2609/SCE for a screening opinion for residential development – EIA not required 26/09/2017

3.2 Planning application 07/2017/2900/FUL for the erection of 193 dwellings with associated parking, landscaping and public open space with access off Brindle Road following demolition of Grey Gables Farm and associated buildings was refused by planning committee but allowed on appeal on 31.08.2018

3.3 Additionally, there are two planning histories on the adjacent site, also part of the housing allocation Site S:

3.4 07/2014/0204/FUL for the erection of 283 dwellings including 30% affordable homes, associated road infrastructure, landscaping and open space following demolition of 215 Brindle Road – refused 11/12/2014

3.5 07/2017/2325/FUL for the erection of 261 dwellings including 30% affordable homes, associated road infrastructure, landscaping and open space following demolition of 215 Brindle Road - refused 16/11/2017 but allowed on appeal on 15.02.2019

4. Proposal

4.1 The application is for a variation of condition 2 of planning permission 07/2017/2900/FUL in respect of conditions 2 and 7.

4.2 Condition 2 required that the development be carried out in accordance with the approved plans and listed those plans by reference number:

The development hereby permitted shall be carried out in accordance with the submitted approved plans: Site Location Plan SL01 Rev A; Proposed Site Layout PL01 Rev AF; Housetype plans 2C0075 Conrad; (No Ref) Fairhaven; 40A115 Oakwood; 3WE103 Weston; 3JA098 Japonica; 4AD108 Addingham; 3ST100 Stirling; 3CE080 Cherry; 2ST062 Studley; 3CH073 Chatsworth; 3RO077 Rochester; (No Ref) Single Detached Garage; Elevational Treatments ET01 Rev B; Hard Surfacing HS01 Rev A; Boundary Treatments BT01 Rev B; Refuse Plan RP01 Rev A; Streetscenes and Sections SS01 Rev B; 2.5m Closed Boarded Fence (Acoustic) BH/MAN/SD/FD014 Rev C; Landscape Specification LDS421 (E)-LS; Planting Plan 1 of 3 LDS421-01E; Planting Plan 2 of 3 LDS421-02E; Planting Plan 3 of 3 LDS421-03E; Site Access and Emergency Access Visibility Plan Croft Transport Solutions 1401-F01 Rev F.

4.3 Condition 7 related to the environmental Noise study:

Prior to the first occupation of the development hereby approved, the mitigation measures identified in the Environmental Noise Study (Ref. R1336-REP01-PB Revision E, Dated 7 February 2018) prepared by Red Acoustics shall be installed within the development and maintained at all times. The mitigation measures identified for each unit will be erected prior to occupation of that unit.

5. Summary of Publicity

5.1 Neighbouring properties were notified and a site notice posted with no letters of representation being received.

6. Summary of Consultations

6.1 **Environmental Health** have considered the details and have no objections to the proposals.

7. Policy Background

7.1 The application which this application proposes to vary was considered in terms of the relevant chapters in the National Planning Policy Framework and the following Development Plan policies and was found to be compliant:

Central Lancashire Core Strategy - Policy 2: Infrastructure; Policy 3: Travel; Policy 4: Housing Delivery; Policy 5: Housing Density; Policy 7: Affordable & Special Needs Housing; Policy 17: Design of New Buildings; Policy 22: Biodiversity and Geodiversity; Policy 23: Health; Policy 25: Community Facilities; Policy 26: Crime & Community Safety; Policy 27: Sustainable Resources & New Developments; Policy 29: Water Management;

Central Lancashire Supplementary Planning Documents - Affordable Housing; Design Guide; Open Space and Playing Pitch

South Ribble Local Plan - Policy A1: Developer Contributions; Policy D1: Allocation of Housing Land; Policy F1: Parking Standards; Policy G8: Green Infrastructure and Networks; Policy G10: Green Infrastructure Provision in Residential Developments; Policy G11: Playing Pitch Provision; Policy G13: Trees, Woodlands and Development; Policy G16: Biodiversity and Nature Conservation; Policy G17: Design Criteria for New Development Planning; Policy H1: Protection of Health, Education and Other Community Services and Facilities.

7.2 The policies considered relevant to this current application are Central Lancashire Core Strategy Policy 17 and South Ribble Local Plan Policy G17

8. Material Considerations

8.1 The application seeks to vary condition 2 Plans and condition 7 Noise Report in order to replace some the approved boundary walls with acoustic fencing and to alter the height of some of the boundary treatments in line with the mitigation measures outlined in the noise report produced by Red Acoustics.

8.2 The applicant advises that the proposal to replace boundary walls within the site to acoustic fencing is due to supply issues

8.3 Condition 2 listed that Approved Plans and included:

PL01 Rev AF - Approved Site Layout Plan
BT01 Rev B - Approved Boundary Treatments Plan
R1336-REP01-PB Rev E - Approved Noise Report

The proposal is to replace these plans with the following:

PL01 Rev AG - Proposed Site Layout Plan
BT01 Rev C - Proposed Boundary Treatments Plan
R1336-REP01-PB Rev F - Proposed Noise Report
SD-9-05 - Plans and Elevations of Proposed Fencing
BH/MAN/SD/BWP031 - Plans and Elevations of Proposed Brick Wall with Pier

8.4 As approved the boundary treatments were as follows:

1.8m High Brick walls & Piers (FD049)
0.9m Post and Rail fencing
1.8m High Close Boarded Timber Fence with gates as required (FD001)
1.8m High Close Boarded and 300mm Timber Trellis
Knee Rail

8.5 The proposal now if for the following boundary treatments:

1.8m High Brick walls & Piers (FD049)
1.8m High Close Boarded Timber Fence with gates as required (FD001)
1.8m High Close Boarded and 300mm Timber Trellis (FD018)
Knee Rail (FD013)
2.5m Timber Board & Batten Acoustic Privacy Fence (SD-9-05)
3.0m Timber Board & Batten Acoustic Privacy Fence (SD-9-05)
2.5m High Brick Wall with piers (BWP031)
1.5m High Close Boarded and 300mm Timber Trellis (FD020)

8.6 The amended boundary treatments are not considered have any undue impact on existing residents being largely within the site itself. The common boundary with existing dwelling on Stephendale Avenue is not changing.

8.7 The boundary with properties on Cottage Gardens is separated by the public right of way. The boundary treatment remains as existing to the rear of the existing properties with the boundary to the rear/side of the proposed dwelling changing from a 1.8m high close boarded fence to a 1.5m high close boarded fence with trellis above and 3m high timber board and batten acoustic fence with the western end to the rear of plots 49-51. No existing dwellings are opposite this proposed 3m high fence.

8.8 As an example of some of the other changes to the boundary treatments are: plots 5 and 184 will have 1.8m high timber board and batten privacy fence replacing the approved 1.8m high brick wall; plots 118 and 137 will have 2.5m high timber board and batten acoustic privacy fence instead of the approved 1.8m high brick walls.

8.9 The application also proposes the variation of condition 7 relating to the noise report. The amendments relate to the Appendices within the report and update the garden noise level plans following the changes to the boundary treatments.

8.10 The submitted plans and noise report have been considered by Environmental Health who confirm they have no objections to the changes.

9. Conclusion

9.1 It is officer's view that the proposed changes are relatively minor in nature and will have no undue impact on the existing residential properties bounding the site. There are no objections from Statutory Consultees and no objections from neighbouring residents. The application is therefore recommended for approval with the decision being delegated to the Director of Planning and Property in consultation with the Chair and Vice Chair of Planning Committee following the completion of an amended Section 106 Agreement to include this Section 73 Variation of Condition application.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of two years beginning with the date of planning approval 07/2017/2900/FUL, ie 31st August 2018.
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 following approved plans: Site Location Plan SL01 Rev A; Proposed Site Layout PL01 Rev AG; Housetype plans 2C0075 Conrad, (No Ref) Fairhaven; 40A115 Oakwood, 3WE103 Weston, 3JA098 Japonica, 4AD108 Addingham, 3ST100 Stirling, 3CE080 Cherry, 2ST062 Studley, 3CH073 Chatsworth, 3RO077 Rochester, and (No Ref) Single Detached Garage; Elevational Treatments ET01 Rev B; Hard Surfacing HS01 Rev A; Boundary Treatments BT01 Rev C; Refuse Plan RP01 Rev A; Streetscenes and Sections SS01 Rev B; 2.5m Closed Boarded Fence (Acoustic) BH/MAN/SD/FD014 Rev C; Landscape Specification LDS421(E)-LS; Planting Plan 1 of 3 LDS421-01E; Planting Plan 2 of 3 LDS421-02E; Planting Plan 3 of 3 LDS421-03E; and Site Access and Emergency Access Visibility Plan Croft Transport Solutions 1401-F01 Rev F; 2500MM High Brick Wall & Piers BH/MAN/SD/BW031; Proposed Boundary Detail Timber Board & Batten Privacy Fence 1.8m – 2.5m – 3m SD-9-05; 1.5m Closed Boarded Fence with Trellis BH/MAN/SD/FD020
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. The development shall be carried out in accordance with the materials details demonstrated on the Elevations Treatment Plan Dwg ET01 Rev B approved by letter dated 21 December 2018 as part of the discharge of conditions application 07/2018/8228/DIS

REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan 2012-2026

4. The development shall be carried out in accordance with the Construction Environmental Management Plan and HGV routing plan BH/MAN/ARCH/GGF/HGV approved by letter dated 21 December 2018 as part of the discharge of conditions application 07/2018/8228/DIS
REASON: To maintain the operation of local streets and the through routes in the area during construction, particularly during peak periods and in the interests of the amenity of the nearby residents in accordance with Policy 17 in the Central Lancashire Core Strategy.
5. During the site preparation and construction of the development, no machinery, plant or powered tools shall be operated, no process carried out and no deliveries taken at or dispatched from the site outside the following times:
0800 hours to 1800 hours on Mondays to Fridays; and
0830 hours to 1300 hours on Saturdays.
No activities shall take place on Sundays, Bank or Public Holidays.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan 2012-2026
6. The development shall be carried out in accordance with the Remediation report by Coopers, reference 6482bprs approved by letter dated 21 December 2018 as part of the discharge of conditions application 07/2018/8228/DIS.
If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority.
All remedial works shall be implemented in accordance with the approved Remediation Strategy.
On completion of the development/remedial works a written confirmation in the form of a verification report shall be submitted to the local planning authority to confirm that all works have been completed in accordance with the approved Remediation Strategy.
The development hereby permitted shall not be occupied until the verification report has been approved in writing by the local planning authority.
REASON: To ensure that the remediation strategy 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 South Ribble Local Plan 2012-2026.
7. Prior to the first occupation of the development hereby permitted, the mitigation measures identified in the Environmental Noise Study (Ref. R1336-REP01-PB Revision F, dated 27 March 2019) prepared by Red Acoustics shall be installed and retained thereafter. The mitigation measures identified for each dwelling shall be erected prior to occupation of that dwelling.
REASON: In the interests of the amenity of the future residents of the development and to be in accordance with Policy 17 of the Central Lancashire Core Strategy.
8. Prior to the first occupation of the development hereby permitted, a maintenance plan detailing how acoustic mitigation measures not linked to individual plots will be maintained for the duration of the development shall be submitted to and approved in writing by the local planning authority. The acoustic mitigation measures shall thereafter be maintained in accordance with the approved maintenance plan.
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

9. The development shall be carried out in accordance with the Invasive Weed Management Plan by Knotweed Eradication dated September 2018, approved by letter dated 21 December 2018 as part of the discharge of conditions application 07/2018/8228/DIS. The recommendations and actions described the approved report must be implemented in full.
REASON: To prevent the spread of invasive species through development works in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 of the South Ribble Local Plan 2012-2026.
10. Prior to first occupation of each dwelling within the development hereby permitted an Electric Vehicle Recharge point shall be provided to serve that dwelling. This shall consist of, as a minimum, a 13 amp electrical socket located externally or in the garage in such a position that a 3 metre cable will reach the designated car parking space(s). A switch shall be provided internally to allow the power to be turned off by the resident(s) which if located externally shall be fitted with a weatherproof cover.
REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy
11. Prior to the first occupation of any of the development hereby permitted, a full Travel Plan shall be submitted to and approved in writing by the local planning authority. Where the local planning authority agrees a timetable for implementation of the full Travel Plan, the elements shall be implemented in accordance with the approved timetable unless otherwise agreed in writing with the local planning authority.
REASON: To promote and provide access to sustainable transport options in accordance with Policy 3 in the Central Lancashire Core Strategy.
12. No development (with the exception of demolition, site preparation and remediation works) shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.
Those details shall include, as a minimum:
 - (a) Information about the lifetime of the development, design storm period and intensity (1 in 1, 1 in 2, 1 in 30 & 1 in 100 year + allowance for climate change in accordance with the Environment Agency advice 'Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
 - (b) the implementation of Avie Consulting Ltd Brindle Road, Bamber Bridge Flood Risk Assessment and Drainage Strategy Statement No P2427 revision 03 dated September 2017 with a variable discharge rate between 36.7 l/s and 54.7 l/s achieved by the use of a single vortex flow control outfall;
 - (c) flood water exceedance routes;
 - (d) a timetable for implementation, including phasing as applicable;
 - (e) evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; and
 - (f) details of water quality controls, where applicable.
 The scheme shall be implemented in accordance with the approved details prior to the first occupation of any of the permitted dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.
REASON: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off the site resulting from the proposed development in accordance with Policy 29 in the Central Lancashire Core Strategy.

13. Prior to the first occupation of any of the development hereby permitted, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and approved in writing by the local planning authority. The sustainable drainage management and maintenance plan shall include, as a minimum:
- (a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Management Company; and
 - (b) arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.
- The development shall subsequently be completed, maintained and managed in accordance with the approved plan.
- REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system, in accordance with Policy 29 in the Central Lancashire Core Strategy
14. Prior to first occupation of each dwelling within the development hereby permitted, the sustainable drainage scheme serving that dwelling shall be completed in accordance with details that shall have been submitted to and approved in writing by the local planning authority. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the sustainable drainage management and maintenance plan approved under Condition 13.
- REASONS: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on or off the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system, in accordance with Policy 29 in the Central Lancashire Core Strategy.
15. The temporary sales area, access and parking arrangements hereby permitted and shown on Drawing No. 15-081 SA01 Rev E shall be removed from the site within 5 years of the date of the show house first being brought into use and the land forming the temporary access completed as shown on drawing Ref 15-081 PL01 Rev AF within 3 months of its removal.
- REASON: For the avoidance of doubt.
16. The development hereby approved shall be carried out in accordance with the RAMS 17 Version 04 dated 5 November 2018 approved by letter dated 21 December 2018 as part of the discharge of conditions application 07/2018/8228/DIS. Piling activities shall be limited to between the hours of 0800 and 1800 on Mondays to Fridays and 0830 and 1300 on Saturdays, with no activities permitted on Sundays and Bank Holidays.
- REASON: In the interests of the amenity of nearby residents and to be in accordance with Policy 17 in the Central Lancashire Core Strategy.
17. Prior to the first occupation of the development hereby permitted, a scheme detailing the treatment of the existing Public Right of Way through the site shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the proposed surfacing materials, boundary treatments and lighting. The scheme shall be implemented in accordance with the approved details.
- REASON: In the interests of reducing the potential for crime and protecting residential amenity in accordance with Policy 26 in the Central Lancashire Core Strategy
18. The development hereby permitted shall be carried out in accordance with the Landscape and Ecological Management Plan prepared by TEP and dated October approved by letter dated 21 December 2018 as part of the discharge of conditions

application 07/2018/8228/DIS. The approved recommendations and actions described in this report must be implemented in full during the course of the development and post-development.

REASON: In the interest of biodiversity and nature conservation in accordance with Policy G16 of the South Ribble Local Plan 2012-2026.

19. Prior to the first occupation of the development hereby permitted, a scheme for controlling vehicular access to the site via the emergency access from Brindle Road shall be submitted to and approved in writing by the local planning authority. The emergency access shall thereafter be operated in accordance with the approved scheme.
REASON: For the avoidance of doubt and to ensure highway safety.
20. All trees shall be planted in accordance with BS 8545 2014 and prior to the commencement of the development hereby permitted protective fencing identified within the development (Drawing No P.828.17.03 Rev A) shall be erected in accordance with BS5837 2012 and shall remain in-situ throughout the development. An inspection programme of the protective fencing shall be established and recorded as part of the overall site monitoring. Permission for access into the Root Protection Areas (RPAs) shall be agreed in writing with the local authority prior to entry. No machinery, tools and equipment shall be stored within the RPA of any trees on site.
REASON: To prevent damage to trees during construction works in accordance with Policy G13 in the South Ribble Local Plan 2012-2026.
21. The development hereby approved shall be carried out in accordance with the Common Toad Reasonable Avoidance Measures Method Statement prepared by TEP and dated Oct 2018 approved by letter dated 21 December 2018 as part of the discharge of conditions application 07/2018/8228/DIS. The recommendations and actions described in this report must be implemented in full.
REASON: To ensure the protection of scheduled species protected by the Wildlife and Countryside Act 1981 in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 of the South Ribble Local Plan 2012-2026
22. No tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall take place during the nesting season, normally between March and August, unless the absence of nesting birds has been confirmed by further surveys or inspections and written approval has been given by the local planning authority.
REASON: To protect habitats of wildlife in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026.
23. The approved landscaping scheme (Drawing No LDS421-01E, LDS421-02E, LDS421-03E and Landscape Specification LDS421(E)-LS) shall be implemented in the first planting season following completion of the development and shall be maintained thereafter for a period of not less than 5 years, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. The maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species of a 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 in the South Ribble Local Plan 2012-2026.
24. The development hereby approved shall be carried out in accordance with the Written Scheme of Investigation by LP Archaeology LP3042C-WSI-v1.4 dated November

2018 approved by letter dated 21 December 2018 as part of the discharge of conditions application 07/2018/8228/DIS.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

25. The energy efficiency and renewable energy measures detailed in the submitted Energy Report (Dated February 2018) prepared by JSP Sustainability Ltd shall be installed in each dwelling prior to the first occupation of that dwelling.
REASON: To secure energy efficiency reduction in the interests of minimising the environmental impact of the development in accordance with Policy 27 of the Central Lancashire Core Strategy.
26. No part of the development hereby permitted (with the exception of demolition, site preparation and remediation works) shall commence until a scheme for the construction of all site access, emergency access and the off-site works of highway improvement has been submitted to and approved in writing by the local planning authority.
The highway works shall be constructed in accordance with the approved scheme prior to the first occupation of any part of the development hereby permitted.
The highway improvement works shall include:
(a) New Site Access from Brindle Road – the provision of a new residential estate road access junction point from Brindle Road, together with an emergency access point (as shown on plan Ref 1401-F01 Rev F).
(b) Bus stop improvements – the improvement of the existing east and west bound bus stops closest to the site entrance to Quality Bus Standard.
(c) Enhanced Heavy Goods Vehicle Weight Restrictions – the erection of 2 new advanced weight restriction signs at the junction of Kellet Lane and Tramway Lane.
(d) Pedestrian crossings – the provision of an uncontrolled pedestrian crossing on Brindle Road.
REASON: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
27. No part of the development hereby permitted (with the exception of demolition, site preparation and remediation works) shall commence until the approved access from Brindle Road (shown on plan Ref 1401-F01 Rev F) has been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.
REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
28. No hedges, trees or shrubs planted within the visibility splays for the development hereby permitted shall have a height of over 1 metre above the adjacent carriageway level at any time.
REASON: To ensure adequate visibility splays are maintained at all time.
29. The development hereby permitted shall not be occupied until details of the arrangements for future management and maintenance of the streets within the development have been submitted to and approved in writing 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 established.
REASON: To ensure future management and maintenance of the proposed streets is secured.

