

## **PLANNING COMMITTEE**

THURSDAY, 30TH JULY, 2020, 6.00 PM

HYBRID MEETING ACCESSIBLE VIA MICROSOFT TEAMS AND  
YOUTUBE

### **AGENDA**

#### **IMPORTANT INFORMATION**

In response to the current government guidance surrounding the COVID-19 pandemic, this meeting will be held with hybrid measures in place.

Committee members may take part either from the Civic Centre or remotely via Microsoft TEAMS.

Any elected member not on the committee or member of the public will not be permitted access to the Civic Centre but may watch the proceedings via a YouTube livestream which can be accessed by clicking [here](#).

Any member of the public who wishes to speak on any application contained within this agenda should register by email to [democraticservices@southribble.gov.uk](mailto:democraticservices@southribble.gov.uk) by noon on Tuesday, 28 July. A maximum of three supporters and three objectors plus the applicant and/or agent will be allowed per application.

Registered speakers will be required to dial into the meeting remotely.

- 1 Welcome and Introduction**
- 2 Apologies for Absence**
- 3 Declarations 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 meeting Thursday, 2 July 2020 of Planning Committee**

(Pages 5 - 8)

To be signed as a correct record.

**5 Appeal Decisions**

An update will be provided at the meeting.

**6 Waiver of Standing Order 34.1**

Members are asked to approve the suspension of Standing Order 34.1 as set out in the Council Procedure Rules:

*34.1 Whenever a planning application is dealt with by Planning Committee the procedure that will ordinarily be followed is that:-*

*(i) 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.*

*(ii) 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.*

**7 07/2020/00220/OUT - Tusons Farm, Gill Lane, Longton**

(Pages 9 - 26)

Report of the Director of Planning and Property attached.

**8 07/2020/00443/FUL - Land at Cottage Gardens, Bamber Bridge**

(Pages 27 - 42)

Report of the Director of Planning and Property attached.

**9 07/2020/00361/REM - Plot 6000, South Rings Business Park, Craven Drive, Bamber Bridge**

(Pages 43 - 54)

Report of the Director of Planning and Property attached.

Gary Hall  
INTERIM CHIEF EXECUTIVE

Electronic agendas sent to Members of the Planning Committee Councillors Caleb Tomlinson (Chair), Malcolm Donoghue (Vice-Chair), Will Adams, James Flannery, Mary Green, Jon Hesketh, Cliff Hughes, Keith Martin, Christine Melia, Caroline Moon, David Shaw, Phil Smith and Barrie Yates

The minutes of this meeting will be available on the internet at [www.southribble.gov.uk](http://www.southribble.gov.uk)

#### Forthcoming Meetings

6.00 pm Thursday, 27 August 2020 - 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 proposed to be followed as a result of the COVID-19 pandemic is that:-

- Up to three 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 three 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.
- Written representations from borough councillors (not on Planning Committee) will then be heard.
- 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 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 by roll call.

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.

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

Full details of planning applications, associated documents including related consultation replies can be found on the Public Access for planning system,

searching for the application using the Simple Search box.  
<http://publicaccess.southribble.gov.uk/online-applications/>

**MINUTES OF PLANNING COMMITTEE**

**MEETING DATE** Thursday, 2 July 2020

**MEMBERS PRESENT:** Councillors Caleb Tomlinson (Chair), Malcolm Donoghue (Vice-Chair), Will Adams, James Flannery, Mary Green, Jon Hesketh, Cliff Hughes, Keith Martin, Christine Melia, David Shaw, Phil Smith and Barrie Yates

**OFFICERS:** Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer), Jonathan Noad (Director of Planning and Property), Steven Brown (Head of Development Management), Debbie Roberts (Planning Officer) and Charlotte Lynch (Democratic and Member Services Officer)

**CABINET MEMBERS:** Councillor William Evans (Cabinet Member (Planning, Regeneration and City Deal))

**OTHER MEMBERS:** Councillor Michael Green

## 10 Welcome and Introduction

The Chair, Councillor Caleb Tomlinson, welcomed the committee and members of the public and explained that, due to the COVID-19 pandemic, the meeting was being held virtually and livestreamed to YouTube.

## 11 Apologies for Absence

An apology for absence was received from Councillor Caroline Moon.

## 12 Declarations of Interest

Councillor Jon Hesketh declared a prejudicial interest in item 8 – Ribble Kirn Farm, Skip Lane, Hutton.

## 13 Minutes of the Last Meeting

RESOLVED: (Unanimously)

That the minutes of the last meeting, held on Thursday, 4 June 2020, be signed as a correct record by the Chair.

## 14 Appeal Decisions

The Director of Planning and Property informed the committee that the case by Wainhomes against the Planning Inspector's dismissal of the Chain House Lane application had been heard by the Administrative Court.

A decision was expected within 7-10 days.

### **15 Waiver of Standing Order 34.1**

To maintain efficiency during this virtual meeting, it was deemed necessary for Standing Order 34.1 of the council's constitution, which allows for up to five members of the public who wish to speak against an application and up to five members of the public who wish to speak in favour of an application to state their case, to be waived.

