

PLANNING COMMITTEE

WEDNESDAY, 18TH OCTOBER, 2017, 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 judgment 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 - 6)

Held on Tuesday, 26 September 2017, to be signed as a correct record.

5 Appeal Decisions

A verbal update will be given in respect of recent planning appeals.

6 Planning Application 07/2017/0623/FUL - Land at Longton Hall Court, Chapel Lane, Longton

(Pages 7 - 20)

Report of the Director of Development, Enterprise and Communities attached.

7 Planning Application 07/2017/1644/FUL - 150 Liverpool Old Road, Much Hoole, Preston, Lancashire

(Pages 21 - 36)

Report of the Director of Development, Enterprise and Communities attached.

8	Planning Application 07/2017/1150/FUL - 15 Preston Road, Leyland, Lancashire	(Pages 37 - 42)
	Report of the Director of Development, Enterprise and Communities attached.	
9	Planning Application 07/2016/0310/OUT - Land To The North of Altcar Lane, Leyland	(Pages 43 - 46)
	Report of the Director of Development, Enterprise and Communities attached.	
10	Planning Service End of Quarter 2 2017/18 Performance Report	(Pages 47 - 50)
	Report of the Director of Development, Enterprise and Communities attached.	

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Planning Committee Councillors Jon Hesketh (Chair), Rebecca Noblet (Vice-Chair), Renee Blow, Carol Chisholm, Malcolm Donoghue, Bill Evans, Derek Forrest, Mary Green, Ken Jones, James Marsh, Mike Nathan, Mike Nelson, Caleb Tomlinson, Linda Woollard 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, 15 November 2017 - 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/>

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MINUTES OF PLANNING COMMITTEE

MEETING DATE Tuesday, 26 September 2017

MEMBERS PRESENT: Councillors Jon Hesketh (Chair), Renee Blow, Carol Chisholm, Bill Evans, Derek Forrest, Ken Jones, James Marsh, Mike Nathan, Mike Nelson, Linda Woollard and Barrie Yates

OFFICERS: Jonathan Noad (Planning Manager), Steven Brown (Assistant Planning Manager (Planning Policy and Technical Support)), Chris Sowerby (Senior Planning Officer) and Dave Lee (Democratic Services Officer)

OTHER MEMBERS: Councillor Clifford Hughes MBE (Cabinet Member for Strategic Planning and Housing), Councillor Jacqueline Mort (Cabinet Member for Public Health, Safety and Wellbeing), Councillor Margaret Smith, Councillor Phil Smith (Cabinet Member for Regeneration and Leisure), Councillor Graham Walton (Cabinet Member for Neighbourhoods and Streetscene) and Councillor David Watts

OTHER OFFICERS: 9

PUBLIC: 47

54 Welcome and Introduction

The Chairman, Councillor Hesketh, welcomed members of the public to the meeting and introduced the committee and explained the proceedings and the role of its members.

55 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Malcolm Donoghue, Mary Green, Rebecca Noblet and Caleb Tomlinson.

56 Declaration of Interest

Councillors James Marsh and Barrie Yates both declared a personal interest in planning application 07/2017/0211/ORM.

57 Minutes of the Last Meeting

UNANIMOUSLY RESOLVED: that the minutes of the meeting held on 23 August 2017 be approved as a correct record and signed by the chairman.

58 Planning Application 07/2017/0211/ORM - Cuerden Strategic Site, East of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Lane, Lostock Hall, Preston, Lancashire

Councillor Marsh and Yates declared a personal interest in this planning application as they were members of Lancashire County Council, but were able under the Code of Conduct for Elected Members, to remain in the meeting during the consideration of the application.

Address: Cuerden Strategic Site, East of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Lane, Lostock Hall, Preston, Lancashire

Applicant: Lancashire County Council & Maple Grove Developments Limited

Agent: Mr Paul Newton of Barton Wilmore

Development: Hybrid planning application comprising Full and Outline development – Environmental Impact Assessment (EIA) development

Part 1 FULL – Retail floorspace (Use Classes A1 & A3) and associated car parking, site access, highway works, drainage and strategic landscaping;

Part 2 OUTLINE – Employment floorspace (Classes B1, B2 & B8), hotel (Class C1), health and fitness and leisure (Class D2), crèche/nursery (Class D1), retail (Classes A1, A2, A3, A4 & A5), car showrooms (Use Class Sui Generis), residential (Classes C2/C3) and provision of associated car parking, access, public open space, landscaping and drainage (Access applied for) and affecting the setting of a Listed Building

UNANIMOUSLY RESOLVED: that –

1. the committee be minded to approve the application with the decision being delegated to the Planning Manager in consultation with the Chair of the Planning Committee upon the successful completion of a Section 106 Agreement to secure:

- Provision and future maintenance of infrastructure (which forms part of the Phase 1 detailed application)
- Phasing and delivery
- Provision of a marketing plan to market the development to future users and occupiers
- An Employment and Skills Coordinator
- Funding for the provision of a bus service

2. the decision delegated to the Planning Manager in consultation with the Chair of the Planning Committee allows for corrections to the list of conditions attached to the planning permission.

3. the committee adopt the Design Code and Parameter Plans for Development Management purposes.

.....Chair

Agenda Item 6

Application Number 07/2017/0623/FUL

Address Land at Longton Hall Court
Chapel Lane
Longton

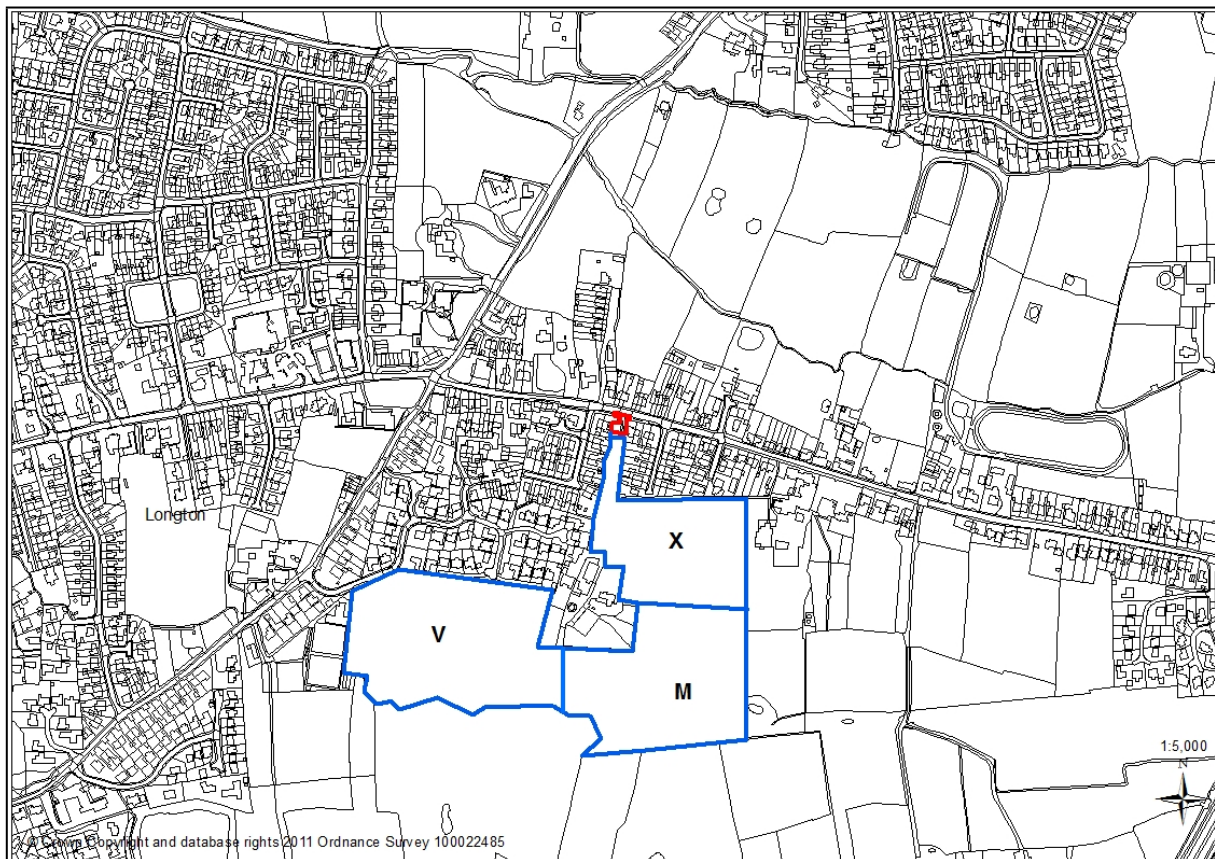
Applicant European Real Estate Investment Company

Agent David Bailey
Lea Hough & Co
8 Eaton Avenue
Matrix Park

Development The improvement of the existing Longton Hall Court junction with Chapel Lane, Longton to adoptable standards and sufficient to enable the service of the remainder of the allocated development sites M V and X South of Longton Hall Longton in the SRBC Local Plan (which would be subject to a future application)

Officer Recommendation **Approval with conditions**

Officer Name Debbie Roberts
Date application valid 25.07.2017
Target Determination Date 19.09.2017
Extension of Time 31.10.2017



1. Introduction

1.1. This planning application has been brought to committee at the request of the Ward Councillors

2. Report Summary

2.1. The application seeks permission for improvement of a 21m deep x 9-2m wide, 'T' shaped section of land encompassing the existing junction, pavement and grass verge of Chapel Lane with Longton Hall Court; an unclassified track currently used as the private access to four dwellings. Detailed descriptions of the site and immediate vicinity are available below.

2.2. The proposal site forms part of the wider, strategic Local Plan allocation for residential development referred to as Sites M (80 dwellings - South of Longton Hall), V (83 dwellings - Land at School Lane) and X (48 dwellings - Land at Longton Hall), and to which Policy D1 (Allocation of Housing Sites) refers.

2.3. Whilst it is acknowledged that this proposal implicates the future of the wider housing site allocation, members are asked to consider only the proposal at hand – namely improvement/widening of a 21m deep, T shaped stretch of land forming the junction of Longton Hall Court with Chapel Lane. Proposals to re-develop the three allocated sites will be assessed separately if and when they come forward.

2.4. The proposal has been assessed by the Councils Statutory consultees, and subject to the imposition of conditions the scheme is considered acceptable. Lancashire County Council Highways in particular have no objection. 18 letters of representation have been received and are summarised below.

2.5. Impact by virtue of loss of privacy, overlooking or general amenity to neighbouring residents resulting from the proposed road improvement is considered negligible

2.6. It is the Officers view that proposed road improvement would not detrimentally affect the amenity or nature conservation value of the site. Although some loss of trees is inevitable, this has been assessed by the Councils Arborist and consultant ecologist as appropriate.

2.7. The proposed application for improvement of the existing Longton Hall Court junction with Chapel Lane, Longton to adoptable standards, and sufficient to enable the service of the remainder of the allocated development sites M V and X South of Longton Hall Longton in the SRBC Local Plan (which would be subject to a future application) is considered to be in keeping with its extended environs. It should not result in any undue impact on the amenities of neighbouring properties, and there will be no significant highway safety. It accords with the relevant policies of the South Ribble Local Plan, Central Lancashire Core Strategy and National Planning Policy Framework, and is recommended for approval subject to the imposition of conditions.