RELEVANT POLICY

Central Lancashire Core Strategy Policy 17: Design of New Buildings

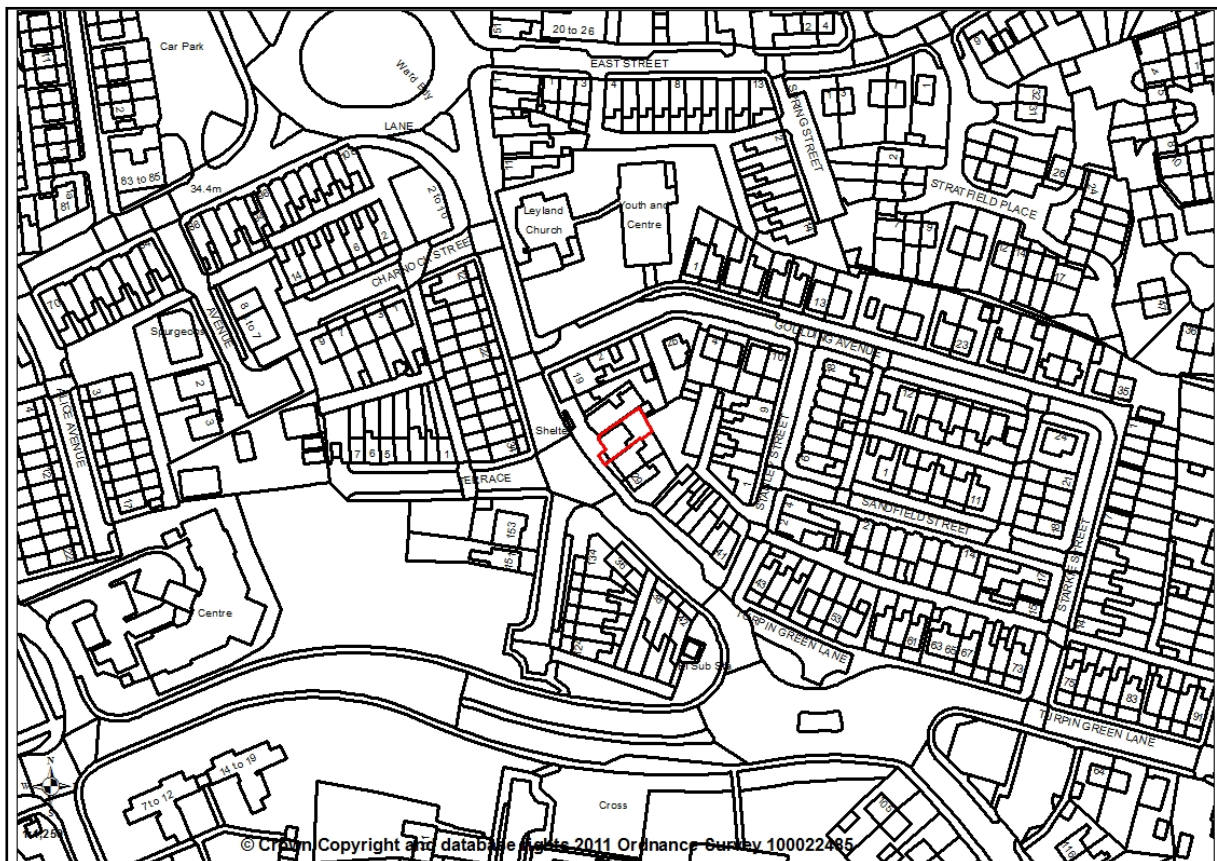
South Ribble Local Plan Policy G17: Design Criteria for New Development

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Agenda Item 7

| | |
|-------------------------------|--|
| Application Number | 07/2019/5054/FUL |
| Address | 25 Turpin Green Lane Leyland Preston Lancashire PR25 3HA |
| Applicant | Mr S Porter |
| Agent | Mr Matthew Cross 182 Rawlinson Lane Heath Charnock Chorley PR7 4DJ |
| Development | Two storey rear extension including division into 2no A1 retail units at ground floor and 1no one bedroomed apartment at first floor, following demolition of existing single storey extension to rear |
| Officer Recommendation | Approval with Conditions |
| Officer Name | Mrs Janice Crook |
| Date application valid | 30.05.2019 |
| Target Determination Date | 25.07.2019 |
| Extension of Time | |

Location Plan



1. Introduction

1.1 The application falls for determination by planning committee as it represents an amended scheme to that of a previous application 07/2018/1821/FUL for a similar scheme which was determined by planning committee at the request of the local ward councillor.

2. Report Summary

2.1 The application proposes the sub-division of an existing commercial premises to form two A1 retail units with a two storey extension to the rear and the formation of two apartments. The application site is within a sustainable location, close to public transport, shops, car parks and services. The area is mixed in nature with residential properties to each side and opposite along with commercial properties. No objections have been received from statutory consultees and, although the proposal does not provide any dedicated parking provision, due to the site's location, County Highways considered it to be acceptable.

2.2 A previous application, 07/2018/1821/FUL was refused by committee on two grounds relating to residential amenity and parking. A subsequent appeal was dismissed by the planning inspectorate but only relating to residential amenity grounds.

2.3 The applicant has sought to address the planning inspector's reason for dismissing the appeal by reducing the depth of the proposed extension, changing the roof to a hipped roof rather than a pitched roof and altering the location and style of the first floor windows.

2.4 It is officer's view that the proposal is policy compliant and therefore the application is recommended for approval subject to the imposition of conditions.

3. Site and Surrounding Area

3.1 The application relates to the commercial premises at 25 Turpin Green Lane and the first floor flat above, known as 25A. Turpin Green Lane is a busy road and one of the main routes into and out of Leyland with the M6 motorway junction located to the east. The area is a mix of residential properties with some commercial premises along Turpin Green Lane. These include a hairdressers and convenience store. To the north is the Methodist church and its associated hall. The Leyland Town Centre boundary is approximately 80m to the north, adjacent the northern boundary of the Methodist church.

4. Planning History

4.1 Planning application 07/1985/0047 for a change of use from shop/residential to ground floor dental surgery with self-contained flat above was refused. The reason for refusal:

"The proposed change of use of these premises to a dental surgery is likely to lead to increase attraction for vehicles to the premises and standing, turning and manoeuvring vehicles in the carriageway of the classified road.

The site is inadequate to provide any satisfactory facilities for the parking and turning of vehicles clear of the public highways. Any increase in the attraction of vehicles to the premises under these circumstances is likely to lead to increase accident risks and adverse effect to the safety and free flow of classified road traffic."

4.2 Planning application 07/2018/1821/FUL for a two storey rear extension, sub division of ground floor shop into two A1 retail units together with the provision of an additional flat at first floor was refused on 30/5/2019 on the following two grounds:

1) *The proposed two storey rear extension would have a detrimental impact on the residential amenity of the adjacent residential dwelling, 27 Turpin Green Lane, by virtue of its massing, proximity, height, scale and window placement, leading to an overbearing effect and loss of privacy, contrary to Policy G17 in the South Ribble Local Plan*

2) *The application fails to provide off-street car parking, contrary to Policies F1, G17 and Appendix 4 of the South Ribble Local Plan*

4.3 An appeal was lodged with the Planning Inspectorate with the appointed inspector dismissing the appeal, finding:

"In terms of the effect of the lack of parking provision, I find that the proposed development would not result in unacceptable or severe harm to the operation of the local highway network. However, this does not outweigh the harm to the living conditions of the occupants of No 27 Turpin Green Lane in respect of their privacy and outlook".

5. Proposal

5.1 The application proposes a two storey extension to the rear, the sub-division of the ground floor to form two A1 retail units and an additional apartment at first floor. An existing single storey extension to the rear will be demolished.

5.2 The extension is to measure 7.7m wide projecting 4.4m with a hipped roof over to a maximum height of 6.6m. The extension will be constructed in brickwork to match the existing building with concrete roof tiles. Roof lights will be inserted in the three roof slopes. Two first floor windows in the rear elevation facing north-east together with two doors at ground floor and a further door in the north-western side elevation. A garden area will be provided for each apartment.

5.3 The ground floor will be sub-divided to form two A1 retail units with a store room provided for each in the proposed extension, together with WC facilities. Unit 1 will have an additional small store room.

5.4 The existing first floor apartment will be re-configured to provide a better internal layout. The new door to the north-eastern side elevation will provide access to a new internal staircase for access to the two apartments.

5.5 The proposals are similar to the previous scheme with the main changes being that the extension does not project as far. The previously proposed extension was to project 4.87m and had a pitched roof over with a ridge height of 7.2m.

6. Summary of Publicity

6.1 Neighbouring properties were notified and a site notice posted with two letters of representation being received, objecting on the following grounds:

- Parking is a major problem in this area
- The applicant again claims to have one parking space.
- Turpin Green Lane is an extremely busy road with fast moving vehicles.
- The road at the front of the property is covered by Traffic Regulation Order.
- An extra apartment and the provision of two shops will put an additional strain on the significant traffic and parking problems which already exist.
- Extremely poor air quality along Turpin Green Lane leading to the M6 junction, which is an Air Quality Management Area
- The Applicant has not considered or proposed any mitigation in relation to the development within this Air Quality Management Area.

- Traffic and Parking Survey should be commissioned by the Council to assess the increase parking demands and worsening of the air quality on Turpin Green Lane that would arise from this application
- Design and Access Statement supporting the application is the same as the one previously submitted which was rejected by Planning Committee and the Planning Inspectorate and has not been updated to include the 2018/19 application.
- In dismissing the 2018/19, the Planning Inspectorate agreed that a two storey extension would harm living conditions in respect of outlook and privacy. This application does not alter that position
- While the proposed extension would involve a slightly lower and differently shaped roof than the one in the previously rejected application, its size, height and proximity to adjacent house would still appear substantial.
- By virtue of its proximity, excessive height and projection from the main roof of adjacent property, the extension would be a dominant and overbearing form of development which would harm the outlook from the rear of my house.
- Proposed change to size and relocation of the rear facing windows will allow close overlooking into adjacent property.
- Residential Extensions SPD which requires that any first floor window be located no less than 10 metres from any facing boundary/garden.
- The development totally fails to avoid overlooking the rear area of Number 27.
- Noise during construction works and following the opening of the premises.