Alternative arrangements to allow up to three objectors and up to three supporters per application were proposed. Members of the public were requested to register their interest in speaking at the meeting via email to Democratic Services by noon two working days before the meeting.

RESOLVED: (Yes: 10 No: 2)

That Standing Order 34.1 of the council's constitution be waived for the duration of the meeting.

### **16 07/2020/00277/FUL - Land at Oldfield and Long Meadow, Much Hoole**

Speakers: 3 objectors, ward councillor John Rainsbury (through a written statement), and the Agent.

Address: Land at Oldfield and Long Meadow  
Oldfield  
Much Hoole

Applicant: Applethwaite Ltd.

Agent: Mr Matthew Wyatt  
PWA Planning  
2 Lockside Office Park  
Lockside Road  
Preston  
PR2 2YS

Development: Erection of 14 no. adaptable, accessible bungalows for over 55 age group

RESOLVED: (Yes: 10 No: 2)

That

1. the application be approved subject to conditions and;
2. the decision be delegated to the Director of Planning and Property in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of a legal agreement to secure a financial contribution towards public open space.

**17 07/2020/00343/APD - Ribble Kirn Farm, Skip Lane, Hutton**

*Councillor Jon Hesketh left the meeting for the duration of this item and did not participate in the vote.*

Speakers: None

Address: Ribble Kirn Farm  
Skip Lane  
Hutton

Applicant: Mr Jon Hesketh

Agent: Mr Lee Fenton  
Carrfield  
Ingol Lane  
Hambleton  
FY6 9BJ

Development: Change of use of 1 no. agricultural building to dwelling

RESOLVED: (Unanimously)

That prior approval not be required.

**18 07/2020/00275/FUL - 80 Stanifield Lane, Farington, Leyland**

Speakers: the Applicant, and county and parish councillor Michael Green

Address: 80 Stanifield Lane,  
Farington  
Leyland

Applicant: Mrs Louise Parkinson

Agent: Mr Mike Palmer  
68 Kingsway  
Penwortham

Development: Change of use of ground floor from shop (Use Class A1) to hot food takeaway (Use Class A5) together with alterations to shop front

RESOLVED: (Yes: 11 No: 1)

That the application be approved subject to conditions.

Chair

Date

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# Agenda Item 7

**Application Number** 07/2020/00220/OUT

**Address** Tusons Farm  
Gill Lane  
Longton  
Preston  
Lancashire  
PR4 5GN

**Applicant** Mr V Fitzell

**Agent** Mrs Sophie Marshall  
Hamill House  
112-116 Chorley New Road  
Bolton BL1 4DH

**Development** Outline application for 9 no. detached dwellings  
and garages (access applied for only)

**Officer Recommendation** **Refusal**  
**Officer Name** **Mrs Catherine Lewis**

Date application valid 09.03.2020  
Target Determination Date 08.06.2020  
Extension of Time 31.07.2020



## **1.0 Report Summary**

1.1 Located in the Green Belt, Tusons Farm at Walmer Bridge consists of three existing dwellings Tusons Farmhouse, Tusons House and Tusons Barn and annex. An equestrian and livery yard were based at the Farm and following the granting of a lawful development certificate planning permission was then granted for a further four dwellings based upon the site being previously developed land within the Green Belt.

1.2 The application site is known as land adjoining Tusons Farm and extends for approximately 0.98 hectares mostly made up of agricultural land. The application seeks outline planning permission with access to be determined at this stage. Appearance, landscaping, scale and layout are reserved for future consideration. However, an indicative plan has been provided to demonstrate a potential layout for nine, large, detached dwellings, including parking and garage provision. The site is designated as Green Belt under Policy G1 of the South Ribble Local Plan.

1.3 Acknowledging that the site lies outside the settlement boundary of Walmer Bridge the applicant considers that the proposal would fill a gap between the residential properties to the west (Great Gill) and south (Rockborough Crescent) which are within the settlement boundary of Walmer Bridge and the development at Tusons Farm to the east. As such the site should be classed as infill development and constitute one of the exceptions of Green Belt policy.

1.4 Whether the site is classed as limited infilling in a village is a matter of planning judgement and it is considered that the application due to its size, scale and location is not infill development. Therefore, the proposal constitutes inappropriate development in the Green Belt contrary to policy G1 of the South Ribble Local Plan and the Framework.

1.5 The proposal would also conflict with one of the purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

1.6 Only limited weight can be attached to the increase of 9 executive type dwellings to the housing supply, which does not outweigh the harm that the proposed development would cause. The substantial weight to be given to Green Belt harm is not clearly outweighed by other considerations to demonstrate very special circumstances.

1.7 The site is accessed from the south by a private, single width, access lane measuring some 185 metres in length to the junction with Gill Lane. LCC Highways have requested revisions to the access lane (realignment, localised widening to provide passing spaces and a 2metre wide footpath) and to its junction with Gill Lane. Subject to conditions controlling this aspect LCC are satisfied with the proposed development from a highway safety aspect.

1.8 Concern is raised about the impact of the changes to the access lane upon the residents of Rockburgh Crescent. The single-track lane with passing places and the increase in vehicular movements down a country access track would have an undue impact upon the residential amenity of these residents and would be contrary to Policy G17 of the South Ribble Local Plan.