1. Application Site and Surrounding Area

1.1. The site in question is a 21m deep x 9-16m wide, 'T' shaped section of land encompassing the existing junction, pavement and grass verge of Chapel Lane with Longton Hall Court; an unclassified track currently used as the private access to four dwellings. Longton Hall Court also provides access to land presently in agricultural use but within the applicant's ownership, and is a public right of way (7-7-FP-28).

1.2. Within the north-western part of the 'T' are a lighting column and telegraph pole. To the south of these within the site are a letterbox, and one half of a pair of stone gateposts; its partner facing across the lane in the same position. Just to the west of the letterbox but outside the site boundary is a large substation compound.

1.3. The eastern edge of the site is bound by mature hedgerow whilst along the western edge are numerous but sparsely spaced trees within areas of dense, low vegetation and what appears at one time to have been a watercourse. An Ash tree protected by Tree Preservation Order 1992/9 is present immediately adjacent to the proposal site but has been assessed by the Councils Arborist following submission of a tree survey (see below)

1.4. Facing across Chapel Lane are a number of dwellings at approximately 17m away. In the west are no's 36 and 38 Chapel Lane, and in the east no: 44 Chapel Lane; the application site bounding the side gardens to no's 38 and 44 which are screened by existing hedgerows. On the highway in the west is a chicaned traffic regulation system slowing traffic in a westerly direction.

1.5. The site forms part of the wider, strategic Local Plan allocation for residential development referred to as Sites M (South of Longton Hall), V (Land at School Lane) and X (Land at Longton Hall), and to which Policy D1 (Allocation of Housing Sites) refers. Overall, the allocation comprises the track which extends from Chapel Lane in a southerly direction by 170m. At this point it opens into Site X (estimated 48 dwellings) to the south of Intack Road and Avalwood Avenue, beyond which is Site M (80 dwellings); this then opens into Site V (83 dwellings) in the west.

2. Site Context / Planning History

2.1. There are six planning applications on the history of this site. Each of these pre-dated 1993, was for erection of a varying number of dwellings prior to designation of land as an allocated housing site (Site X) and was refused.

3. Proposal

3.1. The application seeks permission to improve the existing junction onto Chapel Lane to enable a 5.5m wide carriageway, with 2m wide footpaths on either side. The new junction would have a 6m radius to the west, with a 4.5m radius to the east.

3.2. Proposals show retention of the sub-station and protected tree, and retention of the telegraph pole and lighting column within the new footpath.

3.3. Whilst the proposal before members seeks permission only for improvement of the existing junction itself, it has been designed to a specification sufficient to enable it to serve 220 dwellings on the remainder of the allocated site, and this must be borne in mind. The sites Local Plan allocation as a housing site however does not automatically grant permission for that site, and any future residential development scheme would be considered on its own merits as and when a proposal comes forward.

4. Summary of Supporting Documents

4.1. The application is accompanied by the following:

- Ecological Assessment (Tyrer Partnership: 5 May 2017: as amended 1.9.17)
- Supporting Statement (Lea Hough: March 2017)
- Transport Statement (SCP JA/17006/TA/01: Feb 2017)
- Proposed Access Solution (SCP/17006/F01: 31.1.17)
- Arboricultural Impact Assessment (Bowland Tree Consultancy: BTC1394 Aug 2017)

5. Representations

5.1. Summary of Publicity

5.1.1. Two site notices have been posted, and 94 neighbouring properties consulted. Ward Councillors Clark, Coulton and Hesketh have also been notified, It was felt that due to the future implications of the application it should be determined by Committee.

5.2. Letters of Objection or Support

5.2.1. 18 letters of objection have been received – the vast majority of which focus upon the future development of the site rather than the scheme identified for determination. For this reason comments received have been summarised as follows:

5.2.1.1. Comments specifically having regard to the road improvement scheme

- Residential Amenity
 - Loss of privacy during construction of the access
 - Loss of amenity, stress and disruption resulting from construction and construction traffic
 - Difficulty in reversing onto Chapel Lane (from 44 Chapel Lane)
 - Loss of privacy following removal of hedgerow to 44 Chapel Lane (fence remains in situ)
 - Damage to property during construction – respondent seeks confirmation of liable party should this occur
- Ecological Impact
 - Use of the junction by badgers and need for full ecological survey – survey has been assessed by the Council's Ecologist (see comments below)
 - Trees should not be removed in the bird nesting season
- Highways Implications
 - Traffic assessment isn't realistic or independent, and is incorrect and misleading
 - No mention of cycle routes or reference to parking on Chapel Lane in traffic assessment
 - Impact upon pedestrian safety – opposite path on Chapel Lane is very narrow
- Other/Miscellaneous
 - Road is adequate for its current purpose and is only to be widened to enhance the prospect of approval of residential development
 - Public consultation is inadequate
 - Approval will only encourage future development applications
 - Lack of information included in the planning application

Officer Comment: Loss of amenity during the relatively short period of construction of the access way is generally considered to be a temporary nuisance. Conditions to control where possible hours and methods of construction however are recommended should permission be granted. Whilst the proposal does suggest loss of hedgerow to the eastern boundary, a fence will – as confirmed within the respondent's submission – remain in place, and any damage to the property during construction would be an issue between the landowner and person causing the damage. The traffic assessment, existing and proposed situation have been fully assessed by the Local Highways Authority (see below).

Comments also refer to a lack of information and public consultation. In order to pass the Councils validation process, a series of prescribed documentation must be included with the application. In this case this included tree, ecology and highways assessments and sufficiently detailed plans to identify the site, and to allow full consideration of the scheme at

hand. Your Officer is satisfied that both the submission and subsequent public consultation in line with the requirements of the Town & Country Planning (Development Management Procedure) (England) Order 2015 are acceptable.

5.2.1.2. Comments referring solely to future, residential development of Sites M, X & V

- Residential Amenity
 - Loss of privacy/overlooking in garden space
 - Disturbance, air and noise pollution as a result of activity associated with construction of the housing site
 - Loss of amenity due to delayed length development
 - No consideration to residents of Poplar Avenue (35m north-west of access)
 - Light and actual pollution
 - Loss of 'striking views' and negative impact upon the landscape
 - Proposed development will not 'reflect the local village style'
 - Development would be out of character with the area and too intensive
- Infrastructure
 - Lack of infrastructure to support the new development e.g. doctors, dentists etc.
 - Impact upon drainage which is currently maintained by residents
- Highways Implications
 - Use of junction as sole access to 220 dwellings unacceptable
 - Long term increase in traffic along Chapel Lane and the narrower Longton Hall Croft
 - Safety issues for users of the school
 - Alternative access suggested by respondents – namely disused railway track and via Rymer Grove
- Miscellaneous
 - No consideration or detail given to future development of 220 houses
 - Lack of public consultation to highlight this potential development
 - Councils acknowledgement letter did not contain adequate information or mention 220 houses, and did not include copies of relevant policy
 - This development site is one of the last green belt areas in Longton

Officer Comment: As a scheme for re-development of the 3 allocated sites is currently unavailable, and the details at this point unknown, issues of character, design, residential amenity, loss of view, infrastructure provision etc cannot be addressed other than to say that should a proposal come forward it would be assessed on its own merits and in accordance with current policy. During the Local Plan adoption stage, consideration was given to the identified access; this and public consultation prior to adoption are detailed at point 7.1.2 below. The Councils neighbour consultation/acknowledgement letter includes a link to all available documentation, and a description which makes full reference to the potential for future development of Sites M, V and X. It is not practical or a regulation requirement to include copies of policy documentation within such correspondence; these are however available to view online, or in paper form at the Council Offices.

5.2.1.3. Comments made which are not material considerations and as such have not been taken into account

- Developers are 'only in it for the money'
- Land along the further extent of the lane (not within this application site) is in the ownership of adjacent residents and not available for widening
- Earlier proposals all had 2 way roads but were refused
- No Health & Safety survey undertaken – the remit of the HSE not the planning process.

- Council's air pollution and environmental protection policies are not strong enough and need to be reviewed.

5.3. Town/Parish Council Response

5.3.1. **Longton Parish Council** have objected to the proposal for the following reasons

- Access into Chapel Lane will be dangerous and would lead to a significant number of vehicular movements
- Erection of 200 dwellings will result in a pinch point at key times of day which can be avoided by using an alternative access
- Parish Council suggests access into the allocated sites should be via the old railway line in conjunction with the one proposed to provide options to those entering/leaving the housing site

Officer comment – the objection in the main is either to development of the wider site, or offering alternatives for consideration. The remit of this planning application is solely to assess the acceptability of the proposed access for improvement; any alternatives or adjusted arrangement being part of future applications if and where relevant. Highways safety has been assessed by the Highways Authority (see below).

6. Summary of Responses

6.1. **BT Open Reach** have not responded but this is not unusual. It would however be the applicant's responsibility to arrange relocation if necessary of the existing telegraph pole should permission be granted.

6.2. The Council's **Ecology Consultant** concurs with the applicant's ecological assessment in finding the site to be of low ecological value. They do have some concern however as to protection of nesting birds, and as such request a precautionary condition relating to the same is recommended.

6.3. **Lancashire Constabulary** have no comments to make

6.4. **Lancashire County Council Highways** have assessed the site and applicants Transport Assessment (SCP: JA17006/TA/01. Feb 2017); the transport assessment being based upon delivery of 220 homes. They have also undertaken a site visit. Their comments are:

'The proposed access details as shown in drawing SCP/17006/F01 are acceptable with adequate provision for vehicles and pedestrians at the access point. The applicant is advised that the amended access will need to be constructed under a section 278 agreement with Lancashire County Council. From observations on site and the information provided on the submitted plans the sight line requirement is fully achievable over the applicants land and the existing adopted highway. LCC Highways have no objections to the proposals subject to the following Condition and Notes being attached to any permission granted:

Condition:

1. *No part of the development hereby approved shall commence until a scheme for the construction of the amended access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980. Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.*

Planning note:

1. *The applicant is advised that the amended access, will need to be constructed under a section 278 agreement. 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 Lancashire County Council before works begin on site. Further information and advice can be found at www.lancashire.gov.uk*

2. *The alterations to the access and existing highway as part of the new works may require changes to an existing telegraph pole and lighting column at the expense of the client/developer.'*

6.5. **Electricity Northwest** own the sub-station immediately to the west of the proposed road widening, and have no objection to any development provided that it does not touch the substation or surrounding fence.

6.6. **Lancashire County Councils Public Rights of Way Officer** – despite repeated requests the PROW team have not responded.

6.7. **National Grid** did not wish to comment as the adjacent substation is not in their ownership.

6.8. **South Ribble Environmental Health** acknowledges the 220 property allocation, but has responded with regards to the proposal set before members. They have no objection to the proposal but request that conditions are imposed with regards to drainage, acoustic survey and provision of a cycle route. Although drainage detail is considered appropriate at this time, a requirement for acoustic survey and cycle route provision on what is essentially a 20m or so stretch of road improvement is not considered appropriate. The applicant has been advised however that should permission be sought for further extension, improvement or development of either the lane or allocated housing sites be this information should be included with the initial application.