7. **Summary of Consultations**

7.1 **County Highways** make comments based on all the information provided by the applicant to date and after undertaking a site visit. The site does not provided parking in line with South Ribble Borough Councils parking standards. However the site is located within in a highly sustainable location with sufficient waiting restrictions in the vicinity of the site to control on road parking. Taking this into consideration, County Highways are of the opinion that the proposed development would not have a severe impact. Therefore County Highways have no objections to the application.

7.2 **Environmental Health** require conditions be imposed in respect of the submission of a Dust Management Plan; a restriction on the hours of site preparation, construction and hours of deliveries; the submission of noise mitigation measures; the provision of waste storage facilities; and the provision of secure cycle storage.

8. **Policy Background**

8.1 **Central Lancashire Core Strategy Policy 30: Air Quality** aims to improve air quality though delivery of Green Infrastructure initiative and through taking account of air quality when prioritising measures to reduce road traffic congestion.

8.2 **Policy B1: Existing Built-Up Areas** permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment, provided that the development complies with the requirements for access, parking and servicing; is in keeping with the character and appearance of the area; and will not adversely affect the amenities of nearby residents.

8.3 **Policy F1: Parking Standards** requires all development proposals to provide car parking and servicing space in accordance with the parking standards adopted by the Council. In general, parking requirements will be kept to the standards as set out unless there are significant road safety or traffic management implications related to the development of the site. The parking standards should be seen as a guide for developers and any variation from these standards should be supported by local evidence in the form of a transport statement. Where appropriate, some flexibility will be factored into the standards in relation to the specific local circumstances.

8.4 Policy G17: Design Criteria for New Development permits new development, including extensions and free standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; 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; the development would 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, unless there are other material considerations which justify the reduction such as proximity to a public car park.

8.5 Residential Extensions Supplementary Planning Document recognizes that, in many cases two storey or first floor rear extensions, without proper consideration, can result in an overbearing impact on neighbouring properties, particularly in terms of loss of light and/or privacy to habitable rooms and private amenity space. Therefore it advises on the 45 Degree Rule. This method of assessment will be assessed on plan with it considered that any proposed extension should not project beyond a 45-degree line drawn from the near edge of the closest ground floor habitable room window on an adjoining/affected property.

9. Material Considerations

9.1 Parking

9.1.1 The application property is an existing commercial premises with first floor residential apartment above. The ground floor has in the past been utilised as a jewellers, bike shop, and grocers. Both the apartment and commercial premises are currently vacant. The property fronts directly onto the pavement of Turpin Green Lane with an existing bus stop towards the western side.

9.1.2 The application form indicates there is one parking space for the premises. None are shown on the site layout plan and therefore this was queried. Although a plan was provided to show the parking space, this was to the front forecourt of the premises in an area where no drop crossing is available. Therefore the applicant was advised that this could not be used as a parking space, as confirmed by County Highways, and therefore it is accepted that there is no existing parking provision for the site and none proposed.

9.1.3 The issue of parking in the general area and the lack of parking for the proposed development forms the main basis of objection in the two letters received. Objectors highlight existing parking problems in the area; that there are traffic regulations orders in the area; that Turpin Green Lane is an extremely busy route from Leyland to the M6 Motorway junction and the increase in parking requirement the provision of an additional flat and additional retail unit would require.

9.1.4 Policy F1 requires all development proposals to provide car parking and servicing space in accordance with the parking standards. That is 1 parking space for each 1-bed apartment and 1 parking space per 22 square meters of non-food retail in the Town Centre or 1 per 16 square metres for food retail. However, the policy also states that the parking standards should be seen as a guide for developers and where appropriate, some flexibility will be factored into the standards in relation to the specific local circumstances, for example, proximity to public car park and location of development. Policy G17 at criteria c) requires 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, unless there are other material considerations

which justify the reduction such as proximity to a public car park.

9.1.5 County Highways make comment on parking and highway safety in their consultation response, stating: *“The site does not provided parking in line with South Ribble Borough Councils parking standards. However the site is located within in a highly sustainable location with sufficient waiting restrictions in the vicinity of the site to control on road parking. Taking the above into consideration LCC Highways is of the opinion that the proposed development would not have a severe impact. Therefore LCC Highways has no objections to the application.”*

9.1.6 The ‘Severe’ test is within the National Planning Policy Framework which states at paragraph 109. *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be **severe**.”*

9.1.7 Furthermore, the NPPF advises at paras 105 and 106: *“If setting local parking standards for residential and non-residential development, policies should take into account:*

- a) the accessibility of the development;*
- b) the type, mix and use of development;*
- c) the availability of and opportunities for public transport;*
- d) local car ownership levels; and*
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.*

106. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.”

9.1.8 Additionally, the Planning Inspector fully considered the issue of parking and its impact on the safe operation of the highway network during the appeal to the previous scheme. The Inspector’s decision was clear that the lack of parking provision would not result in an unacceptable impact on the operation of the highway, stating:

“16. Taking account of the particular local circumstances, the proposed absence of parking provision for the additional 1 bedroom apartment and modest retail unit would not result in an unacceptable impact on the operation of the highway in the vicinity of the appeal property. I therefore conclude that a deviation from the Council’s parking standards, which suggests 1 space for each 1 bedroom dwelling, is justified in this particular case. There is no conflict with the development plan, including policies F1 and G17 of the South Ribble Borough Council Local Plan Adopted July 2015. These require amongst other matters car parking provision in accordance with the Council’s parking standards, standards which can be relaxed depending on local circumstances.

17. In terms of the effect of the lack of parking provision, I find that the proposed development would not result in unacceptable or severe harm to the operation of the local highway network.”

9.1.9 It is therefore considered that this current proposal, which is effectively the same in terms of parking as the previous scheme, is acceptable in terms of parking provision, recognising its sustainable location; proximity to the Leyland Town Centre and its associated car parks; proximity to public transport and the view of both County Highways as Highway Authority and the planning inspector and with reference to the NPPF.

9.2 Residential Amenity

9.2.1 The rear proposed two storey extension faces towards a car parking area relating to Balcedar House, a small office complex consisting of single storey office units. The extension is set between 4m and 4.5m off the common boundary and the office units are set between 11 and 14m off the boundary and have an angled relationship to the application property. Although a 21m separation distance is normally required between facing windows, as set out in the Residential Extensions Supplementary Planning Document, this relates to residential properties to prevent overlooking/loss of privacy. Additionally, the SPD identifies a minimum of 10m from any facing neighbouring boundary/garden to protect the privacy of any facing private amenity space. In this case there is no private amenity space with the area to the rear of the boundary being a parking court. Therefore the relationship to Balcedar House is considered acceptable given the relationship between windows is an angled one, first floor to ground floor and the fact that they are commercial properties to the rear, not residential with a parking court adjacent the boundary.

9.2.2 To the north-west, the neighbouring property, 23 Turpin Green Lane, is a residential property with two storey rear outrigger and single storey extension. There is a 0.8m separation distance and the proposed extension will project 0.9m beyond the rear of No 23. No facing windows exist in the rear outrigger to 23 and none are to be introduced in the proposed extension. It is therefore considered that there will be no undue impact on No 23.

9.2.3 To the south-east, 27 Turpin Green Lane has a single storey rear extension adjacent the boundary with the application property which has a sloping roof extending from the main roof downwards. The proposed extension would project 4.4m immediately adjacent the extension, projecting 0.5m less at ground floor, but 2.5m beyond at first floor due to the sloping roof of 27's extension. There is a 0.3m separation distance between the outrigger and proposed extension. The proposed extension will be 2m higher at the rear elevation than the adjacent extension and 2.5m higher at ridge height. In the appeal decision for the previous scheme, the Planning Inspector considered that:

"Although the proposed extension would join the roof of the appeal property below the ridgeline, as a result of its size and height and proximity to No 27, it would nevertheless appear substantial when viewed from the neighbouring property. Therefore, and irrespective of the outrigger, by virtue of its proximity, excessive height and projection from the main roof of No 25 the proposed extension would be a dominant and overbearing form of development which would harm the outlook from the rear of No 27."

9.2.4 The applicant has sought to address the Inspector's concerns by reducing the projection by 0.5m and reducing the height of the extension by 0.6m and also hipping the roof rather than a pitched roof. This effectively reduces the overall height and massing of the proposed extension.

9.2.5 There are no windows in the facing elevation of No 27's outrigger and none in the side elevation of the proposed extension and therefore no direct overlooking issues. However, 27 does have an existing roof light in the rear floor slope of the dwelling which serves a bathroom, not considered a habitable room, whilst it is accepted that some loss of light will occur to the bathroom, this is not considered to be sufficient grounds to refused the application.

9.2.6 The planning inspectors considered the issue of overlooking/loss of privacy, stating:

"The absence of windows in the side elevation of the proposed extension would avoid direct overlooking into the rear of No 27. However, the first floor windows in the rear elevation would allow close overlooking into that part of the garden behind the outrigger. While there are existing first floor windows to the rear of No 25, these are at a greater distance from the garden of No 27 and do not result in close overlooking and views are in any case in part screened by the outrigger."

The rear garden of No 27 is overlooked from neighbouring properties including Nos 29 and No 31. In this respect, the area behind the outrigger affords the occupant of No 27 the greatest degree of privacy. Although visible from the first floor terrace area to the rear of No 31, this is at a greater distance than the proposed extension and does not allow close overlooking.