1.9 Although residents have raised concerns about a number of aspects as set out in the report, no objections are raised by the other statutory consultees. Conditions could be

imposed to address aspects of drainage, ecology, trees and construction work should planning permission be granted.

1.10 Therefore, the application is recommended for refusal for the following reasons:

1. The application site is allocated as Green Belt in Policy G1 of the South Ribble Local Plan. The proposed development of nine dwellings on a parcel of land approximately 0.98 hectare, outside the settlement boundary of Walmer Bridge would be contrary to the Green Belt designation and is not classed as limited infilling in villages. Therefore, the proposal would not meet the exception (e) of paragraph 145 of the NPPF or exception (e) of Policy G1 of the South Ribble Local Plan.
2. The proposal would introduce residential development into an open, green area which would be contrary to Policy 134 of the NPPF which seeks to safeguard the countryside in the Green Belt from encroachment.
3. The proposed changes to the access lane and increase in the number of vehicle movements would create an unacceptable impact upon the residential amenity of the residents of even no's 20 to 40 Rockburgh Crescent and would require the removal of trees and two areas of hedgerows. These aspects of the proposal would not respect the character of the area and proposed changes would not be of an adoptable standard. Therefore, the proposed development would be contrary to Policy G17(b) (c) and (e) of the South Ribble Local Plan.

## **2.0 Site and Surrounding Area**

2.1 The application site approximately 0.98hectares (2.42 acres) of farm land is located on the north side of Gill Lane, Walmer Bridge and is accessed via a farm gate off a single private part stoned access lane. This lane leads to a group of buildings known as Tusons Farm and which form the eastern boundary of the application site. To the north is open countryside used for agriculture and to the south and west are the rear gardens of Rockburgh Crescent and Great Gill respectively.

2.2 Tuson's Farm previously comprised a commercial equestrian livery which has been demolished and now benefits from planning permission for four dwellings (yet to be constructed). The farm also comprised of three dwellings (Tusons Farmhouse, Tusons House and Tusons Barn and annex).

2.3 A Public Right of Way (Footpath No.26) runs along the access lane from Gill Lane in a north south direction and skirts the existing Tusons farm complex to the east.

2.4 The application site is within an area of land designated as Green Belt in the South Ribble Local Plan.

## **3.0 Planning History**

3.1 There is no planning history associated with the application site however the following relates to recent development at Tusons Farm.

3.2 07/2016/1094/CLU Application for a lawful development certificate for a commercial equestrian livery yard. associated caravan, horsebox and horse trailer parking - Existing use  
CONSENT GRANTED

07/2017/1754/FUL Residential development for the erection of three detached dwelling houses and a pair of semi-detached dwelling houses following demolition/removal of equestrian buildings/equipment and the removal of caravan/horsebox storage areas REFUSED

07/2019/0591/FUL Residential development for the erection of one detached dwelling house a pair of semi-detached dwelling houses and a linked detached dwelling house following demolition/removal of equestrian buildings/equipment and the removal of caravan/horsebox storage areas APPROVE

07/2020/00089/DIS -Submission of details of conditions 5 (Tree protection plan) 6 (Landscaping/boundary treatment) 7 (Sustainable drainage) 9 (Foul drainage) 12 (Bird/bat enhancements) 14 (Desk study) pursuant to planning permission 07/2019/0591/FUL dated 15/03/19-PART DISCHARGED

Planning permission (Ref: 07/2001/0438) was granted for a two-storey extension following demolition of a garage in August 2001. APPROVE

Planning permission was granted for the removal of condition 3 which sought to restrict the two-storey extension to Tusons Farmhouse so that it could not be used as a separate unit of accommodation (Ref 07/2018/9753/VAR) in February 2019.APPROVE

Planning permission (Ref: 07/2018//9754/FUL was granted for the conversion of existing detached dwelling Tusons Farmhouse into a pair of semi-detached dwellings in March 2019.APPROVE

#### **4.0 Proposal**

4.1 Planning permission is sought for the erection of 9 dwellings including garages with access only applied for and all other matters relating to the appearance, landscaping, layout and scale reserved. However, the application is accompanied by a Masterplan which demonstrates nine detached properties with plots 1,2,3,4 and 9 having separate garages.

4.2 The existing agricultural field gate access would be utilised to serve the proposed housing estate and a small spur would be constructed along the eastern boundary of the proposed development to serve the agricultural land to the north.

4.3 To address concerns to the access arrangements and access lane from LCC Highways a revised application site boundary, to demonstrate changes to the red and blue edges together with an amended Certificate B and Highways plan has been submitted.

4.4 As the proposal provides for 9 dwellings and the site area is below 1 hectare (being 0.98) for the purposes of the planning legislation the development is in fact a minor application.

#### **Summary of Supporting Documents**

4.5 The following documents have been submitted to support the application:

- Supporting Statement (Inc. D and A).
- Land contamination study
- Drainage Strategy and Assessment of Flood Risk Rev A dated February 2020
- Tree Protection Plan Ref: TPP.12994
- Arboriculture Impact Assessment with Tree Protection Measures
- Preliminary Ecological Appraisal 22 May 2019: Ecology Services

## **Summary of Publicity**

4.6 The application was reclassified as a major and the following consultation was undertaken: A notice has been posted in the paper, site notices posted around the site and adjacent properties have been consulted.