6.9. **South Ribble's Arborist** - the application is accompanied by an Arboricultural Impact Assessment (Bowland: Aug 2017) which finds that the development will impact little upon the root zone of the protected Ash, but that the tree is of low quality and may in the short term require removal for risk management purposes. Two hedgerows would require removal to facilitate development (H2 eastern boundary, H1 small hedge on western side) and a number of smaller trees identified within Groups G1 & G2 (western boundary); the rest of the groups to remain. The Councils Arborist has assessed the report and following a site visit has no objection to the scheme

7. **Material Considerations**

7.1 Background Information

7.1.1. The majority of objections to the proposal refer to suitability of both the access and allocated sites to accommodate housing development. Whilst this determination refers solely to improvement of the access, a brief summary of the access/sites robust assessment prior to Local Plan adoption might be useful for members

7.1.2. The three sites were suggested as development sites by a landowner/developer, and were also identified in the 2010 Strategic Housing Lane Availability Assessment as suitable for housing development. Assessments included relationship to and impact upon local services, schools, infrastructure, public transport and the wider highway network. Physical access into the site, flood risk and the sites land designation were also taken into account - the sites being 'greenfield' not 'green belt' (see distinct definitions below). The Local Plan Inspectors report stated that '*Sites M, V X have been allocated within the Rural Local Service Centre of Longton, in line with Core Strategy (adopted 2012) settlement hierarchy. Although*

such allocation has been criticised for comprising greenfield sites, they are necessary ... to ensure that sufficient housing land is provided within the Plan period' .

- *Greenfield definition* - Land that is not built on, typically farm land but can include playing fields, allotments and some residential gardens.
- *Green Belt definition* - statutorily designated land around built-up areas intended to limit urban sprawl and prevent neighbouring settlements joining together. **Not all Greenfield land is in the Green Belt.**

7.2 Site Allocation

7.2.1 The access way proposed for improvement forms part of the wider Site X housing allocation as designated by Policy D1 of the Local Plan 2012-2026. D1 is a positively worded policy which aims to focus development in the urban areas of South Ribble to maximise access to services, facilities, employment and travel choices. Where insufficient brownfield sites were available, Greenfield sites have been identified (as per Sites M, V and X); Longton having a tightly defined green belt boundary which limits the opportunity for development on the edge of the village. The three sites in combination – which includes the access referred to in this application - would provide approximately 220 dwellings over the 15 year plan period

7.3 Policy Background

Additional policy of marked relevance to this proposal is as follows. Please note that policy specifically related to future housing development has not been included.

7.3.1 *National Planning Policy Framework*

7.3.1.1 The NPPF at Para 14: provides a presumption in favour of sustainable development '*which should be seen as a golden thread running through both plan-making and decision taking*', and supports sustainable economic growth to deliver, amongst other things, homes. Given the relatively minor nature of the works proposed by this application only, it is the Officer's view that the development accords with the overall principles of the NPPF

7.3.2 *Central Lancashire Core Strategy*

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

7.3.2.2 **Policy 22: Biodiversity & Geodiversity** aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area

7.3.3 *South Ribble Local Plan*

7.3.3.1 In addition to site allocation policy D1 (above), the following are also pertinent:

7.3.3.2 **Policy G13: Trees, Woodlands and Development** states that development will not be permitted where it affects protected trees and woodland. Where loss of the same is unavoidable however this policy accepts suitable mitigation.

7.3.3.3 **Policy G16 – Biodiversity and Nature Conservation** protects, conserves and enhances the natural environment at a level commensurate with the site's importance and the contribution it makes to wider ecological networks.

7.3.3.4 **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.

7.4 Impact of Development on Neighbouring Properties

7.4.1 Immediately facing across Chapel Lane are a number of dwellings at approximately 17m away. In the west are no's 36 and 38 Chapel Lane, and in the east no: 44 Chapel Lane; the application site bounding the side gardens to no's 38 and 44 which are screened by existing hedgerows (to be removed).

7.4.2 Inter-relationships with existing neighbouring properties have been fully assessed in terms of design and highways safety, and are considered acceptable.

7.4.3 The residents of both no: 38 and no: 44 Chapel Lane objected to the scheme as they believed that part of the proposal site is within their own land ownership. For completeness, a check of the land registry has been made which shows that this is not the case, and that apart from a small area of adopted highway, Site X and the proposal site (immediate Site X access) are wholly within the applicant's ownership. Land Registry checks for Sites V and M are not at this stage necessary. Appropriate ownership certificates have been served as part of the application process.

7.5 Design, Character & Appearance

7.5.1 Site Allocations Policy G17 (Design Criteria for new development) seeks to ensure that new development relates well to neighbouring buildings and the extended locality, that layout, design and landscaping of all elements of the proposal are of a high quality and respect local character. Core Strategy Policy 17 (Design of New Buildings) effectively mirrors these criteria.

7.5.2 Longton is a traditional but diversely designed locale, centred around Chapel Lane and Liverpool Road which together dissect the village centre. Longton Hall Court is a relatively wide lane running at right angles to Chapel Lane, and whilst currently in use for access to residential properties, its junction is narrow and fairly difficult to negotiate when approaching from the main Highway. This proposal seeks simply to widen that access. Existing, retained screening to the site should ensure that impact by way of visual intrusion to and from neighbouring properties is negligible.

8 Conclusion

8.1 Whilst it is acknowledged that this proposal forms part of, and has implications to the future of the wider housing site allocation (Sites M, V and X), members are asked to consider only the proposal at hand – namely improvement/widening of a 21m deep, T shaped stretch of land forming the junction of Longton Hall Court with Chapel Lane.

8.2 The proposal has been assessed by the Councils Statutory consultees, and subject to the imposition of conditions the scheme is considered acceptable. Lancashire County Council Highways in particular have no objection but require pre-commencement agreement to the proposed access construction; this has been included as a condition to any permission granted.

8.3 For the reasons stated above, the proposed application for improvement of the existing Longton Hall Court junction with Chapel Lane, Longton to adoptable standards and sufficient to enable the service of the remainder of the allocated development sites M V and X South of Longton Hall Longton in the SRBC Local Plan (which would be subject to a future application) is considered to be in keeping with its extended environs. It should not result in any undue impact on the amenities of neighbouring properties, and there will be no

significant highway safety. It accords with the relevant policies of the South Ribble Local Plan, Central Lancashire Core Strategy and National Planning Policy Framework, and is recommended for **approval 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 with reference to the following approved plans and suite of documents:
 - Ecological Assessment (Tyrer Partnership: 5 May 2017: as amended 1.9.17)
 - Supporting Statement (Lea Hough: March 2017)
 - Transport Statement (SCP JA/17006/TA/01: Feb 2017)
 - Proposed Access Solution (SCP/17006/F01: 31.1.17)
 - Arboricultural Impact Assessment (Bowland Tree Consultancy: BTC1394 Aug 2017)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 the commencement of any development, a surface water drainage scheme and means of disposal based on sustainable drainage principles, with evidence of an assessment of the site condition (inclusive of post-completion management) shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include, but is not limited to:
 - Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100+ allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed taken to delay and control surface water discharged from the site, and measures taken to prevent flooding and pollution of the receiving groundwater and/or surface water including watercourses and details of floor levels
 - The drainage scheme should demonstrate that the surface water run off must not exceed the existing green-field rate, and shall subsequently be implemented in accordance with the approved details before the development is completed.
 - Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culvers where relevant)
 - Flood water exceedance routes both on and off site
 - A timetable for implementation, including phasing where applicable
 - Site investigation and test results to confirm infiltration rates
 - Details of water quality controls where applicableThe development shall be completed, maintained and managed in accordance with the timing and phasing arrangements embodied within the approved drainage scheme, unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure before development commences that appropriate drainage measures have been assessed in order to prevent flooding by ensuring a satisfactory storage and/or disposal of surface water from the site, and to reduce the risk of

flooding to the proposed development elsewhere and to future users in accordance with Policy 29 in the Central Lancashire Core Strategy

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:
- parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - suitable wheel washing facilities for vehicles leaving site. Details also to include mechanical sweeping of roads adjacent to the site.
 - measures to control the emission of dust and dirt during construction
 - measures to control the emission of noise during construction
 - details of external lighting to be used during construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
 - anticipated delivery times

REASON: To ensure that prior to development measures are in place to control construction in order to 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. During construction and site clearance, no machinery shall be operated, no processes carried out or deliveries taken at or dispatched from 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

6. 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

7. No part of the development hereby approved shall commence until a scheme for the construction of the amended access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.
REASON: In order to satisfy the Local Planning Authority and Highway Authority before development commences on site that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing

a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026.

8. If the presence of bats, barn owls, great crested newts 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
9. No tree felling, clearance works, demolition work or other works that may affect nesting birds shall take place between March and August inclusive, unless the absence of nesting birds has been confirmed by surveys or inspections.
REASON: To protect habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity

South Ribble Local Plan

- D1 Allocation of Housing Sites
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

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 £97. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

Highways Note 1: The applicant is advised that the amended access, will need to be constructed under a section 278 agreement. 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 Lancashire County Council before works begin on site. Further information and advice can be found at www.lancashire.gov.uk

Highways Note 2: The alterations to the access and existing highway as part of the new works may require changes to an existing telegraph pole and lighting column at the expense of the client/developer.'

Highways Note 3: The applicant is advised to consult with Lancashire County Councils Public Right of Way team prior to commencement of development on site.

Ecology Note: 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

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Agenda Item 7

Application Number 07/2017/1644/FUL
Address 150 Liverpool Old Road
Much Hoole
Preston
Lancashire
PR4 4QB