My attention has been drawn to apparently similar 2 storey extensions to the rear of Nos 31 and 33. My observation is that these differ from the proposed scheme in terms of factors including size and scale, relationship to other buildings and the absence of overlooking windows or the use of obscure glazing. In respect of the appeal scheme, it would be unreasonable to obscurely glaze the principal window of a habitable room or to make it high level, as this would result in poor living conditions for future occupiers of the proposed apartment.

I therefore conclude that the proposed development would harm the living conditions of the occupants of No 27 in respect of their outlook and privacy. This is in conflict with the development plan, including Policy G17 of the South Ribble Local Plan Adopted July 2015 (the Local Plan). This requires amongst other matters that development does not have a detrimental impact on neighbouring buildings by virtue of factors including height, scale, orientation, massing and proximity, or as a result of undue overlooking or overbearing effect. New development is expected to avoid overlooking and a reduction in privacy for neighbouring properties.”

9.2.7 A letter of objection has been received from the occupant of the adjacent property, commenting that the proposal will have a detrimental impact on the adjacent property in terms of overlooking and loss of privacy. The objector also refers to the planning appeal decision letter. The objector considers that the development totally fails to avoid overlooking the rear area of Number 27

9.2.8 However, it is considered that the applicant has sought to address the issues of overlooking and loss of privacy and the resultant harm to the living conditions of the occupants of 27 by altering the location and style of the first floor windows. The refused scheme windows were 1.8m wide by 1.1m high the closest to 27 set 1.2m off the side elevation. The windows now proposed are 0.7m wide by 2m high and set 3m off the side elevation. Additionally, a projecting brick feature has been included adjacent the windows which further obscures views afforded from the windows.

9.2.9 The form of the rear extension has been designed in consideration to the 45 degree rule from neighbouring window at 23 which in turn finishes approximately level with opposite neighbouring extension to 27. They have also provided 45 degree angles on the proposed floor plan to demonstrate the amount of view the occupants of the apartments would have from these windows over the garden area of 27.

9.3 Air Quality

9.3.1 The application property is within the Turpin Green Lane/Churchill Way/Golden Hill Lane Air Quality Management Area and therefore Policy 30 of the Central Lancashire Core Strategy is relevant to this application. This policy aims to improve air quality through delivery of Green Infrastructure initiative and through taking account of air quality when prioritising measures to reduce road traffic congestion.

9.3.2 One letter of objection refers to the AQA and that the application does not consider or propose any mitigation in relation to the development within this AQA. In this case an Air Quality Assessment would not be required as the development is not a ‘major’ development and does not fall within the criteria of development which requires an AQA. As indicated above, the proposal does not provide any parking and would therefore likely be reliant of

public transport, walking, cycling or use of Town Centre car parking or on-street parking. Additionally, the premises is existing with a ground floor commercial premises and first floor apartment and therefore an existing use in this location. The proposal to sub-divide the existing retail premise to form two A1 units does not increase the floorspace of the retail element, with the extension providing additional storage at ground floor.

9.3.3 Environmental Health have made no comment in respect of Air Quality. However, they do require the provision of secure cycle storage for the apartments be provided to encourage the use of alternative transport, in accordance with Core Strategy Policy 3.

10. Conclusion

10.1 For the reasons outlined above, the application proposal is considered to be in accordance with Local Plan Policy G17 and the Residential Extensions SPD in terms of residential amenity. It is accepted that the proposal does not meet the adopted parking standards but these standards are a maximum not a minimum. The site is within a highly sustainable location where there is flexibility to relax the parking standards and the location of the application site meets the criteria where it is appropriate to relax these standards. Therefore the application is recommended for approval subject to the imposition of conditions.

11. Recommendation

11.1 Approval with Conditions.

12. 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 approved plans Dwg A3Sh4 Proposed Site; A3Sh5 Proposed Floors; A3Sh6 Proposed Elevations.
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. During the site preparation and construction of the development, no machinery, plant or powered tools shall be operated, no process carried out and no deliveries taken at or dispatched from the site outside the following times:
0800 hrs to 1800 hrs Monday to Friday
0900 hrs to 1300 hrs Saturday
No activities shall take place on Sundays, Bank or Public Holidays.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
4. Prior to the commencement of any works on site a Dust Management Plan shall be submitted, for written approval, to 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 measures to ensure dust and soil does not travel beyond the site boundary. Once agreed the identified control measures shall be implemented and maintained throughout the duration of the site preparation and construction phase of the development.
REASON: In the interests of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 in the Central Lancashire Core Strategy

5. No deliveries shall be made or received by the commercial component of the site between the hours of 20:00 and 08:00 Monday to Saturday. No deliveries shall be made or received on Sundays or nationally recognised Bank Holidays.
REASON: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy.

6. Prior to the commencement of any works on site details shall be submitted to the local planning authority for approval of the works to be undertaken to the property to prevent sound transference from the ground floor commercial units to the first floor flats or vice versa. Following agreement of the works they shall be implemented in full and once complete an acoustic insulation test shall be undertaken in line with ISO 140-4 (airborne sound insulation test) and ISO 140-7 (impact sound insulation test) to confirm the levels design have been achieved. If following the testing of the insulation the design insulation levels have not been achieved further work shall be undertaken with re-testing until the levels have been achieved. The report shall be submitted to the planning authority for approval and discharge of the condition prior to occupation of the building.

As a minimum the following shall be achieved:

Impact sound: <60L'nT,w dB

Airborne sound: >50 DnT,w +CtrdB

REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy

7. Prior to first occupation/first use of the development hereby approved details of facilities for the storage of refuse and waste shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained at all time thereafter unless otherwise agreed in writing with the Local Planning Authority.
REASON: To safeguard the character and visual appearance of the area and to safeguard the living conditions of any nearby residents particularly with regard to odours and/or disturbance in accordance with Policy 27 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan

8. Prior to the first occupation/first use of the development hereby approved, details of secure cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved scheme and permanently maintained thereafter.
REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026

13. Relevant Policies

South Ribble Local Plan

B1 Existing Built-Up Areas

F1 Car Parking

G17 Design Criteria for New Development

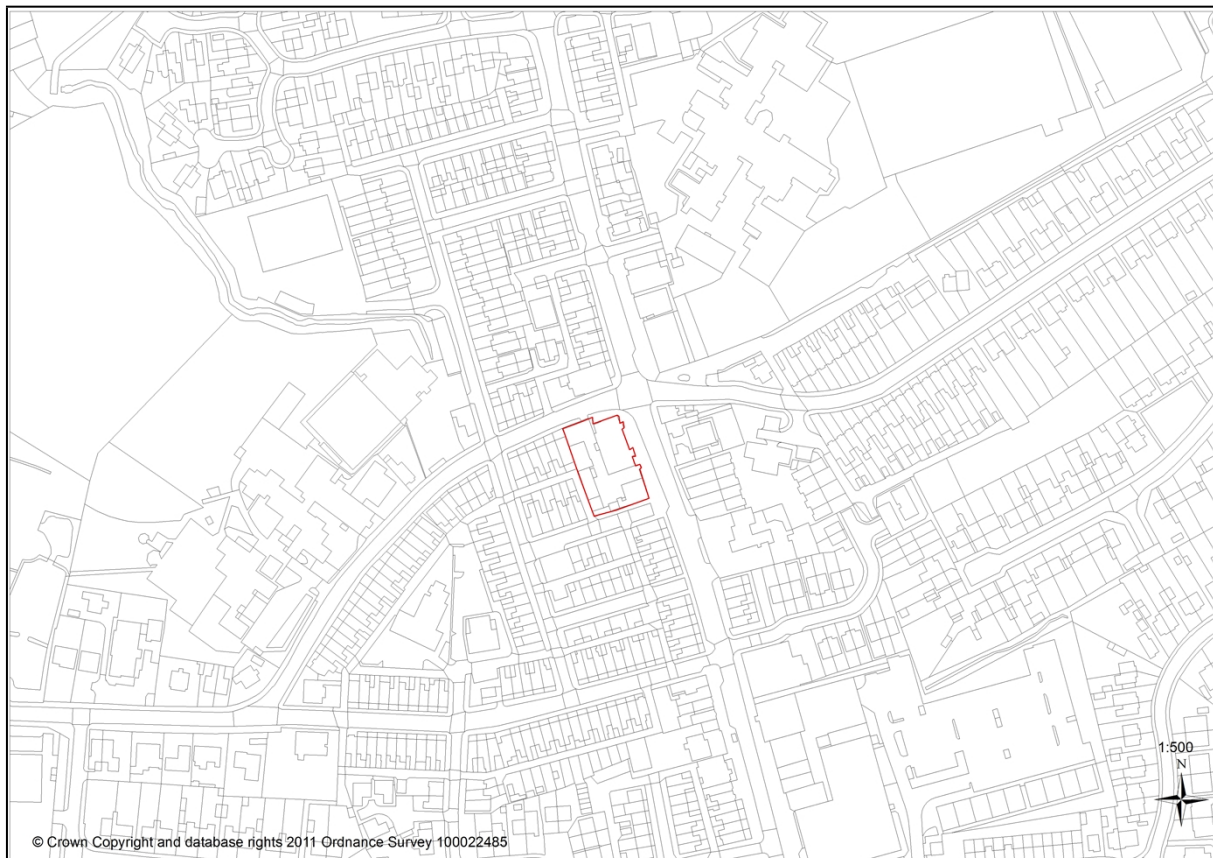
Central Lancashire Core Strategy

Policy 30: Air Quality

Residential Extensions Supplementary Planning Document

Agenda Item 8

| | |
|-------------------------------|---|
| Application Number | 07/2019/3551/FUL |
| Address | Pearson House Station Road Bamber Bridge |
| Applicant | Mr P Patel South Ribble Borough Council |
| Agent | Mr Lee McGregor LMC Architecture 4 Dovedale Drive Ightenhill Burnley BB12 8XD |
| Development | Conversion of existing vacant building to form 8 no. flats with office area at ground floor. |
| Officer Recommendation | Approval with Conditions |
| Date application valid | 18.04.19 |
| Target Determination Date | 13.06.19 |
| Extension of Time | 31.07.19 |



1. Introduction

1.1. This application has been submitted by the Councils Strategic Housing Team.

2. Report Summary

2.1. The application refers to a three storey, commercial property with outbuildings located at the corner of Brownedge and Station Roads, Bamber Bridge. A small private car park is present to the rear.