4.7 Following comments from LCC Highways about the access lane, revised plans have been received and a revised Certificate B relating to ownership has been submitted. A further round of consultation was undertaken.

4.8 A total of 20 responses have been received which object to the proposal on the following summarised grounds.

### **Principle of the development**

- The development is contrary to Green Belt Policy
- The development is not an infill as it is not within the confines of the village boundary.
- Concern is raised about the different addresses being used, Little Hoole, Walmer Bridge Longton.
- Harmful impact to the open and rural character of the land
- The proposed development would be contrary to the Walmer Bridge village plan 2010-2015 which advised that the majority of residents 96% saw the importance of maintaining the village identity and maintain the openness of the Green Belt
- As the applicant has put forward the site as part of the Call for Sites for the review of the Local Plan, the applicant should wait until the result of the consultation of the Local Plan.

NB With regard to the different addresses the Postal address does require the use of Longton within the application description.

### **Design**

- Concerns raised about the close proximity of the proposed dwellings in relation to the existing dwellings.
- Issues of privacy to the rear gardens and loss of the Green Belt view.
- Block sunlight, reduce privacy
- Two story houses out of place with the existing properties on Rockburgh Crescent.
- The proposed estate road leads to nowhere
- Consideration should be given to reduce the number of properties, and that they are bungalows
- The separation distance as set out in the Council guidance should be adhered to.

### **Access and Traffic**

- Access would be within 1 metre of the boundary of no 28 Rockburgh Crescent, Walmer Bridge. Noise and pollution including fumes and dust would increase by 48 movements a day. This would seriously impact upon noise and health of existing residents.
- Tusons farm lane is not acceptable for the proposed development. Pot holes and surface needs to be maintained and repaired. Access from the lane to Gill Lane is narrow and visibility is obstructed by cars.
- Concern about the increase in traffic and the impact with the blind corner at the junction of Rockburgh Crsecent/Gill Lane.
- Accidents have occurred on this stretch of road towards the A59.
- Construction traffic would be a nuisance for years.

- Consideration to a 5mph speed limit to the access lane.

### **Ecology**

- Concern is raised about the loss of hedgerows, trees, and wild life including hedgehogs.

### **Flooding**

- Concern about the proposed development raise in floor levels and impact upon foundation etc of existing properties.

## **5.0 Summary of Consultations**

**United Utilities** Have advised that the development is acceptable subject to the imposition of conditions to ensure that the foul and surface water are drained and managed separately.

**LCC LLFA-** Have raised no objection subject to a number of conditions controlling the details and implementation of the drainage scheme. An information note about land drainage consent is recommended too.

**LCC Highways** Have raised no objection, the proposal would have a negligible effect upon highway safety and highway capacity. The proposed revised plans to the access lane (realignment, localised widening and a 2m footway) its junction with Gill Lane and the visibility splays are acceptable. A number of conditions are recommended relating to off-site highway works, implementation of the highway works, improvements to the access lane and a construction management plan.

**Public Rights of Way (PROW)** Awaiting a response from LCC

**Ecology Services:** Have advised that conditions controlling the following aspects are recommended, protection of boundary hedges trees and ditches during construction works, protection of birds during bird breeding season, protection of amphibians, enhance biodiversity through bird boxes for Kestrels and swifts, creation of an area of species -rich grassland and a landscape creation and management plan. A further update on the impact of the proposed access changes upon ecology will be given at the meeting.

**Environmental Health:** recommend the following conditions: Drainage conditions, no burning, hours of construction, control of piling, contaminated land, importation of materials. Electric vehicle recharge points, restriction on solid fuels appliances.

**Lead Local Flood Authority (LLFA)** Raise no objection subject to the inclusion of conditions controlling the submission of a Final Sustainable drainage scheme and an informative with regard to the potential need to obtain land drainage consent from LCC before works start.

**Fire Service:** Has responded to advise there is a need to ensure that any turning facilities meet the guidance for fire service vehicles. – this issue is controlled through the Building regulations.

**The Council's Tree Officer** initially advised that conditions are required to protect trees identified for protection, mitigation of planting at a rate of 2:1 as per the local plan policy. However, due to the changes to the access lane a revised Tree Report would need to be submitted.

**The Councils Strategy Housing Officer-** Has advised that an affordable housing contribution would be required for schemes over 10 dwellings or over 0.5 hectare.

**Little Hoole Parish Council:** Outline reasons to reject the proposed dwellings and make the following summarised points:

- The proposal does not conform to the NPPF, CLCS, SRBC Local Plan policies for the Green Belt.
- Land surrounding Tusons Farm is of special importance and if developed would join the villages of Walmer Bridge and Longton. A defining feature of villages such as Walmer Bridge is the open areas of Green Belt which help to protect the identity of the village.
- The adjoining fields of Tusosn Farm border the Brickcroft nature reserve and there is concerns about the impact of the development upon water vole burrows.
- The field behind Rockborough Crescent gives a break between the A59 and the Village providing an environmental acceptable entrance to the village - this has been commented upon by Planning Inspectors in the past.
- Tusons Farm does not form part of the Walmer Bridge Village curtilage and the application site is on the outskirts of the village. Given the recent consent for five dwellings a further 9 is not limited infill.