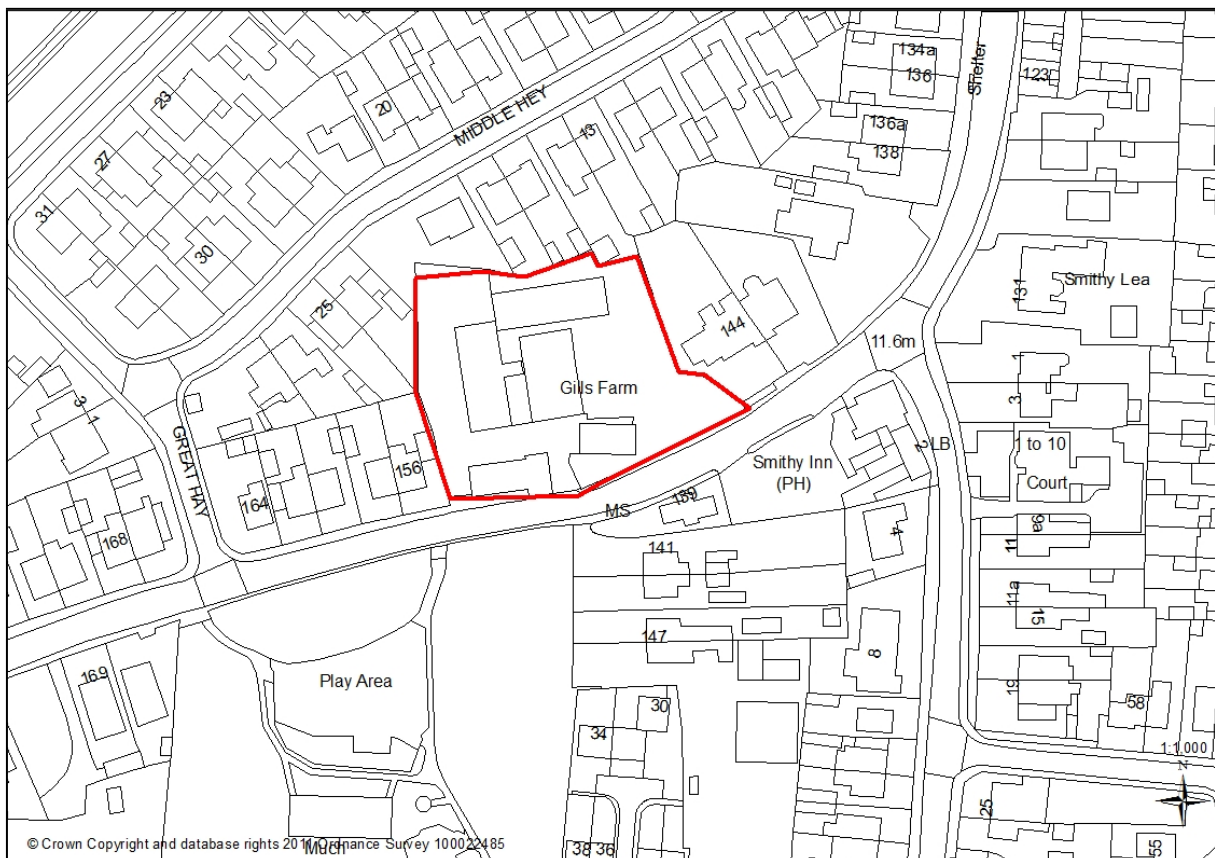
Applicant Athena Group

Agent Mr Butterworth
57-59 Houghton Street
Southport
PR9 0PG
United Kingdom

Development Erection of three blocks of two storey buildings for use as a residential care home (Class C2) together with car parking spaces, vehicular and pedestrian access and associated landscaping following demolition of existing buildings

Officer Recommendation Approval with Conditions
Officer Name Mr Chris Sowerby

Date application valid 12.06.2017
Target Determination Date 11.09.2017
Extension of Time 20.10.2017



REPORT SUMMARY

The application relates to a 0.34 hectare site fronting Liverpool Old Road within the settlement of Much Hoole that is close to the junction with Smithy Lane. The site, which is vacant and a former farm (Gills Farm), comprises of a farmhouse with garden, a brick built barn along the Liverpool Old Road frontage, two breezeblock barns and an extensive area of hardstanding. The site is located within an area of land designated as B1: Existing Built-Up Area in the South Ribble Local Plan.

The proposal is for the erection of a residential care home (Use Class C2) comprising of 3 linked blocks, each two-storey in height, together with associated car parking and landscaping following the demolition of existing buildings on the site. The proposed care home would be a 53-bed dual status care home that would provide residential care and nursing care, including specialist dementia care.

The design of the proposed buildings is a blend of traditional and contemporary, with the use of rustic red bricks, pre-weathered grey slate roofing tiles and stone colour concrete lintel and sills mixed with vertical timber cladding, angled windows along the Liverpool Old Road frontage and glazed linkages. It is the Officer's view that the mixed traditional-contemporary design, which incorporates locally distinctive features, is of a high design standard and would not have a detrimental impact on the character and appearance of the area.

The proposed inter-relationships are considered to be acceptable and are not considered to result in undue overlooking / loss of privacy or overdominance / overshadowing.

County Highways have fully assessed the proposal and, following the submission of amended plans detailing footpath widening along the northern side of Liverpool Old Road, have raised no objections to the proposed development. The applicant is proposing the provision of 14 parking spaces exceeds the requirements of the minimum car parking standards. The sites previous use as a working farm would have generated a degree of traffic including farming machinery. The use of the site as a care home is not considered to materially impact on traffic in the vicinity of the site.

The results of a bat emergence survey confirmed low numbers of common pipistrelle bats in one of the buildings. Given the low numbers, and the common species, of bat Ecology are satisfied that the necessary license from Natural England would be provided. A condition has therefore been recommended requiring the necessary permission/s from Natural England are consented prior to the demolition of the barn that bat presence has been confirmed.

Mitigation planting, including trees and shrubs, is proposed along site boundaries. The existing hedgerow along the site frontage is required to be removed to allow the existing footway to be extended to the 2m width requested by County Highways. A new hedge is proposed to be planted parallel to the hedge to be removed along what would become the new front boundary of the site. The Local Authority's Arboriculturist has raised no objections to the proposal.

Conditions have been recommended by Environmental Health relating to the agreement of a Dust Management Plan, the provision of wheel washing facilities for construction traffic, agreement of the location and lighting of a the site compound and storage yard for the construction phase, restrictions on the permitted hours of construction, restrictions on piling, the agreement of a Noise Management Plan (for construction and operational use of the facility) and extraction/ventilation equipment details with neighbour amenity in mind.

The application complies with Policies 1, 9, 10, 17 and 29 of the Core Strategy together with Policies B1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

APPLICATION SITE AND SURROUNDING AREA

The application relates to a 0.34 hectare site fronting Liverpool Old Road within the settlement of Much Hoole that is close to the junction with Smithy Lane. The site, which is vacant and a former farm (Gills Farm), comprises of a farmhouse with garden, a brick built barn along the Liverpool Old Road frontage, two breezeblock barns and an extensive area of hardstanding.

The site lies within a predominantly residential area, with a pub (The Smithy Inn) and a convenience store also present at the junction between Liverpool Old Road and Smithy Lane. Further north of Liverpool Old Road are further commercial uses which are interspersed with residential properties. To the west of the site, fronting Liverpool Old Road, are a series of semi-detached dormer bungalows. Two detached bungalows are present immediately to the east of the site. To the rear of the site is a detached dormer bungalow and a series of semi-detached bungalow, some of which have had loft conversion and dormer extensions, on Middle Hey which back on to the site. Opposite the site frontage are playing fields, a detached two-storey property and a private driveway serving 4 residential properties.

The site is located within an area of land designated as B1: Existing Built-Up Area in the South Ribble Local Plan.

SITE HISTORY

None relevant.

PROPOSAL

The proposal is for the erection of a residential care home (Use Class C2) comprising of 3 linked blocks, each two-storey in height, together with associated car parking and landscaping following the demolition of existing buildings on the site.

The proposed care home would be a 53-bed dual status care home that would provide residential care and nursing care, including specialist dementia care.

The proposed blocks are arranged to provide a central courtyard and each measure 6m to the eaves and 8.4m to the roof ridge with a pitch roof. Car parking (14 spaces), in addition to motorcycle and cycle parking, is proposed to the rear of the site. The site access on to Liverpool Old Road would remain in the same position as it currently is (adjacent to the boundary with 156 Liverpool Old Road).

The buildings are proposed to be constructed in red rustic brick with grey slate style roof tiles. Stone colour concrete lintels and sills are proposed throughout the development in addition to elements of vertical timber cladding. On the first floor and part-ground floor front elevation of Block C (fronting Liverpool Old Road) the windows are proposed to project at an angle.

The existing footway along the northern side of Liverpool Old Road is proposed to be widened to 2m along the site frontage.

Proposed landscaping is concentrated along the eastern boundary with 144 Liverpool Old Road, in the form of tree, hedge and shrub planting, and along the front boundary, in the form of a replacement hedge. Boundary fencing is proposed to remain in place.

A ground source heat pump is proposed to be installed within the garden area to provide hot water to the care home and improve energy efficiency.

The care home is anticipated to employ 30 full-time members of staff and 20 part-time members of staff on a rota system. The development would have a 24 hour staff presence.

The applicant, the Athena Group, currently have 5 residential homes and care homes that are either operational or under construction including homes in Southport, Ormskirk and Formby. Supporting documentation submitted with the planning application argues that there is a substantial demand for care facilities in Much Hoole and the Western Parishes, with the population in the area being 39% higher than the national average. The local demographics are also stated to show an under supply of 239 care beds within a 20-minute drive radius of the site.

REPRESENTATIONS

As of the 20th September 3 letters of objections have been received in relation to the proposal. A summary of the points raised follows:

Character

- ☒ Proposal is out of character with the area

Inter-relationship Issues

- ☒ Overshadowing / overdominance of neighbouring properties
- ☒ Overlooking / loss of privacy

Highway Issues

- ☒ Insufficient off-street parking proposed
- ☒ Increase in traffic volume with associated disturbance

Noise / Disturbance

- ☒ Potential for noise / disturbance from use of air conditioning units and the day to day use of the facility
- ☒ Noise / disturbance during demolition and construction

Other Issues

- ☒ Other uses for the site preferred

Much Hoole Parish Council object to the proposal citing issues relating to traffic, on-street parking issues and highway safety.

CONSULTATION REPLIES

County Highways have fully assessed the application and have raised no objections in principle to the proposed development. At the request of County Highways the existing hedge along the front boundary of the site is to be removed to allow the footway along the northern side of Liverpool Old Road to be widened to 2m. County Highways confirm that adopted parking standards would require the provision of 11 off-street parking spaces, with the applicant exceeding this requirement by proposed 14 off-street parking spaces.

Conditions are recommended by County Highways relating to the provision of wheel washing facilities for construction traffic, the agreement of a Construction/Demolition Management Plan and the agreement of works to take place within the adopted highway.

Environmental Health have raised no objections to the proposal, recommending a number of conditions relating to the agreement of a Dust Management Plan, the provision of wheel washing facilities for construction traffic, agreement of the location and lighting of a the site compound and storage yard for the construction phase, restrictions on the permitted hours of construction, restrictions on piling, invasive plant species, contaminated land, the agreement of a Noise Management Plan (for construction and operational use of the facility), extraction/ventilation equipment details and the provision of electric vehicle recharging points. A condition recommended to restrict the burning of waste is not considered to meet the tests for conditions would need to be controlled through other legislation.

The Local Authority's **Arboriculturist** has raised no objections to the proposal.

The **Lead Local Flood Authority (LCC)** have raised no objections to the proposal following amendments been to the drainage strategy at their request, specifically confirmation that the surface water is to discharge into an existing culvert to the north of the site. This has since been provided.

United Utilities have raised no objections to the proposal recommending conditions relating to the submission of foul and surface water drainage details and the submission of a sustainable drainage management and maintenance plan for the lifetime of the development.

Ecology have confirmed that due to 2 of the buildings on the site being identified as having high bat roosting potential an emergence survey was required to be undertaken. The results of the emergence survey confirmed low numbers of common pipistrelle bats in one of the buildings. Given the low numbers, and the common species, of bat Ecology are satisfied that the necessary license from Natural England would be provided. A condition has therefore been recommended requiring the necessary permission/s from Natural England are consented prior to the demolition of the barn that bat presence has been confirmed.

Conditions relating to restrictions on work during bird nesting season and landscaping details, together with an informative relating to invasive plant species, were also recommended.

The **Lancashire Archaeology Advisory Service** have raised no objections to the proposal, recommending a condition relating to the agreement of a programme of archaeological recording and analysis due to the age of farmhouse and brick barn to be demolished.

The **Crime Prevention Officer (Lancashire Constabulary)** has raised no objections to the proposal, making numerous crime prevention suggestions which have been passed on to the applicant.