2.2. The proposal provides for conversion of the building to 8 no: flats with office space, following demolition of outbuildings and formation of a new car park. Other than work to upgrade, the outside of the building will remain the same. The car park would be upgraded to accommodate 14 off road parking spaces – currently there is ad-hoc parking for possibly 6 cars. This proposal complies with adopted parking standards and LCC Highways have not objected.

2.3. Other comments raised by statutory consultees have been dealt with either by amendments to the scheme or by condition

2.4. In response to publicity five objections have been received; all on parking and highways safety grounds. Many of the responses are from the residents of John Street who currently use the site for parking out of business hours. Whilst the landowner has been happy for this to continue informally in the past, the site is a private facility and there is no permission in place for anyone other than occupants of the building to use the car park.

2.5. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

3. Application Site and Surrounding Area

3.1. The application refers to a three storey (two with inaccessible basement), vacant commercial building located at the corner of Brownedge and Station Roads, Bamber Bridge.

3.2. To the rear are a number of smaller single storey buildings surrounding a central car park accessed off Brownedge Road. Stepped and ramped access is possible from the front of the building (facing Station Road) whilst stepped access is available from the rear car park. A bus stop is present immediately to the west.

3.3. Abutting the southern site boundary is the former Fire Station – now commercial; pedestrian and vehicular access separates this building from Pearson House. Facing across Brownedge Road in the north is the Withy Arms public house, and facing across Station Road are the library and a hot food takeaway. To the west of detached outbuildings are no: 1 Brownedge Road and 2 John Street (residential).

3.4. The site is designated by Policy B1 (Existing Built up Area) of the South Ribble Local Plan, but sits just outside of Bamber Bridge District Centre.

4. Site Context / Planning History

4.1. There are five planning applications on the history of this site.

- 07/1976/0839 – Job Centre approved 1976
- 07/1981/0787 - Change of use of part of former Council Offices to Health Club. Approved December 1981
- 07/1991/0203 - DOE Circular 18/84 consultation use of vacant first floor gymnasium as government offices. No objections raised May 1991
- 07/1991/0664 - Two internally illuminated fascia signs. No objections raised October 1991
- 07/1991/0889 - Notice of Intended Crown Development - Alterations to Job Centre. No objections raised October 1991

5. Proposal

5.1. The application proposes conversion of the main building to 8 no: flats with office space at ground floor, and reconfiguration of car parking space following demolition of 3 no: outbuildings.

5.2. At ground floor would be 1 x 2 bedroomed and 2 x 1 bedroomed flats, and a separate office/mess. Self-contained office space would also be retained, Five one bedroomed flats are also proposed to the first floor. Access into the basement is currently limited, but proposals include tanking and waterproofing of this space with any excess moisture to be pumped into the existing drainage system as required.

5.3. Three outbuildings would be demolished to allow for 14 parking bays – of which 3 would be for mobility use, and a bin store facility. Conditions to require marking out of bays and to prevent waste from being stored on pavement areas are recommended should approval be granted.

5.4. Internally the building would be reconfigured, but external changes to the building would be minimal; namely

- Obscure glazing to side facing windows as appropriate
- New windows formed on the first floor, northern and western sides

6. Summary of Supporting Documents

6.1. The application is accompanied by the following:

- Acoustic Report (Nova Acoustics: 3101SH 15.2.19)
- Affordable Housing Statement (25.3.19)
- Air Quality Assessment (GEM AQ1541: March 2019)
- Bat Scoping Survey (Batworker.com: 27.12.18)
- Flood Risk Assessment (Peak Associates: QA19/004: Jan & June 2019)
- Supporting Statement (LMC Architecture)

Proposal Drawings

- Location/Site Plan (1820-LP01B: LMC Architecture)
- Existing Ground Floor Plan (1820-PL01A: LMC Architecture)
- Existing First Floor Plan (1820-PL02: LMC Architecture)
- Existing Basement Floor Plan (1820-PL03: LMC Architecture)
- Proposed Ground Floor Plan (1820-PL10C: LMC Architecture)
- Proposed First Floor Plan (1820-PL11B: LMC Architecture)
- Proposed Basement Plan (1820-PL12: LMC Architecture)

7. Representations

7.1. Summary of Publicity

7.1.1. A site notice has been posted, and 30 neighbouring properties consulted.

7.1.2. Five letters of objection have been received whose comments refer to highways impact. These are summarised as:

- Parking for the flats will make parking on John Street (adjacent) more difficult
- The junction at Station and Browndedge Road is dangerous and the scheme will affect traffic flow
- Impact to, and lack of parking available for customers to business at 143 Station Road (40m north-east at Collins/Browndedge/Station Road junction)
- Loss of privacy to neighbouring properties
- Parking is currently used by John Street occupants after Pearson House business closing hours.

8. Summary of Responses

8.1. Environment Agency considered the applicants Flood Risk Assessment and initially objected. An amended report has been supplied and that objection has since been withdrawn

8.2. Lancashire County Council Highways have no objections and are of the opinion that proposals would have a negligible impact on highways safety and capacity. Access from Station Road and Browndedge Lane is considered acceptable and off road parking is proposed in line with the Councils adopted standards. In parking terms the building would be self-reliant

8.3. Ecology Consultant has assessed the accompanying ecology survey and subject to an informative note and precautionary condition regarding bats on site the ecologist is satisfied with the approach

8.4. Environmental Health have assessed the applicant's noise impact and air quality reports and subject to a number of conditions have no objection. Conditions proposed refer to construction management, electric vehicle charging points, cycle storage, noise, air quality and acoustic measures.

8.5. Strategic Housing confirms that the Central Lancashire SHMA demonstrates a strong demand for one bedroomed, affordable accommodation, with 131 applications recording Bamber Bridge as their first choice of which 48% require single bedroom housing. The proposal would positively contribute towards the Boroughs housing need in close proximity to Bamber Bridge local centre, in addition to supporting actions identified in the Council's Housing Framework.

9. Material Considerations

9.1. Site Allocation Policy

9.1.1. The site is designated under Policy B1 of the South Ribble Local Plan as Existing Built Up Area which includes a presumption towards re-development of under used sites where proposals do not impact upon the amenity of occupants of the area, highways safety or the areas character.

9.2. Additional Policy Background

Additional policy of marked relevance to this proposal is as follows:

9.2.1. National Planning Policy Framework (2018)

9.2.1.1. Chapter 9 (Promoting sustainable transport) states that developments should be located to allow for opportunities to walk, cycle and use public transport.

9.2.1.1. Chapter 5: Delivering a Sufficient Supply of Homes in line with Governments objective to boost the supply of homes, in a sustainable and appropriate way, and in relevant locations.

9.2.1.2. Chapter 11: Making efficient use of land – *‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Policies should set out a clear strategy ... in a way that makes as much use as possible of previously-developed or ‘brownfield’ land’*

9.2.1.3. Chapter 12: Achieving Well Designed Places attaches great importance to the design of the built environment.

9.2.2. Central Lancashire Core Strategy

9.2.2.1. Policy MP states that the Council will take a positive approach reflecting the NPPF presumption in favour of sustainable development, and in accordance with the Local Plan unless material considerations indicate otherwise.

9.2.2.2. Policy 1: Locating Growth aims to concentrate growth and investment on well-located, brownfield sites within key service and urban areas of the Borough.

9.2.2.3. Policy 3: Travel encourages alternative, sustainable travel methods to reduce dependence on motor vehicles.

9.2.2.4. Policies 4 - 5: Housing Delivery & Density provide for, and manage the delivery of new housing, with development densities in keeping with local areas, and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the area.

9.2.2.5. Policies 6: Housing Quality and 27: Sustainable Resources and New Development both aim to improve the quality of housing by facilitating higher standards of construction, greater accessibility and ensuring that sustainable resources are incorporated into new development.

9.2.2.6. Policy 17: Design of New Buildings requires new development to take account of the character and appearance of the local area.

9.2.2.7. Policy 29: Water Management improves water quality and flood management by appraising, managing and reducing flood risk and drainage in all new development.

9.2.3. South Ribble Local Plan

9.2.3.1. Policy F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.

9.2.3.2. Policy G17: Design Criteria for New Development considers design in general terms, and impact of the development upon highways safety, the extended locale and the natural environment.

9.2.3.3. Chapter J: Tackling Climate Change looks to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources.

9.3. Other Material Considerations

9.3.1. Character and Appearance, and Impact Upon Neighbouring Properties

9.3.1.1. *Character and Appearance* - Other than internal rearrangement, cosmetic upgrade and a number of minor changes to the external appearance Pearson House will remain the same. Occupant parking to the rear would be upgraded but overall the proposal will impact little upon the character and appearance of the area.

9.3.1.2. *Neighbour Amenity* – The South Ribble Residential Design SPD requires that there should be a minimum of 21m between facing habitable room windows, and no less than 13m from a habitable room window and facing gable or blank wall.

9.3.1.3. Facing the proposed office wall in the south is 124 Station Road; a commercial unit whose office windows would face office windows at ground floor and habitable room windows at first floor; many of which are either shower rooms or secondary windows. The applicant has noted that all first floor windows on this elevation would be obscurely glazed but a condition to require the same is felt necessary. Spatial separation of 8m is present.

9.3.1.4. 15m to the north and across Browndge Road is the Withy Arms public house. Proposed windows to the ground floor facing this property would be obscurely glazed. At first floor proposed bedroom, living and kitchen windows would face the pub's residential accommodation, but this benefits from obscure glazing of its own; again the applicant has agreed to obscure side facing windows which are either shower room or secondary windows. As such and subject to the aforementioned condition any loss of privacy or overlooking to existing or future occupants is considered to be limited.