## **6.0 Policy Background**

### **6.1. National Planning Policy Framework (NPPF) known as The Framework**

The overarching theme of the Framework is one of presumption in favour of sustainable development and supports sustainable economic development to deliver, amongst other things, homes. Section 13: Protecting Green Belt Land sets out the Governments intentions for the Green Belt and provides policy guidance making it clear that the Government attaches great importance to Green Belts. Paragraphs 143,144 and 145 are particularly relevant.

- Chapter 2: Achieving Sustainable Development states that ‘at the heart of the framework is a presumption in favour of sustainable development’. The NPPF supports sustainable economic growth to deliver, amongst other things, homes. Paragraph 11 states “Plans and decisions should apply a presumption in favour of sustainable development”.
- Chapter 4: Decision Making states that Local Authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions in the area.
- Chapter 5: Delivering a sufficient supply of homes – a sufficient amount and variety of land to come forward where it is needed. Land with permission should be developed without unnecessary delay. Where major development involving the provision of housing is proposed, decisions should expect at least 10% of the homes to be available for affordable home ownership (as part of the overall affordable housing contribution from the site). Within this context, the size, type and tenure of housing needed for different community groups - including older people, must be taken into account. Chapter 5 also details its requirements for affordable housing provision.
- Chapter 8 Promoting healthy and safe communities: Planning decisions should aim to create healthy, inclusive and safe places to promote social interaction, are safe and accessible. The need to plan positively for the provision of shared spaces and community facilities to enhance residential environments is encouraged.

- Chapter 9 Promoting sustainable transport: The Planning system should actively manage patterns of growth to support the objectives of sustainable transport. Paragraph 108 sets out criteria to consider the impact of development proposals. Criterion (b) requires a safe and suitable access to the site to be achieved for all users. With Paragraph 110 requiring development to create places that are safe, secure and attractive.
- Planning decisions should ensure that new development can be integrated effectively within existing businesses and community facilities (paragraph 182).
- Chapter 11: Making effective use of land: Decisions should promote effective use of land and there is a specific section about achieving appropriate densities. Within paragraph 123 criterion (c) encourages a range of densities that reflect the accessibility and potential of different areas rather than one broad density.
- Chapter 12: Achieving well-designed places - Paragraph 124 “*Good design is a key aspect of sustainable development*”. Developments should add to the overall quality of the area, establish a strong sense of place, optimise the potential of the site, by creating and sustaining an appropriate mix of uses, and create safe, accessible environments which are visually attractive.
- Chapter 13: Protecting the Green Belt
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change - Paragraph 148 makes clear that the transition to a low carbon future in a changing climate should be supported through the planning system. When determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere.
- Chapter 15: Conserving and enhancing the natural environment. Planning decisions should contribute to and enhance the natural environment (Paragraph 170). There is a need to minimise impacts on and provide net gains for biodiversity. Ground conditions and contamination issues need to be fully assessed but where a site is affected by contamination or land stability issues responsibility for securing a safe development rests with the developer/ and or landowner (Para 179). New development needs to be appropriate to its location and have regard to potential pollution on health (Para 180).

## 6.2 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 areas. Part (f) of this policy relates to smaller villages, which includes New Longton, and states “*development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes*”.

**Policy 5: Housing Density** seeks to secure housing densities which are in keeping with the local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area.

**Policy 6: Housing Quality** seeks to improve the quality of housing by facilitating the greater provision of accessible housing and neighbourhoods and use of higher standards of construction.

#### **Policy 7 Affordable and Special Needs Housing**

**Policy 17: Design of New Buildings** expects the design and new buildings to take account of the character and appearance of the local area and effectively mirrors Local Plan policy G17.

**Policy 19: Areas of Separation and Major Open Space** acknowledges the general presumption against inappropriate development in the Green Belt.

**Policy 22: Biodiversity and Geodiversity** relates to biodiversity and geodiversity and seeks to conserve, protect, enhance and manage the biological and geological assets of an area.

**Policy 27: Sustainable Resources and New Development** seeks to ensure sustainable resources are incorporated into new development.

**Policy 29: Water Management** Aims to improve water quality water management and reduce the risk of flooding. New development is encouraged to adopt Sustainable Drainage Systems.

**Policy 31: Agricultural Land** Seeks to preserve the most versatile agricultural land (Grade1, 2, and 3).

### **Central Lancashire Rural Development Supplementary Planning Document**

#### **6.3 South Ribble Local Plan July 2015**

**Policy G1 Green Belt** In line with the NPPF has a presumption against inappropriate development.

**Policy G8 Green Infrastructure (provision in new developments):** Developments should provide appropriate Green Infrastructure and landscaping including green corridors to join up the Borough's green and built up areas.

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

**Policy G10: Green Infrastructure** states that all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development, in accordance with specific but flexible standards.