MATERIAL CONSIDERATIONS

Policy Considerations

i) NPPF

The NPPF is a material planning consideration to which weight needs to be attached. The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development, stating *"Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."*

With regards to highway issues associated with development proposal, Paragraph 32 of the NPPF states *"Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe"*. Development therefore which would not result in a severe detrimental impact on traffic/highway conditions should not be refused on transport grounds.

ii) Core Strategy Policy Considerations

Policy 1 of the Core Strategy is entitled 'Locating Growth' and encourages the focussing of growth and investment in the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble.

Policy 9 of the Core Strategy is entitled 'Economic Growth and Employment' and encourages the focussing of economic growth in existing main urban areas.

Policy 10 of the Core Strategy is entitled 'Employment Premises and Sites' and highlights the need to protect sites last used and allocated for employment for future employments use.

Policy 17 of the Core Strategy is entitled 'Design of New Buildings' and requires new buildings to take account of the character and appearance of the local area.

Policy 25 of the Core Strategy is entitled 'Community Facilities' and identifies an increase in demand for facilities catering for older people.

iii) South Ribble Local Plan

The site is within an area of land designated as B1: Existing Built-Up Areas. Policy B1 permits the re-use of land and buildings provided that:

- i) the development complies with the requirements for access parking and services, as set out elsewhere in the Plan;
- ii) is in keeping with the character and appearance of the area; and
- iii) will not adversely affect the amenities of nearby residents.

This will be assessed in the following sections of this report.

CIL

The proposed development is not in a Use Class that would require a CIL payment.

Character / Appearance

Policy 17 of the Core Strategy and Policy G17 of the Local Plan, sets out design criteria for new development and requires development to be well related to neighbouring buildings and the locality in terms of its size, scale and intensity (plot coverage).

In consideration of the above, the local distinctiveness and character of the local area have been assessed. Much Hoole does not have a conventional 'village centre', with what limited retail and commercial premises the village possesses sporadically spread along Liverpool Old Road which is predominantly residential. The residential properties in the surrounding area comprise of a mixture of designs and styles. Properties to the west and north (rear) of the site predominately comprise of a mixture of 1970s detached and semi-detached bungalows/dormer bungalows. To the east of the site more traditional style properties are located along Liverpool Old Road, including The Smithy Inn Public House. Opposite the site are playing fields and a children's playground. Whilst there is a mixed vernacular to the streetscene the scale of the surrounding development is wholly conventional residential.

The operational need of the applicant would prevent a series of detached buildings therefore glazed and timber clad linkages are proposed between the different building blocks. The dividing of the development into a series of 3 two-storey building blocks reduces the overall bulk of the development, with a streetscene that is comparable in scale to a terrace of dwellings.

The design of the proposed buildings is a blend of traditional and contemporary, with the use of rustic red bricks, pre-weathered grey slate roofing tiles and stone colour concrete lintel and sills mixed with vertical timber cladding, angled windows along the Liverpool Old Road frontage and glazed linkages. In terms of building design Paragraph 60 of the NPPF states *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."* It is the Officer's view that the mixed traditional-contemporary design, which incorporates locally distinctive features, is of a high design standard.

Along this stretch of Liverpool Old Road there is no uniform distance that buildings are setback from the footpath running along both sides of the carriageway, with the existing barn on the site within 0.5m of the front boundary and 139 Liverpool Old Road opposite within 1m of the front boundary.

For the above reasons the proposed development is considered to comply with Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan.

Relationship To Neighbours

A minimum distance of 16m would be present from the front elevation of Block C (fronting Liverpool Old Road) to the front elevation of 139 Liverpool Old Road Opposite. Windows on the front elevation of Block C that oppose 139 Liverpool Old Road have however been angled so they face west along Liverpool Old Road so that they do not result in undue overlooking / loss of privacy. The two-storey scale of the proposed development would not result in undue overshadowing / overdominance of neighbouring properties on the opposite side of Liverpool Old Road.

A minimum distance of 16.5m would be present from the western elevation of Block A to the side elevation of the semi-detached dormer bungalow at 156 Liverpool Road. This inter-relationship is considered to be acceptable and meets the recognised minimum spatial separation standards at the first floor window in the side elevation of 156 Liverpool Road is obscurely glazed and serves a non-habitable room.

A minimum distance of 5.8m would be present from the western side elevation of the semi-detached bungalow at 144 Liverpool Old Road to the north-eastern (rear) corner of Block C. As there is only a side door which serves a utility room (a non-habitable room) present western side elevation of 144 Liverpool Old Road there is no required recognised minimum spatial separation distance. It should also be noted that there is a window present on the front elevation of 144 Liverpool Old Road that serves the utility room. The main useable garden space for 144 Liverpool Old Road is at the rear of the property, where there would be a distance of 13m to the two-storey Block B. These inter-relationships are considered to be acceptable and meet the recognised minimum spatial separation standards.

A minimum distance of 18m would be present from 17 and 19 Middle Hey to the blank side gable of Block B. A minimum distance of 27.5m and a splayed distance of 22m would be present from the rear elevation of Block A to 21 and 23 Middle Hey respectively. These distances recognised minimum spatial separation standards and are considered to be acceptable.

Highway Issues

County Highways have fully assessed the proposal and, following the submission of amended plans detailing footpath widening along the northern side of Liverpool Old Road, have raised no objections to the proposed development.

The parking standards as set out in Appendix 4 of the South Ribble Local plan for residential care homes/nursing homes (Use Class C2) require a minimum of 1 parking space per 5 beds. A minimum of 11 parking spaces would therefore be required for the proposed development. As the applicant is proposing the provision of 14 parking spaces the proposal exceeds the minimum car parking standards.

The sites previous use as a working farm would have generated a degree of traffic including farming machinery. The use of the site as a care home is not considered to materially impact on traffic in the vicinity of the site. Residents would not be car users, therefore traffic would be restricted to the likes of staff, visitors, medical practitioners and grounds/maintenance staff. In their response County Highways confirm that the sight lines at the site access points onto Liverpool Old Road are acceptable and fully achievable over the existing adopted highway.

Conditions are recommended by County Highways relating to the provision of wheel washing facilities for construction traffic, the agreement of a Construction/Demolition Management Plan and the agreement of works to take place within the adopted highway.

Tree Issues / Wildlife

A Bat Survey Report submitted with the planning application concluded that two of the buildings on the site have high bat roosting potential, with evidence of bat roosting apparent in one of the buildings. An emergence survey was therefore required to be undertaken to confirm if bats are currently roosting in these buildings on the site which are proposed to be demolished. The results of the emergence survey confirmed low numbers of common pipistrelle bats in one of the buildings. Given the low numbers, and the common species, of bat Ecology are satisfied that the necessary license from Natural England would be provided. A condition has therefore been recommended requiring the necessary permission/s from Natural England are consented prior to the demolition of the barn that bat presence has been confirmed.

A precautionary condition restricting tree works to the months outside of the bird nesting season and landscaping details were also recommended by Ecology.

The proposed development would require the removal of approximately 11 trees on the site. None of the trees on the site are protected by Tree Preservation Order and none are worthy of such protection. Mitigation planting, including trees and shrubs, is proposed along site boundaries. The existing hedgerow along the site frontage is required to be removed to allow the existing footway to be extended to the 2m width requested by County Highways. A new hedge is proposed to be planted parallel to the hedge to be removed along what would become the new front boundary of the site. The Local Authority's Arboriculturist has raised no objections to the proposal.

Noise / Disturbance

Concern has been raised by objectors relating to the potential for noise and disturbance resulting from the day to day use of the facility, the use of air conditioning units and during the demolition and construction phase. Environmental Health have fully considered the proposed development and have recommended a condition requiring the submission and agreement of a Noise Management Plan covering both the construction and operational use of the facility. Conditions have also been recommended relating to agreement of extraction/ventilation equipment details. The agreement and implementation of these conditions is considered sufficient to safeguard the amenities of neighbouring properties for the duration of the use of the buildings.

As with any development, a degree of noise and disruption is likely during the demolition and construction phases. Any such disruption would however be temporary and, through the agreement of conditions relating to noise management and restrictions on hours of construction, can be acceptably managed.

Other Issues

Objectors have stated preference for other uses of the site. Applications however have not been forthcoming for such uses and the proposal therefore has to be considered on its individual merits.

CONCLUSION

The proposed erection of a residential care home (Use Class C2) comprising of 3 linked blocks, each two-storey in height, together with associated car parking and landscaping following the demolition of existing buildings on the site is considered to be acceptable on the site. The proposed development will not have a detrimental impact on the character and appearance of the area and will not adversely affect the amenities of nearby residential properties. There are no highway safety, ecological or amenity implications.

The application complies with Policies 1, 9, 10, 17 and 29 of the Core Strategy together with Policies B1 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. That the development 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. No work shall be commenced until satisfactory details of the colour and texture of the facing and roofing materials to be used have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details

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

3. The development hereby permitted shall be registered with the Building Research Establishment (BRE) under BREEAM and constructed to achieve a BREEAM rating of 'Very Good' (or where possible in urban areas 'Excellent'. No phase or sub-phase of the development shall commence until a Design Stage Assessment Report showing that the development will achieve a BREEAM rating of 'Very Good' or 'Excellent' has been submitted to and approved by the Local Planning Authority

REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy

4. Prior to first use of the development hereby approved, a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of 'Very Good' (or where possible in urban areas) 'Excellent' has been submitted to and approved by the Local Planning Authority.

REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy.

5. On completion of the development hereby approved a Building Research Establishment issued Post Construction Review Certificate confirming that the development has achieved a BREEAM rating of 'Very Good' (or where possible in urban area) 'Excellent' has been submitted to and approved in writing by the Local Planning Authority.

REASON: To be in accordance with Policy 27 in the Central Lancashire Core Strategy

6. Prior to the commencement of development, a ground level survey to include existing ground levels and existing and proposed ground and slab levels shall be submitted to

and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with this scheme.

REASON: To ensure the satisfactory appearance and drainage of the site and to accord Policy 17 of the Core Strategy

7. Prior to the commencement of development, a scheme for the provision of foul water drainage shall be submitted to and be approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved plans during the development and shall be thereafter retained and maintained for the duration of the approved use.

REASON: For the avoidance of doubt and to protect the living conditions of future occupants of the site in accordance with Policy 29 in the Central Lancashire Core Strategy

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

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

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 and 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances), discharge rates and volumes (both pre and post development), temporary storage facilities, 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 detail of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for implementation, including phasing as applicable;
- e) Evidence of an assessment of the site conditions to include site investigation;
- f) Details of water quality controls, where applicable;
- g) The pass forward flow rate to the public sewer restricted to 8 l/s, in the event of surface water draining to the public surface water sewer

The development shall not be occupied until the sustainable drainage scheme has been completed in accordance with the agreed details. The sustainable drainage scheme shall be managed and maintained thereafter with the agreed management and maintenance plan.