9.3.1.5. Facing the front elevation at a staggered 20m-22m are 145 Station Road (hot food takeaway) and Bamber Bridge library, and to the rear is the gable wall with landing window of no: 1 Browndge Road at 15m distance. Spatial separation to these properties is acceptable

9.3.2. Highways/Access

9.3.2.1. Highways access, capacity and parking provision have been assessed as acceptable by LCC at Para 8.2.

9.3.2.2. Objection to the scheme has been made by a number of residents who suggest that the proposal would increase parking problems on John Street and would restrict Station Road business parking. Parking on site is more than that required by adopted standards, would be self-contained and would be for the private use of future occupants and Pearson House office tenants. As such parking on John Street should not be affected. Business users and occupants of the surrounding area do not currently have permission to park at Pearson House, and should not expect to use the site regardless of this decision for their own purposes.

9.3.3. Natural Environment

9.3.3.1. Site ecology - A bat scoping report accompanies the application which finds no recorded evidence of bats or bat roosts within the building, which is also considered to be of negligible potential for roosting. As such secondary survey is not required

9.3.3.2. Flood Risk – The site and its wider surroundings sit within Flood Zones 2 and 3 (most vulnerable to flooding), and as more vulnerable accommodation is to be introduced at ground floor a Flood Risk Assessment was required. A number of mitigating measures are proposed by the assessor, which once undertaken would allow for the ‘sustainable and safe redevelopment of a vacant site’ (Para 6). A condition to require mitigation in line with the report before first occupation is recommended

9.3.4. Developer Contributions

9.3.4.1. Local Plan Policy A1 (Developer Contributions) requires that new developments contribute towards mitigation against impact on infrastructure, services and the environment. Contributions would be secured where appropriate through planning obligations (Section 106 agreement) and/or Community Infrastructure Levy. CIL is not payable on apartments, and although the applicant has supplied an Affordable Housing Statement the affordable housing threshold in urban areas is for any site of 15 or more dwellings. The empty properties scheme under which the proposal would be brought forward requires that all properties would be available at an affordable rent. This legal agreement however sits outside of the planning system

10. Conclusion

10.1. In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the above commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

RECOMMENDATION:

Approval with Conditions.

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 following approved plans and suite of documents:
 - o Acoustic Report (Nova Acoustics: 3101SH 15.2.19)
 - o Affordable Housing Statement (25.3.19)
 - o Air Quality Assessment (GEM AQ1541: March 2019)
 - o Bat Scoping Survey (Batworker.com: 27.12.18)
 - o Flood Risk Assessment (Peak Associates: QA19/004: Jan & June 2019)
 - o Supporting Statement (LMC Architecture)

Proposal Drawings

- o Location/Site Plan (1820-LP01B: LMC Architecture)
- o Existing Ground Floor Plan (1820-PL01A: LMC Architecture)
- o Existing First Floor Plan (1820-PL02: LMC Architecture)

- o Existing Basement Floor Plan (1820-PL03: LMC Architecture)
- o Proposed Ground Floor Plan (1820-PL10C: LMC Architecture)
- o Proposed First Floor Plan (1820-PL11B: LMC Architecture)
- o Proposed Basement Plan (1820-PL12: LMC Architecture)

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

3. Prior to first occupation of the building hereby approved details of a Positive Input Ventilation and Filtration system (PIV) shall be submitted to and approved in writing by the local planning authority. The PIV shall be installed to the property to serve all residential use and shall be fitted with a suitable filtration system to remove any harmful pollutants (Particulate matter and Nitrogen Dioxide) from the incoming airstream. The inlet for the system shall be located to the rear of the property within the attic space. The PIV system once approved shall be installed prior to the first occupation of the residential units and thereafter shall be maintained and retained.
Reason: To safeguard amenities and living conditions of any future and existing residents particularly with regards to odour, noise and insects in accordance with Policy 30 of the Central Lancashire Core Strategy and Chapter J of the South Ribble Local Plan
4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a) parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) measures to control the emission of dust and dirt during construction
 - e) measures to control the emission of noise during construction
 - f) anticipated delivery times
 REASON: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
5. Should the development not have commenced within 24 months of the date of this permission, a re-survey be carried out to establish whether bats or other protected species are present at the site shall be undertaken by a suitably qualified person or organisation. In the event of the survey confirming the presence of such species details of measures, including timing, for the protection or relocation of the species shall be submitted to and agreed in writing by the Local Planning Authority and the agreed measures implemented.
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 South Ribble Local Plan 2012-2026
6. Prior to first occupation of the building hereby approved, mitigation in line with approved Flood Risk Assessment (Peak Associates QA19/004: Jan 2019) shall be undertaken. This shall be maintained and retained thereafter unless with the written agreement of 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
7. If the presence of bats or other protected species is detected or suspected on the development site at any stage before or during development or site preparation,

works must not continue until Natural England has been contacted regarding the need for a licence.

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 South Ribble Local Plan 2012-2026

8. Windows to be fitted in the first and ground floor side elevations noted on approved plans 1820-PL10C and PL11B as obscurely glazed shall be fitted with obscured glazing prior to first occupation of the first flat hereby approved, and shall be retained at all times thereafter.

REASON: To prevent undue overlooking and loss of privacy to existing and future residents in the interests of the residential amenity of the occupiers of that property as required by Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

9. Prior to first occupation of the development hereby approved, the associated parking spaces identified on approved plan 1820-LP01B (LMC) 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 in the interests of residential amenity and highway safety as required by Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026

10. Refuse, recycling and waste materials shall only be stored in the waste storage area to the rear of the property (as per approved plan 1820-LP01B: LMC). Materials shall not be stored on the public highway or pavement adjacent to the public highway unless on the day of collection by an appropriate body. Immediately following collection, waste containers/bins shall be moved back to the recessed area. The approved area shall be retained thereafter for waste storage and for no other purpose unless otherwise agreed in writing with the Local Planning Authority.

REASON: To safeguard the character and visual appearance of the area and to safeguard the living conditions of any nearby residents particularly with regard to odours and/or disturbance in accordance with Policy G17 in the South Ribble Local Plan and Paragraph B14.3 of the Residential Extensions Design SPD

11. Prior to first occupation of the development hereby approved, a scheme for provision of 2 communal Electric Vehicle Recharge points, including adequate charging infrastructure shall be provided to the Local Planning Authority. Once approved these units shall be maintained and retained thereafter.

REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy

12. Prior to the first use of the development hereby approved, details of a cycle storage facility shall be submitted to and approved by the Local Planning Authority. Once approved the cycle store shall be provided in accordance with the approved plan and permanently maintained thereafter.

REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026

13. All acoustic mitigation measures identified in Acoustic Report (Nova Acoustics: 3101SH 15.2.19) shall be installed prior to first occupation of the property

REASON: to safeguard the amenity and living conditions of nearby residents particularly with regards to odour and noise in accordance with Policy 17 of the Central Lancashire Core Strategy.

14. No machinery shall be operated, no process carried out and no deliveries taken at or dispatched from the site during construction, demolition or clearance of the site outside the following times:
0800 hrs to 1800 hrs Monday to Friday
0800 hrs to 1300 hrs Saturday
No activities shall take place on Sundays, Bank or Public Holidays.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 1 Locating Growth
- 3 Travel
- 4 Housing Delivery
- 5 Housing Density
- 6 Housing Quality
- 17 Design of New Buildings
- 27 Sustainable Resources and New Developments
- 29 Water Management

South Ribble Local Plan

- F1 Car Parking
 - G17 Design Criteria for New Development
- Residential Extensions Supplementary Planning Document

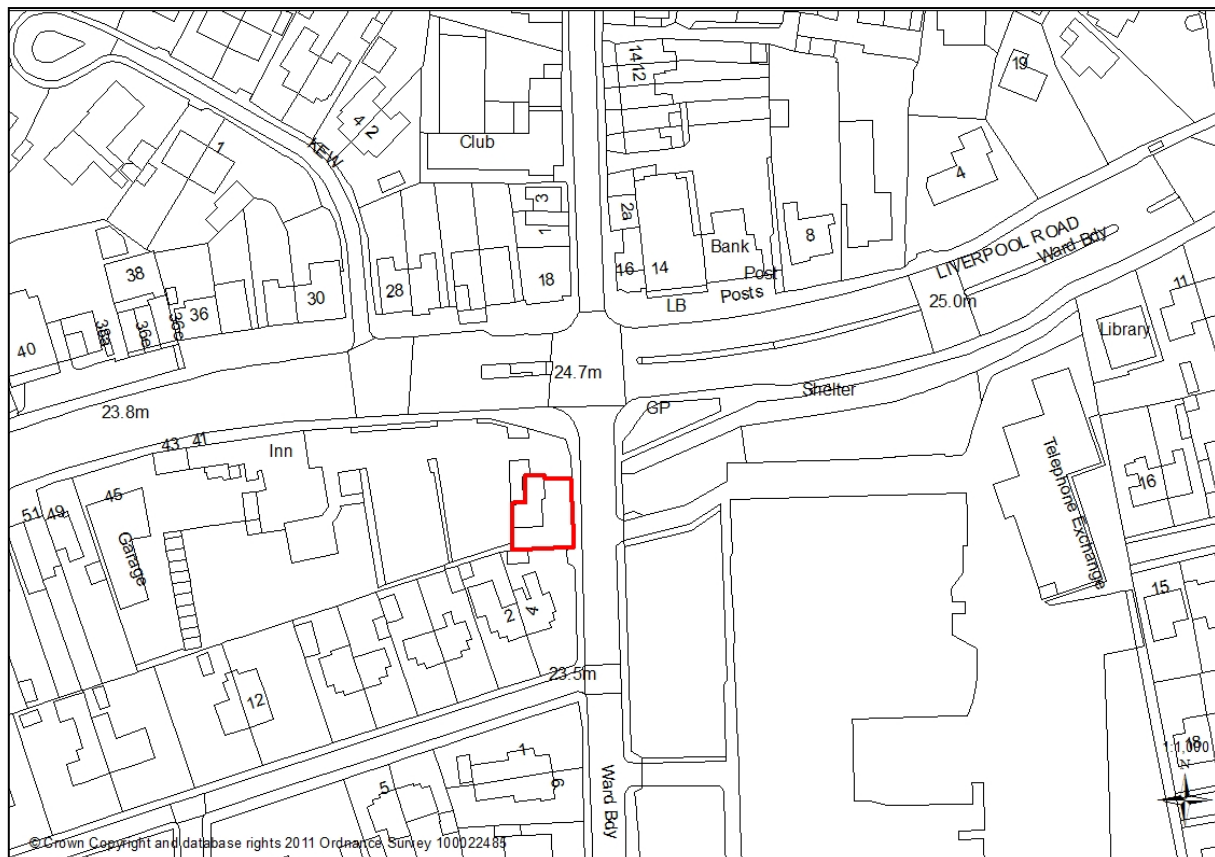
Note:

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk
2. The applicant is advised that under the terms of the Wildlife and Countryside Act 1981, and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species. The work hereby granted does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species
3. The applicant is advised to refer to the National Planning Policy Framework practice guidance with reference to flood warning and emergency response.