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

**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.

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

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

6.4 Both the Central Lancashire Core Strategy, which was adopted July 2012, and the South Ribble Local Plan (adopted 2015), were adopted post the National Planning Policy Framework 2012 (NPPF) being issued. Both had to demonstrate at examination compliance with the NPPF and are therefore considered to be fully NPPF compliant.

## **6.5 Supplementary Documents**

**Central Lancashire Design Guide SPD** provides an overview of the design principles that are employed throughout the three Central Lancashire authorities. It draws on key policy and good-practice guidance in order to raise the level and quality of design of new buildings in the built environment.

**Central Lancashire Affordable Housing SPD** gives guidance on a range of approaches to deliver affordable housing which meets local needs.

**Central Lancashire Open Space and Playing Pitch SPD** advises on provision and retention of open space in existing and proposed developments.

**Central Lancashire Employment Skills SPD** – this document was adopted in September 2017 and as such carries considerable weight in planning decisions. The SPD has been driven by the Council's aspiration to see additional benefits (social value) incorporated into development opportunities; 'social value' in this case being a contribution towards employment and skills enhancement in the Borough.

**Central Lancashire Biodiversity and Nature Conservation SPD** provides guidance for developers in relation to improving biodiversity of the Central Lancashire area. Its main goal is to ensure that there is no net loss of nature conservation assets and where appropriate there is an improvement in them. It also explains the Council's approach towards conserving, protecting and enhancing biodiversity and ecological networks.

**South Ribble Residential Design SPD** discusses design in very specific terms. Whilst more attuned to residential extensions this document is also used to assist with the design of new build residential development and with regards to separation with properties beyond the site bounds.

## **7.0 Assessment of the Scheme**

7.1 The main issues include:

- Whether the proposal constitutes inappropriate development in the Green Belt for the purposes of policy G1 of the South Ribble Local Plan 2015 and the National Planning Policy Framework (the Framework);
- The effect on the openness of the Green Belt;
- The effect on the character and appearance of the area; and
- If inappropriate development whether there are any other considerations which clearly outweigh the potential harm to the Green Belt by way of inappropriate development, and any other harm, so as to amount to the very special circumstance necessary to justify inappropriate development.

7.2 The application site located to the west of Tusons Farm is within the Green Belt as

as defined on the policies map which accompanies the South Ribble Local Plan (2015).

7.3 Policy G1 of the South Ribble Local Plan 2015 (SRLP) and the National Planning Policy Framework (the Framework) identify that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings should be regarded as inappropriate in the Green Belt, subject to several exceptions as set out in Policy G1 and paragraph 145 of the Framework. One of these exceptions is limited infilling.

7.4 Paragraph 143 of the Framework makes clear that inappropriate development is by definition harmful to the Green Belt and Paragraph 145 sets out the limited purposes for which the construction of buildings will not be considered inappropriate development in the Green Belt.

7.5 Paragraph 145 of the NPPF states:

A local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) provision of appropriate facilities ...for outdoor sport, outdoor recreation and for cemeteries, as long as the facilities preserve the openness of the Green Belt and does not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages,
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);and
- g) limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would:

-not have a greater impact on the open ness of the Green Belt than the existing development; or

- not cause substantial harm to the open ness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority. not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

7.6 South Ribble Local Plan Policy G1 mirrors this paragraph and for completeness is set out below.

Policy G1:

*“As set out in the NPPF, there is a presumption against inappropriate development within the Green Belt. Planning permission will not be given for the construction of new buildings unless there are very special circumstances:*

*Exceptions to this are:*

- a) *buildings for agriculture and forestry;*

- b) *provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- f) *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.”*

7.7 The applicant has advised that the proposed development is classed as an exception and falls within criteria ( e) of both policies -limited infilling in villages. Whilst there is no definition of ‘village’ in policy terms Walmer Bridge has a local centre as defined by Policy E5 of the South Ribble Local Plan and it is accepted that Walmer Bridge is a village.

7.8 The applicant acknowledges that the site lies outside the settlement area for Walmer Bridge as shown on the Proposals Map of the Local Plan but has provided three appeal Decision Letters which concludes that this should not be a determinative factor to refuse the site on this aspect. Paragraph 145 at criteria e of the Framework does not make specific reference to settlement boundaries and the terms ‘limited’ and ‘infilling’ are not defined in the Framework. Case law (Wood v Secretary of State for Communities and Local Government 2014 EWHC 683) advises that the physical circumstances of a site and its relationship to a settlement are more relevant than a designated village boundary in determining whether a site can be considered to be infill development (Appeal Decision Letter APP/M0655/W/18/3212405 Marsh Brook Close). In other words, the applicant argues that the boundary of the village settlement as defined in the local plan does not preclude whether sites are in a village for the purposes of Paragraph 145 of the Framework.

7.9 The applicant argues that the application site is similar to Rectory Farm (Appeal Decision Letter APP/R0660/W/17/3170279) on two accounts:

- Two site boundaries were adjacent to a larger established housing estate
- Access would be from a recent approved scheme.