REASON: To ensure that the proposed development can be adequately drained, to improve water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy

9. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's 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 the proposed development can be adequately drained, to improve water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy

10. The demolition of building B1 is likely to cause harm to pipistrelle bats as identified in the Bat Dusk Emergence/Dawn re-entry survey, Brindle & Green Ref BG16.267 section 7 and shall not in any circumstances commence unless the local planning authority has: either:
 - a) been provided with a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development go ahead;
 - b) been provided with a statement in writing form the relevant licensing body to the effect that it does not consider that the specified development will require a license or;
 - c) agreed in writing that a license is no longer required from the relevant licensing body

REASON: To ensure the protection of scheduled species protected by the Wildlife and Countryside Act 1981 in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

11. No development shall take place, including any further 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:
 - (i) measures to control the emission of dust and dirt during construction
 - (ii) measures to control the emission of noise during construction
 - (iii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - (iv) the parking of vehicles of site operatives and visitors
 - (v) loading and unloading of plant and materials
 - (vi) storage of plant and materials used in constructing the development
 - (vii) the location of the site compound
 - (viii) suitable wheel washing/road sweeping measures
 - (ix) details of all external lighting to be used during construction

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

12. During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at anytime on Sundays or nationally recognised Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

13. Prior to the commencement of any works on site, details of all piling activities shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to 09:30-17:00.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Note to Applicant: Mitigation measures may include and are not limited to:

- I. The use of low impact piling, auger piling
- II. Boundary vibration and noise monitoring
- III. Informing neighbouring properties on the times and duration of piling activities.

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

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

15. Prior to the commencement of development hereby approved, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:

a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on & off-site contamination and ground gases.

b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property.

The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the start of the site investigation survey.

c) A Remediation Statement, detailing the recommendations and remedial measures to be implemented within the site.

Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.

On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a Verification Report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.

REASON: To ensure that the site investigation and 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

16. Prior to first occupation of the property a noise management plan shall be submitted and agreed with the local planning authority to mitigate against noise from vocalisation of care users. Development shall proceed in accordance with the approved management plan.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 and 28 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan.

Note:

The noise management plan should include the following control measures:

- o Liaise with local residents in the event of complaint/s and agree an action plan.
- o If specific equipment is associated with the adverse noise, then reduce or remove access to this equipment.
- o In agreement with residents determine access time to the garden.
- o Implement a plan to reduce the impact of vocalisations from individual care users which take into account their needs.

The above list is only a guide and not intended to be entirely inclusive, further points and more detail will be needed to produce a noise management plan.

17. Prior to the installation of any extraction/ventilation systems full details of the noise levels to be experienced at the nearest properties and the fixings to be used shall be provided to the local planning authority for written approval. The approved system shall then be installed as agreed and thereafter maintained as approved. Any changes to the system shall first be agreed with the local planning authority in writing.

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Note:

The extraction/ventilation system shall be so designed to ensure the following standards are achieved:

The proposed development shall be designed so the rating levels for cumulative noise from all noise sources shall not exceed, 10 dB(A) below the existing LA90, at the nearest noise-sensitive premises to the proposed development as assessed in accordance with British Standard 4142 (2014) or:

LAeq 50 dB 16 hours - gardens and outside living areas (for example balconies)

LAeq 35 dB 16 hours - indoors daytime

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

LAFmax 45 dB(8 hours - indoors night-time (23.00-07.00)

LAFmax 45 dB 4 hours - indoors evening (19.00-23.00)

Whichever is lower.

18. To promote and improve local air quality 10% of parking bays shall be provided with a fast (3-4 hrs) electric vehicle recharge point to the parking area. The parking bay shall be appropriately marked to ensure the sole use by electric vehicles and an adequate charging infrastructure with associated cabling provided for the designated parking bay. The charging point shall be located so that a 3m cable will readily reach the vehicle to be charged when parked in the designated parking bay.

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.

19. No development, including site clearance, shall commence until the developer has secured the implementation of a programme of building recording and analysis. This must be undertaken in accordance with a written scheme of investigation which shall have been submitted to, and approved in writing by, the Local Planning Authority. The final report shall be submitted to the Local Planning Authority prior to the occupation of the development.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological and/or historical importance associated with the building/site in accordance with Policy 16 in the Central Lancashire Core Strategy

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

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highways works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users so as to accord with Policy 17 of the Core Strategy and Policy G17 of the South Ribble Local Plan.

21. Prior to the commencement of the development full details of the waste storage and management systems within the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed waste storage facilities shall be provided prior to the first occupation of the development and shall be retained and maintained thereafter.

REASON: To provide effective and sufficient storage facilities for refuse and to safeguard amenities and living conditions of any nearby residents particularly with regards to odour, noise and insects in accordance with Policy 17 in the Central Lancashire Core Strategy.

22. Prior to the commencement of development, full details of the cycling facilities within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved cycling facilities shall be provided prior to the first occupation of the development and retained and permanently maintained thereafter.

REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy 3 in the Central Lancashire Core Strategy, Policy F1 and Policy G17(c) in the South Ribble Local Plan.

23. That any tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not take place between March and August inclusive of any year, unless the absence of nesting birds has been confirmed by further surveys or inspections and written approval has been given from the Local Planning Authority.

REASON: To protect habitats of wildlife, in accordance with Policy 22 of the Core Strategy.

24. That full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The

scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of the amenity of neighbouring residential properties so as to accord with Policy 17 of the Core Strategy and Policy G17 of the South Ribble Local Plan.

25. The approved landscaping scheme, detailed on Landscape Proposal dwg. no. 5469.01 Rev C, shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy, Policy G13 and Policy G17 in the South Ribble Local Plan 2012-2026

26. Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of the development hereby permitted shall be restricted to the use applied for.

REASON: To define and limit the proposed use on the site to that set out in the planning application.

27. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans A100 (Proposed Site Plan), A101 (GA Ground Floor), A102 (GA First Floor), A201 (Proposed Elevations Block A), A202 (Proposed Elevations Block B+C) and 5469.01 Rev C (Landscape Proposals).

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan.

RELEVANT POLICY

- 1 Locating Growth (Core Strategy Policy)**
- 3 Travel (Core Strategy Policy)**
- 7 Affordable and Special Needs Housing (Core Strategy Policy)**
- 9 Economic Growth and Employment (Core Strategy Policy)**
- 10 Employment Premises and Sites (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**
- 28 Renewable and Low Carbon Energy Schemes (Core Strategy Policy)**

29 Water Management (Core Strategy Policy)

POLB1 Existing Built-Up Areas

POLF1 Car Parking

POLG13 Trees, Woodlands and Development

POLG14 Unstable or Contaminated Land

POLG16 Biodiversity and Nature Conservation

POLG17 Design Criteria for New Development

Note:

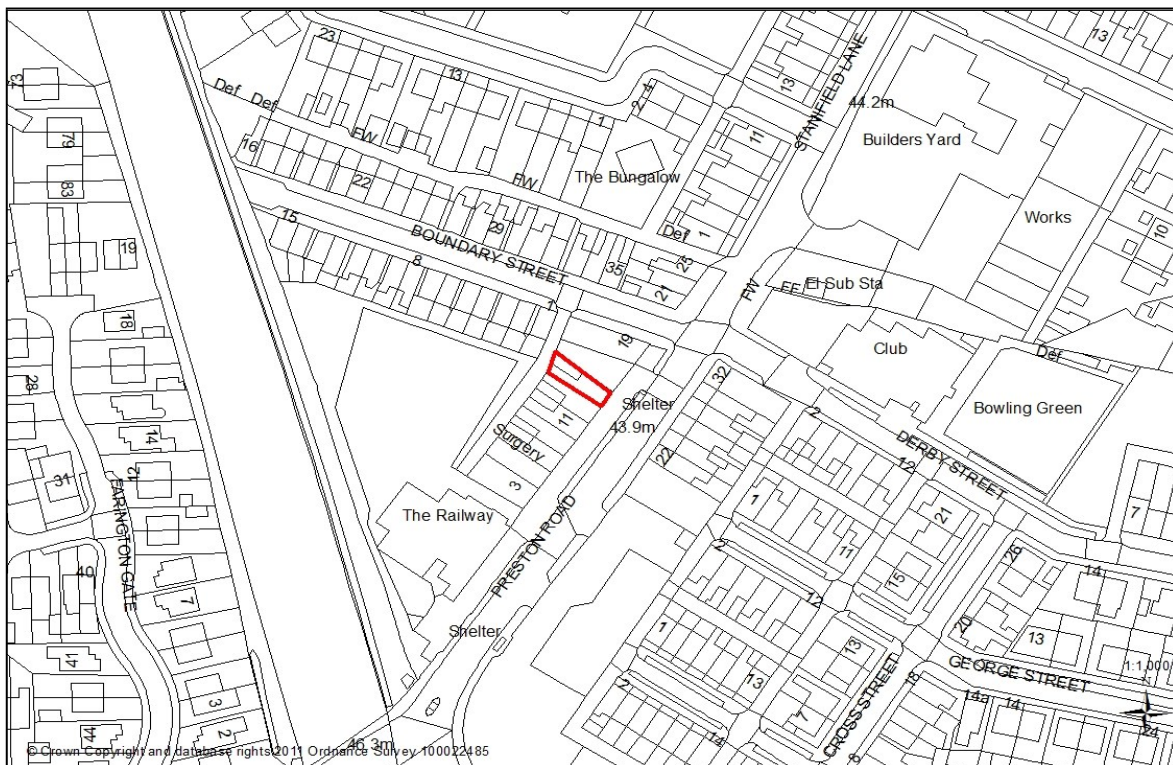
Application Number 07/2017/1150/FUL
Address 15 Preston Road
Leyland
Lancashire
PR25 4NT
Applicant Mr Nabeel Tabarik
Agent Mr Lukman Vika
Daisyfield Business Centre
Suite 301
Appleby Street
Blackburn
BB1 3BL

Development

Change of Use of Ground Floor from housing multiple occupation (Sui Generis) to (Class A5) Hot Food Takeaway including New Shop Front and Siting of New Extractor Flue to Rear

Officer Recommendation **Approval**
Officer Name **Mrs Catherine Lewis**

Date application valid 02.05.2017
Target Determination Date 27.06.2017
Extension of Time 19.10.2017



1.0 Introduction

1.1 This application is being presented to Committee because the proposal is for change of use to a hot food take away; a use outside the scheme of delegation.

2.0 Report Summary

2.1 The proposal for a change of use of a three storey mid terrace property in multiple occupation to a hot food takeaway within the District Centre of Farington is not considered to have any detrimental impact on existing uses within the District Centre, including neighbouring residential use and is considered to accord with Policy E5 of the South Ribble Local Plan. The application is therefore recommended for approval.

3.0 Site and Surrounding Area

3.1 The application site relates to a three storey mid terrace property in multiple occupation (HMO) on Preston Road in Farington.

3.2 The site falls within the boundary of the Farington Local Centre as identified by the Policies Map that accompanies the South Ribble Local Plan 2015. To the rear there is a narrow access alley leading off Boundary Street. Commercial properties exist to either side of the application property, some with residential apartment above. Neighbouring properties include a number of takeaway premises, a Turkish takeaway, Chinese takeaway, an art studio, hair salon and a tandoori with a bridal shop and cycle store at either end of the row.

3.3 Residential properties are also located on the opposite side of Preston Road.

4.0 Planning History

4.1 07/2002/0416: Change of use from shop (Class A1) to hot food takeaway (Class A3)
Approved

4.2 07/2011/0250/FUL: Change of use from Class C2 residential ground floor flat to Class A1 hair salon including the installation of a new shop front and roller shutters. Approved.