Agenda Item 9

| | |
|-------------------------------|--|
| Application Number | 07/2019/5199/DEM |
| Address | The Water Tower 2 Cop Lane Penwortham Preston Lancashire PR1 0SR |
| Applicant | Mr Gary Hall |
| Agent | Mr Neil Maitland E&G Construction NW Ltd 135 Liverpool Road Penwortham PR1 0QH |
| Development | Relevant demolition and replacement of existing conservatory within Penwortham Conservation Area |
| Officer Recommendation | Approval with conditions |
| Officer Name | Mrs Debbie Roberts |
| Date application valid | 3.6.2019 |
| Target Determination Date | 29.7.2019 |
| Extension of Time | None |



1. Introduction

1.1. This application is brought before Committee as the applicant is a serving Local Authority Officer.

2. Report Summary

2.1. No: 2 Cop Lane, Penwortham ('The Water Tower') is a semi-detached property located at the corner of Cop Lane and Liverpool Road, Penwortham. The Tower comprises single, two and five storey sections in residential use. The property is a locally listed structure, sitting within both Penwortham District Centre and Rawstorne Road Conservation Area.

2.2. The applicant seeks permission for relevant demolition, and replacement of the existing conservatory with one in a slightly different design to that approved in October 2018. Proposals have been subtly designed in a manner appropriate to the heritage asset and its setting without any loss of, or detriment to original fabric. On assessment the scheme therefore is considered policy compliant. Loss of amenity to neighbouring residents would be negligible.

2.3. Representation has not been made, and during the previous permission for a structure on the same footprint LCC Highways had no objection on highway safety and capacity grounds. It is therefore recommended that permission is granted subject to the imposition of conditions.

3. Application Site and Surrounding Area

3.1. No: 2 Cop Lane, Penwortham ('The Water Tower') is a semi-detached residential property located at the corner of Cop Lane and Liverpool Road, Penwortham, and accessed via small garden/parking space off Cop Lane.

3.2. The property comprises two storey main section with modern conservatory addition to the southern side; this being screened by 2m brick wall. The northern corner comprises 5 storey water tower currently used as bedroom, bathroom and storage space.

3.3. To the west is The Fleece Inn whose car park abuts the Water Tower, whilst in the south are no's 2 and 4 Rawstorne Road (semi-detached residential). Facing across Cop Lane in the east is the former Government Building site with extant permission for retail use. Wrapping around the north and west elevations is no: 27 Liverpool Road; a single storey, commercial property in separate ownership, and with its own small car park.

3.4. The property sits within both Penwortham District Centre and Rawstorne Road Conservation Area, for which an Article 4 Direction exists. The Water Tower is also a locally listed structure as identified by the Penwortham Neighbourhood Development Plan. An attempt to have the building formally listed in 1970 was unsuccessful, but the property retains many of its original features and decorative character.

4. Site Context / Planning History

4.1. There are 6 planning applications on the history of this site; the most relevant of which are.

- 07/2003/0556 – replace aluminium windows with softwood. Approved July 2003
- 07/2006/0484/FUL – erection of conservatory. Approved July 2006
- 07/2018/5742/HOH - Erection of porch to front and conservatory to side following demolition of existing porch and conservatory. Widening of driveway to front and replacement windows. Approved October 2021 (as amended 07/2019/5198/NMA)

5. **Proposal**

5.1. The application seeks permission for relevant demolition, and replacement of conservatory to side. Relevant demolition is the demolition of whole or part of an unlisted building or wall within a conservation area.

5.1.1. Permission was granted in October 2018 for replacement of a white UPVC conservatory with one in grey aluminium. The approved footprint was 5.3m x 2.6m, with a mono-pitched rather than pitched roof measuring no more than 3.7m; 0.6m higher than the existing. The screening courtyard would be retained

5.1.2. This proposal seeks to erect a timber conservatory in a similar style to the approved. The footprint would increase to 5.2m x 4.4m deep, with a pitched roof replicating the existing but at 3.9m; 0.8m higher. The screening courtyard would be extended by 3m to provide a similar, but deeper situation.

5.2. **Parking**

5.2.1. Although parking provision on site is acceptable, it is awkward to access. The approved scheme was subject to driveway widening for which a S184 Highways agreement was required. For consistency this condition would be carried forward.

6. **Representations**

6.1. A site notice and newspaper advertisement have been posted, and three neighbouring properties consulted. Representation has not been made

7. **Summary of Responses**

7.1. **Lancashire County Council Highways** fully assessed the approved application and raised no objections confirming that development would have a negligible impact upon highways safety and capacity. They acknowledged the slight reduction of onsite parking in light of the properties sustainable location. LCC have not commented in this case, but assessment of proposed and previously approved plans shows that the larger conservatory would not interrupt or reduce available parking to the tower.

8. **Material Considerations**

8.1. *Article 4 Direction* – Article 4 directions allow the Local Planning Authority to withdraw ‘permitted development’ rights, requiring planning permission to be obtained for minor works which otherwise would not need consent. Such a direction was imposed on Rawstorne Road Conservation Area in 1998 and prevents any external work to the front and side of all properties within the defined area, or on walls which face a highway or open space; in this case all Water Tower elevations. It should be noted however that in the absence of the Article 4 direction the proposed conservatory would not require planning permission.

8.2. **Site Allocation Policy**

8.2.1. The site is designated as within both the Conservation Area and Penwortham District Centre, to which Core Strategy Policy 16 (Heritage Assets) and Local Plan Policies G17 (Design) and E4 (District Centre) refer.

8.2.2. Core Strategy Policy 16 seeks to protect heritage assets and their setting by supporting development which enhances the assets historic significance; in particular those recognised as being in poor condition. The 2019 National Planning Policy Framework also states that when determining planning applications, Local Authorities should consider the desirability of

putting heritage assets to their optimal viable use, and any positive contribution to local character and distinctiveness.

8.2.3. Local Plan Policy G17 supports this sentiment but considers design in more detail. It ensures that developments do not impact upon the amenity of neighbouring residents, the character and appearance of the area and highways safety or capacity

8.2.4. Local Plan Policy E4 (District Centres) aims to protect and enhance the vitality and viability of District Centres, in this case to avoid any demonstrable harm to the shopping offer in Penwortham.

8.2.5. In addition, the Penwortham Town Neighbourhood Development Plan identified this property for inclusion on its list of locally important, historic buildings. The South Ribble Local List for Penwortham reflects this stance.

8.3. Character and Appearance of the Area

8.3.1. Although within an allocated retail centre, the Water Tower has been in residential use for some time. Its upgrade would bring visual benefits to the property as a heritage asset, to the wider conservation and retail areas, and to the commercial premises which forms part of the towers ground floor. The proposed conservatory has been sympathetically designed, and would be more fitting for an old building than the current structure. In terms of the aforementioned policy, the proposal is considered fully compliant.

8.3.2. Impact Upon Neighbouring Properties

8.3.2.1. Other than the commercial property below, the closest residential property would be no: 4 Rawstone Road whose rear single storey elevation faces the side of the Water Tower at approximately 6m distance; the neighbours two storey elevation enjoys 12m spatial separation. As the common boundary wall is also the side elevation of both existing and proposed conservatories, and the neighbours own garage screens the proposal from view, it is considered that any loss of privacy, overlooking or general residential amenity as a result of redevelopment would be negligible.

8.3.2.2. Other than the premises noted above, adjacent properties are commercial in nature and more than 40m away; more than acceptable for a proposal of this nature.

9. Conclusion

9.1. The applicant seeks permission for relevant demolition and replacement of the existing conservatory. The proposal has been subtly designed in a manner appropriate to the heritage asset and its setting, without any loss of, or detriment to original fabric, and on assessment against relevant policy is considered compliant. Loss of amenity to neighbouring residents is not anticipated. It is recommended that permission is granted subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. Works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of the Decision Notice.
REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:
Proposed elevations and floor plans (E&G01, E&G02, 'Plan View Existing' and 'Plan View Proposed')
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
3. No part of the development shall be commenced until the section 184 agreement under the Highways Act 1980 has been entered into for the dropped crossing within the adopted highway. The dropped crossing to be constructed in accordance with a scheme and time scale that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 184 agreement, under the Highways Act 1980
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 traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026..

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

16 Heritage Assets

South Ribble Local Plan 2012-2026

E4 District Centres

G17 Design Criteria for New Development

Penwortham Neighbourhood Development Plan

Note:

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

2. Highways Note: The amended vehicular access, within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges), The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact LCC before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for vehicle crossings and then fill in the information at "Get a vehicle crossing quotation".

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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