7.10 The applicant argues that the application site should be considered as an infill plot as there is build development to the south, west and eastern boundaries. The Council accepts that the application site is surrounded by the rear gardens of existing suburban dwellings on the south and west boundaries which are within the existing settlement boundary. There were three existing properties associated with Tusons Farm and following the granting of a lawful development certificate for a commercial livery business- planning permission was granted for a further four dwellings based upon the site being previously developed land within the Green Belt.

7.11 The Framework (paragraph 134) states that one of the five purposes of the Green Belt is to assist in safeguarding the countryside from encroachment. The appeal decision at Rectory Farm refers to the appeal site being surrounded by houses that are within the village on three sides. The land to the east of the application site, Tusons Farm is not within the village. The access to the application site would not be taken from the existing housing estate but from an agricultural lane. As the access would not be physically related to the existing village it is considered that the application site cannot be considered as limited infilling. Rather, the proposed development due to its scale is akin to village expansion. It is

argued that the proposed development would therefore conflict with Paragraph 134 c of the Framework.

7.12 The application site measures approximately 0.98 of a hectare and the draft masterplan provides for nine executive type properties with large curtilages. The adjacent south and west boundaries have been constructed of bungalows and dormer bungalows with modest gardens. On that basis the proposed plot sizes would not be compatible with those on the adjacent village boundaries.

7.13 If it is accepted that the site is outside the settlement boundary of the Local Plan but is still within the village, working on an average of 30 dwellings per hectare it is clear to see that a site of this size would be expected to provide more than 9 dwellings. Central Government has advised that planning policies and decisions should support development that makes efficient use of land accounting amongst other things, for identified need for different types of housing and other forms of development (Paragraph 122) and that decisions should avoid homes being built at low densities making optimal use of the potential of each site (Paragraph 123). Therefore, it is considered that the application site due to the scale cannot be considered as limited infilling.

7.14 In consideration of rural areas, the Framework (Paragraph 78) advises that planning policies should identify opportunities for villages to grow and thrive. The South Ribble Local Plan is currently the subject of a review which will provide the opportunity to formally consider whether such sites should come forward as part of expansion of the village.

7.15 Having regard to the scale and location of the site it is considered that the proposal would not be limited infilling in the village and would be contrary to Paragraph 145 of the Framework and Policy G1 of the South Ribble Local Plan.

### **Openness on the Green Belt**

7.16 Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their open ness and their permanence. When defining boundaries physical features that are readily recognisable and likely to be permanent are encouraged (Para 139). Originally Tusons Farm consisted of a farm house and out buildings. One of the outbuildings a barn was converted, and the Farm house has been previously extended and more recently sub divided to provide for two dwellings in line with policy. The provision for four new dwellings on previously developed land met one of the exceptions of the Green Belt policy too.

7.17 Whilst it is accepted that there has been residential development at Tusons Farm this has been within the scope of both national and local policy. The proposed development would lead to a loss of countryside which provides a significant contribution to the rural nature and openness of the area. Therefore, the presence of the proposed built development would have a significant negative effect on the openness of the Green Belt. Further, the scheme fails to check the unrestricted sprawl of large built up areas in the countryside which is one of the five purposes of the Green Belt.

### **Very Special Circumstances**

7.18 The proposal constitutes inappropriate development in the Green Belt contrary to Policy G1 of the South Ribble Local Plan and the Framework. It would also conflict with one of the purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.19 The applicant has not provided any very special circumstances and whether there a need for further housing in the area is not a determining factor . However, for completeness and given the size of the application- the council can demonstrate a 5year housing supply. In the most recent appeal decision received by this Council which considered the housing land supply (Appeal Ref: APP/F2360/W/19/3234070 - Land to the South of Chain House Lane, Whitestake), the Inspector stated at paragraph 49: "...on the basis of what I have heard I am satisfied that the Council is currently able to demonstrate a five year supply of deliverable housing land, albeit that it would not be as high as originally calculated. The tilted balance is therefore not engaged by virtue of a failure to demonstrate sufficient housing land provision."

7.20 Since this appeal decision, a Joint Memorandum of Understanding (MOU) and Statement of Co-operation (SOC) has been approved by the three Central Lancashire Councils. Resulting in the Councils' applying the standard method formula to calculate the aggregate minimum number of homes needed across the area in accordance with the NPPF and NPPG and implementing a distribution of housing based on robust evidence contained within the Central Lancashire Housing Study. This recommended the most appropriate distribution of the minimum number of homes needed in the area (subject to future review) is 40% for Preston, 32.5% for South Ribble and 27.5% for Chorley. Using this approved methodology, the minimum number of dwellings required in South Ribble in 2020/21 is 328 dwellings. At 1 April 2020, this borough had a supply of 3,903 unbuilt permissioned dwellings, equating to more than eleven years' requirement. This enables us to be confident of a five-year housing land supply. However, publication of the housing land supply statement will be delayed pending guidance from MHCLG regarding adjustments/assumptions to be made in relation to completion forecasts during 2020/21 due to COVID-19.

7.21 It is therefore considered that the proposal is inappropriate development contrary to Paragraph 143 of the Framework. The development would not be classed as limited infilling in villages and as such would be contrary to Paragraph 145 of the Framework and Policy G1 of the South Ribble Local Plan.