5.0 Proposal

5.1 The proposal involves a change of use of the ground floor (HMO) to a hot food takeaway including a new shop front and the siting of an extractor flue to the rear. Currently the ground floor is used as residential accommodation, but above the window there is a fascia board to the front elevation. A new door would be added to the shop front and the proposal would provide for an aluminium powder coated frame to be matt black in colour with perforated roller shutters. The shutter box would be internally mounted behind the fascia panel. The fascia panel above the front window would be compressed laminate board to be black in colour.

5.2 The flue to the rear would be 400mm in diameter and constructed of galvanised steel fixed with brackets to the rear.

5.3 Hours of operation 11:00 am to 23:00 hours every day including Sundays and Bank Holidays.

6.0 Summary of Documents Submitted

- Design and Access Statement
- Ventilation and Extraction Statement
- Extract Canopy Calculations
- Waste and Recycling Statement

7.0 Summary of Publicity

7.1 Neighbouring properties were notified and a site notice posted with 2 letters of representation being received. The comments are summarised below:

7.2 Letters of objection

- Object to more fast food outlets due to loss of community based businesses
- Limited car parking available
- Impact of increase number of fast food outlets within the wider area □ Risk of fire.

8.0 Summary of Consultations

8.1 Environmental Health: Initially, objected to the proposal due to insufficient information being presented about the impact on neighbouring residential properties including the above flats. The development has the potential to adversely affect the amenity of neighbouring properties. Further detail are required on odour control, disposal of liquid waste, disposal of waste associated with the above flats, confirmation of the full 60 minute fire protection between the takeaway and the flats is required and a sound insulation test between the shop and flats would be required. Additional information has been submitted which seeks to address these concerns and the EHO is satisfied with the revised noise report, ventilation and disposal of commercial waste details.

8.2 County Highways: Raise no objection and consider that the proposals would have a negligible impact upon highway safety and highway capacity in the immediate vicinity of the site.

8.3 Police Liaison Officer. Over the past 12 months the area has experienced high levels of crime and antisocial behaviour. Incidents have been recorded including burglary, criminal damage, vehicular crime and assaults together with shop staff assaulted. A number of measures are requested as conditions or an advisory note to any planning permission. **9.0**

Policy Background

NPPF

Paragraph 58 Create a safe and accessible environments where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion.

Central Lancashire Core Strategy

Policy 17 Design of New Buildings
Policy 26 Crime and Community Safety

South Ribble Local Plan

Policy E5 Local Centres

Policy G17 Design Criteria in new Development.

10.0 Material Considerations

10.1 Local Plan Allocation

The application site is located within the Farington Local Centre as defined in Policy E5 of the South Ribble Local Plan.

The Policy States:

Within the Local Centres A1 (Retail) uses will be protected and enhanced wherever possible in order to achieve a minimum of 60%. This is to maintain the vitality and viability of the centre.

Applications for other local uses including A2 (Financial and Professional Services) A3 Cafes and Restaurants and A4 Drinking Establishments, an dB1 (offices) may be appropriate where it does not undermine the sustainability of the shopping areas

The application site is currently a Home of Multiple Occupation and as such would not involve the loss of an existing A1 retail use. Therefore, the change of use would in principle be acceptable.

10.2 Design

10.2.1 A new door would be added to the shop front and the proposal would provide for an aluminium powder coated frame to be matt black in colour with perforated roller shutters. The shutter box would be internally mounted behind the fascia panel. The fascia panel above the front window would be compressed laminate board to be black in colour. These details are not dissimilar to the other shop units and the opportunity to reinstate a shop front within the existing parade of shops is strongly supported. The details are considered acceptable and meet the aims of Policy G17 of the South Ribble Local Plan.

10.2.2 The applicant has advised that details of signage would be the subject of a separate advertisement application if required.

10.3 Highways and Parking

10.3.1 The frontage of the application site faces on to Preston Road where a bus stop and a pedestrian crossing are present. Although there is no specific on street car parking Lancashire County Council Highways section has raised no objection to the proposal and is of the opinion that the proposal would have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The proposal is considered acceptable in terms of highway safety and amenity.

10.4 Relationship to Neighbours and Impact upon the character of the area.

10.4.1 In terms of residential amenity Policy 17 in the Central Lancashire Core Strategy requires new development to be sympathetic to surrounding land uses and occupiers and avoid demonstrable harm to the amenities of the local area. Farington Local Centre consists of two distinct locations and between these two designated areas there are four groups of terraced properties most of which are residential. There is a row of residential properties opposite the application site but as there are already hot food takeaways within the same parade of shops the impacts of the development have been previously assessed and found acceptable. The hours of operation are also consistent with similar uses and provided that

there is a condition controlling them the proposal therefore complies with Policy G17 of the South Ribble Local Plan.

10.5 Noise and Odour

10.5.1 The application provides for an external flue to be constructed to the rear of the property. Initially Environmental Health raised concerns that the proposal would have the potential to adversely impact upon the residents in terms of noise, disturbance and odour. Revised information and plans have been received which demonstrate an improved design of the extraction system, a noise report and ventilation and disposal of waste details.

The information has been fully assessed by Environmental Health Officers who have confirmed that the submitted information is acceptable. Questions have been raised about the waste arrangements for the flats but this aspect does not form part of the current application. Nevertheless, the applicant has advised that a private contractor would manage the waste for the residential flats.

10.6 Crime and Disorder

10.6.1 A Crime Impact Statement has been provided by the Police which advised that there have been high levels of crime and antisocial behaviour recorded -as incidents as Hot Food takeaways are often flash points for antisocial behaviour, crime risks need to be reduced where possible through design. A number of recommendations have been made which include glazing, rear boundary treatment, illumination, CCTV installation, waste bins and fire precautions. This information has been forwarded to the applicant for their consideration.

10.7 Other matters

10.7.1 Two letters of representation have been received which express concerns about the increase in the number of hot food takeaway within the area. The National Planning Policy Framework make clear that local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. As the site is located within the Farington District Centre and has previously been approved as a Hot Food takeaway the proposal is considered acceptable.

11.0 CONCLUSION

11.1 The proposed change of use of the ground floor property from a unit in multiple occupation to a hot food takeaway would provide the opportunity to reinstate a shop front within the existing parade of shops and is strongly supported. The change of use accords with Policy E5 and G17 of the South Ribble Local Plan. The proposal is therefore recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval.

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 approved plans

Drawing Number 01A entitled Existing and Proposed Plans and Elevations
Drawing Number 02A entitled Existing and Proposed Elevations

or any subsequent amendments to those plans that have been agreed in writing by the Local Planning Authority.

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

3. The details submitted in the Ventilation and Extraction System Version V3, Amended (28/09/2017) shall be implemented in full before the use is commenced.

REASON: To protect the residential amenity of the surrounding area.

4. The details submitted in the Waste Statement Version V3, Amended (28/09/2017) shall be implemented in full before the use is commenced.

REASON: To protect the residential amenity of the surrounding area

5. The details submitted in the document entitled Environmental Assessment Rev1 July 2017 by AB Acoustics shall be implemented in full before the use is commenced.

REASON: To protect the residential amenity of the surrounding area

6. The use of the premises hereby approved shall be restricted to hours of operation 11:00 am to 23:00 hours every day including Sundays and Bank Holidays.

REASON: In the interests of the amenities of adjoining residents and to accord with Policy 17 in the Central Lancashire Core Strategy

RELEVANT POLICY

NPPF National Planning Policy Framework

POLB1 Existing Built-Up Areas

POLE5 Local Centres

POLG17 Design Criteria for New Development

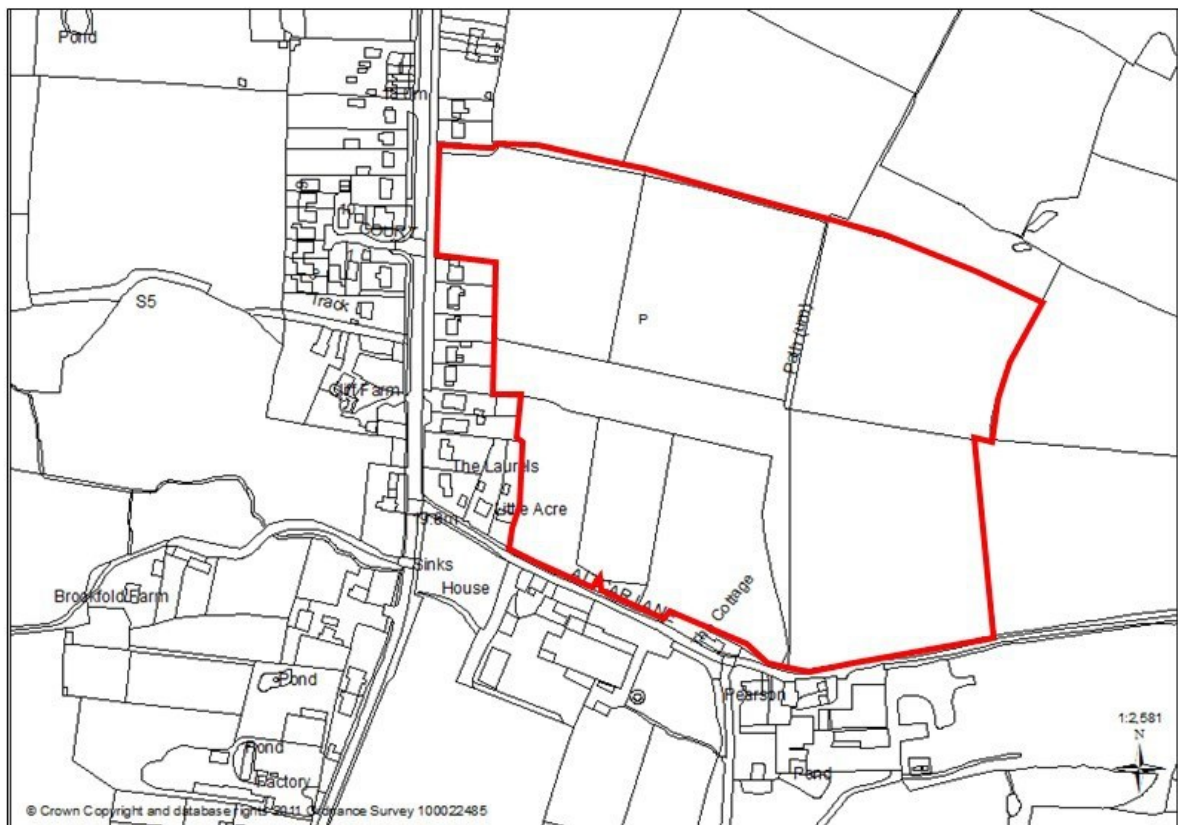
Agenda Item 9

Application Number 07/2016/0310/OUT
Address Land To The North of Altcar Lane
Leyland

Applicant Homes and Communities Agency

Proposal To vary the Section 106 agreement associated with this site to provide for 30% affordable housing units as part of a Deed of Variation.

Officer Recommendation That Members note the report and be minded to support the supplementary Deed of Variation and that the details be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of the Deed of Variation to secure proposed level of affordable housing.



1.0 Report Summary

1.1 Planning permission has been granted for the construction of up to 200 dwellings on part of land at Altcar Lane. A Section 106 agreement relates to the site which secured 40% of the dwellings to be part of the Government Initiative known as Starter Homes.

1.2 As Starter Homes are unlikely to come forward the applicant is seeking to amend the Section 106 to reflect this change. Instead the development would provide 30% Affordable Housing Units and as such meets the aims of Policy 7 of the Central Lancashire Core Strategy.

1.3 Therefore, the officer recommendation is to approve the changes to the Section 106 agreement through a Deed of Variation.

2.0 Site and Surrounding Area

2.1 The application site is located approximately 2km south of Leyland town centre on land to the north of Altcar Lane, Leyland. To the north and east lies agricultural land which is allocated for housing. Altcar Lane forms the southern boundary with open countryside beyond. The rear gardens of properties on Leyland Lane and Altcar Lane form the western boundary.

3.0 Planning History

3.1 The site forms part of a wider allocation and is identified within the South Ribble Local Plan 2015 as subject to Policy D1 which allocates sites for new housing and is referenced as Site "P" land between Altcar Lane/Shaw Brook Road, Leyland.

3.2 A Masterplan was prepared jointly with the Homes and Community Agency (HCA) and Redrow Homes, and approved in March 2016 for Development Management Purposes.

3.3 Two outline planning applications have been approved for the site and are both the subject of separate Section 106 agreements.

3.4 HCA Site: 07/2016/0310/OUT - Outline application for a residential development (approx 200 dwellings) with access off Leyland Lane (Access applied for) - Land North of Altcar Lane, Leyland. Approved February 2017.

4.0 Proposal

4.1 Planning permission has been granted for 200 units on land to the north of Altcar Lane. The planning committee report advised that the site would deliver an increased amount of affordable provision 40% instead of 30% through the Starter Homes initiative as set out in the Housing and Planning Act 2016. However, this government initiative is no longer due to come forward and on that basis the applicant seeks to amend the Section 106 agreement to reflect this change.

4.2 The amendment provides for an affordable housing scheme to be submitted to the Council based upon a total of 30% of affordable housing units to be delivered. The mix is set out below.

(a) 70 % Social Rented Housing Units; and

(b) 30% Shared Ownership Housing Units

5.0 Material Considerations

5.1 Policy

Central Lancashire Core Strategy

Policy 1: Locating Growth focuses growth and investment on brownfield sites in the main urban areas, whilst protecting the character of suburban and rural areas.

Policy 4: Housing Delivery provides for and manages the delivery of new housing. For South Ribble this amounts to 417 dwelling pa.

Policy 7: Affordable Housing seeks to ensure sufficient provision of affordable and special housing to meet needs.

5.2 South Ribble Local Plan 2012-2026

5.3 Supplementary Planning Documents

- Affordable Housing

6.0 Other Material Considerations

6.1 Affordable Housing

The Housing and Planning Act 2016 provided the statutory framework for the delivery of starter homes, with the aim to make new build houses available to first time buyers under 40 at a discount of at least 20 per cent of full market value.

A document entitled Starter Homes Regulations: Technical Consultation sought views on the details of the regulations which raised a number of concerns. Specific concerns were raised about the mandatory 20 per cent requirement which would have displaced most of the developer contributions for traditional forms of affordable housing. The Government has listened to these concerns and further consultation and changes may come forward.

Therefore, the Homes and Community Agency can no longer deliver the Starter Homes as originally envisaged and seek a variation to the Section 106 Agreement so that their revised proposals are compliant with the Council's affordable housing policies.

Policy 7 of the Core Strategy is entitled Affordable Housing and states that a target of 30% affordable housing provision is to be sought on new housing schemes on urban sites.

The Central Lancashire Affordable Housing SPD at paragraph 9 states that "The definition of affordable Housing Affordable is set out in annex 2 of the National Planning Policy Framework. It includes Social Rented, Affordable Rented and Intermediate housing provided to eligible households whose needs are not met by the market."

Consultation has taken place with the Strategic Housing Team who has advised that 30% affordable housing to be provided on-site would meet policy requirements (Policy 7 of the Central Lancashire Core Strategy).

The proposed change would support affordable home ownership in Leyland and therefore the amendment proposed by the Deed of Variation is considered Policy Compliant and acceptable.

7.0 CONCLUSION

The delivery of this site for residential development supports the aims and objectives of the Lancashire, Preston and South Ribble City Deal. The proposed Deed of Variation which would provide for 30% of the residential units to be affordable is acceptable.

8.0 RECOMMENDATION

That Members note the report and be minded to support the changes associated with the delivery of 30% affordable housing units to the Deed of Variation and that the decision be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of the details within the Deed of Variation.

REPORT TO	ON
Planning Committee	18 th October 2017

September 2017



TITLE	REPORT OF
PLANNING SERVICE END OF QUARTER 2 2017/18 PERFORMANCE REPORT	Jonathan Noad, Planning Manager

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

- 1.1 To update Planning Committee on the performance of the Planning Department at the mid-year point.

2. RECOMMENDATIONS

- 2.1 That Planning Committee note the contents of the report

3. CORPORATE PRIORITIES

- 3.1 The report relates to the following corporate priorities:

Clean, green and safe	✓	Strong and healthy communities	✓
Strong South Ribble in the heart of prosperous Lancashire	✓	Efficient, effective and exceptional council	✓

5. BACKGROUND TO THE REPORT

- 5.1 The Planning Service continues to perform highly and is one of the top performing planning departments in the Country. The planning service has key performance measures against which it is judged. Central Government produce reports on the performance of planning authorities and have introduced specific measures whereby poor performing authorities can be placed in special measures. It is therefore important that the Planning Service continues to perform highly to deliver the future growth of the Borough and facilitate the implementation of corporate priorities.

6. DETAILS AND REASONING

Development Management

- 6.1 The Development Management function of the Planning Service focuses on the processing and deliberation of planning applications, advertisement and listed building consents. It also deals with planning enforcement matters and representing the Councils position at planning appeals. Key performance targets are identified by central government regarding the speed of processing planning applications. For major developments the target is that these will be processed within 13 weeks of validation or less (16 weeks for developments requiring an Environmental Impact Assessment). For other developments this target is that they will be processed within 8 weeks of validation. The tables below summarise the performance to date.

Table 1 Number of Applications Received

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
Number of applications received	641	687	233	201			434

6.2 As shown in table 1 the number of applications received at the quarter 2 position is generally similar to previous year's performance but the proportion of major applications within that has shown an increase.

Table 2 Major Applications Performance

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
Number of applications decided upon	21	32	11	13			24
Number of applications decided within 13 weeks or agreed time extension	18	29	7	12			19
Percentage within 13 weeks	85.71%	90.63%	63.64%	92.31%			79.17%

6.3 Performance with regard to major applications continues to be strong. At the end of the second quarter just under 80% of major applications were dealt with within the 13 week target. This is slightly below the performance of the previous two years and is a sign of the increasing complexity of the major schemes, and the ongoing demands on the service. This performance is comparable to the national average of 82%. Measures are currently being addressed to provide more capacity in the extremely busy Development Management team which should help to ensure that our performance continues at a high level.

Table 3 Minor and Other Applications Performance

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
Number of applications decided upon	376	535	125	144			269
Number of applications decided within 8 weeks or agreed time extension	359	519	115	140			255
Percentage within 8 weeks	95.27%	97.01%	92.00%	97.22%			94.80%

6.4 Performance on minor applications is even stronger with just under 95% of applications begin dealt with within 8 weeks at the mid-year position. This is slightly down on last years performance but comparable to 2015/16. That said this is exceptionally high performance compared to the national average of 78% and places South Ribble in the top five of local shire planning authorities nationally and the top performer of shire authorities in the North West.

Table 4 Percentage of Applications Made Online

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
Percentage of applications received	54.7%	57%	63%	58%			60.5

6.5 Applicants and agents are encouraged to submit planning applications online. Online submissions are more efficient and if valid tend to be registered sooner. The end of the second quarter shows a marked increase on the previous year's performance with 60.5% of

applications being submitted online. A mini project looking at how we can get more people submitting online has just commenced.

Table 5 Percentage of Appeals Allowed Against Refusal

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
Number of appeals decided	5	6	4	2			6
Number of appeals allowed against refusal	2	3	1	1			2
Percentage of appeals allowed against refusal (a lower percentage = good performance)	40%	50%	25%	50%			33.33%

6.6 The number of appeals in South Ribble is generally very low. To date there have only been 6 appeals received of which 2 were allowed on appeal. The performance figures therefore need to be seen in the context of the low numbers of appeals in South Ribble which is an indication in itself that the right planning decisions are being made.

Planning Policy

6.7 Key activities during the second and third quarter have included:

- Adoption of the Employment and Skills Supplementary Planning document
- Preparation of Local List of Buildings for Penwortham and commenced work on Leyland
- Final draft of Central Lancashire Strategic Housing Market Assessment
- Final draft of Central Lancashire Employment Needs and Supply Study
- Commenced work on Open Space Sports and Recreation Assessment
- City Deal Monitoring – all deadlines met for reporting of information.
- Preparation of Annual Monitoring Report and associated survey work
- Continued input into Master planning work – Test Track
- Input into the Cuerden Strategic Site planning application
- Input into the Preston Transport Plan
- Annual update brownfield register

Planning Enforcement

6.8 Planning Enforcement continues to be very busy with a number of ongoing cases. The current workload is summarised below

Table 6 Current Enforcement Cases

High Priority	Lower Priority	Total	Awaiting Magistrates Court	Awaiting Service of Notice From Legal
12	15	27	2	0

High Priority - Complaints relating to loss of amenity/recurring breach of planning control

Lower Priority - Complaints relating to minor developments or domestic disputes relating to fences, sheds and extensions.

6.9 In terms of the spread of enforcement cases the largest area of investigation is with regard to untidy land. Because of the amount of evidence required for such investigations such as historical records these do take up significant time.

Table 7 Breakdown of Enforcement Cases

Breaches of Planning Control	Total
Change of Use of Land/Building	6

S.215 Untidy Land/House	7
High Hedge	2
Breach of Condition	4
Business from Home	1
Advertisement Regs.	3
PD or Requires PP	4

6.10 Given the high volume of work an additional Enforcement Officer role has been advertised and will allow

Conclusion

6.11 Overall performance in the Planning department continues to be very high and places South Ribble as one of the top performing authorities in the Country. That said the department continues to be under pressure from both the sheer number of applications and the complexity of some of the schemes before us such as Cuerden and Test Track. To ensure we still provide an excellent service additional resource measures are being secured.

7. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

7.1 Comments of the Statutory Finance Officer

None

7.2 Comments of the Monitoring Officer

None

<p>Other implications:</p> <ul style="list-style-type: none"> ▶ Risk ▶ Equality & Diversity ▶ HR & Organisational Development ▶ Property & Asset Management ▶ ICT / Technology 	<p>None</p>
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8. BACKGROUND DOCUMENTS (or there are no background papers to this report)

None

Cllr. C Hughes
Portfolio Holder for Strategic Planning and Housing

Report Author:	Telephone:	Date:
Jonathan Noad	5206	18 th October 2017