### **Character and Appearance**

7.22 The site consists of a relatively flat area of open countryside with a drainage ditch to the south and western boundaries. A dilapidated caravan is located on the eastern boundary. The draft Masterplan provides for large detached executive type dwellings served from a cul de sac, which create a poor contrast to the more densely planned suburban estate to the south and west. Whilst it is acknowledged that there would be a total of seven dwellings associated with Tusons Farm the extant permission has been planned to provide a courtyard development akin to a rural setting. The proposed development therefore would have a significant adverse effect on the character and appearance of the surrounding area contrary to Policy G17 (a) of the SRLP which states that development should not have a detrimental impact on surroundings.

### **Housing**

7.23 The Strategic Housing team has advised that evidence from the 2020 Central Lancs Housing Study suggests that need for larger 4+ bed market housing in South Ribble is relatively low (2%) in comparison to the need for 1, 2 and 3 bed properties. The Council's Policy Position has been updated in relation to affordable housing contributions within the rural areas in that they will not be sought for developments incorporating less than 10 dwellings. On that basis as the numbers would be 9 a contribution can not be requested.

### **Highway Matters**

7.24 The application provides for access from Gill Lane and to utilise an existing single width lane that serves the Tusons Farm complex. Residents have raised concern about the access arrangements to and from Gill Lane and an increase of vehicular traffic and movements on the lane serving the development.

7.25 A number of revisions were requested by LCC Highways to the access arrangements which are set out on drawing No SCP\_190280\_ Rev B. These include:

- Off site highway works to improve the junction and the sight lines to Gill Lane which would be the subject of a Section 278 Agreement.
- Improvements to the access lane to provide localised widening -passing places at a safe distance and to restrict the distance that vehicles may need to reverse
- A 2-metre-wide pavement.

7.26 The alterations to the access lane to provide passing places would require two parts of the hedgerow on the eastern boundary together with trees to be removed. The applicant submitted a revised red edge, and blue edge together with an amended ownership - Certificate B to accommodate these works.

7.27 LCC Highways raise no objection to the proposal subject to conditions requiring the above works namely-off site highway works to improve the sight lines of Gill Lane, improvements to the access lane and a Construction Management Plan to be submitted and approved. They have advised that proposed changes to the lane would not bring the lane up to adoptable standards. Therefore, the lane and proposed roads within the development site would not be formally adopted by LCC Highways.

7.28 Residents have raised concerns about the impact of traffic upon the amenity of the properties that back on to the access lane especially during the construction process. The CEMP would provide the opportunity to control hours of construction and delivery to help alleviate any undue impact during the construction period.

7.29 The Framework makes clear that development should only be refused on transport grounds if the residual cumulative impacts of the proposal are severe. LCC Highways has advised that the proposed development would have a negligible impact upon highway safety and highway capacity. A review of the 5-year database for Personal Injury and Accident (PIA) has been undertaken and there has been no recorded incidents within the vicinity of the site access.

7.30 In terms of the impact of the traffic movements upon the residential amenity of existing rear properties, it is acknowledged that with the existing development at Tusons Farm together with the proposed development there would be a total of 16 residential properties served from the lane which would increase the traffic movements. Further, the previous use of the site provided for the operation of a commercial business which had the potential to generate significant levels of traffic, including horse boxes, large vehicles and trailers to the site. Further PROW Footpath No. 26 runs on the eastern side of the lane. On balance therefore, the increase in highway movements together with the passing places that would be required, loss of trees and hedgerow, it is considered the proposed changes to the access lane would have an undue impact upon the amenity of the existing residential properties and the character and appearance of the rural countryside. Therefore, the proposed development would be contrary to Policy G17 of the South Ribble Local Plan.

7.31 LCC Highways have advised that any works to the Public Footpath would require the appropriate permission. A note to this effect will be added to any planning permission.

## **Relationship to Neighbours**

7.31 Residents have raised concerns amongst other things about the impact of the proposed dwellings in term of loss of view light and privacy. The outline application is accompanied by a draft Masterplan however all matters except for access, would be the subject of a further reserved matters application. Whilst the right to a view is not a planning consideration, any matters with respect to the impact of the dwellings upon the living conditions of neighbouring properties would be considered at the reserved matters stage.

### **Drainage**

7.32 On a previous application concern was raised about the lack of information to assess the scheme by the Local Lead Flooding Authority (LLFA) and residents have raised concern about past issues of flooding, surface water and sewerage problems. However, further information was submitted which addressed these concerns and no objection subject to conditions controlling drainage was raised by either Untiled Utilities or the LLFA. Similar concerns have been raised by residents and both United Utilities and the LLFA have assessed the supporting documentation including a Flood Risk Assessment and have raised no objection subject to the imposition of conditions. Subject to the imposition of conditions, the development would therefore meet Policy 29 of the Central Lancashire Core Strategy.

### **Tree Issues**

7.33 The application is supported by an Arboricultural Impact Assessment (AIA) which advised that one tree would be removed together with a small group of trees which have been identified as low quality. Initially, the Council's tree officer has advised conditions are required to protect any trees that are to be retained together including controlling access to root protection areas. Mitigation would be required on a 2 for 1 basis as per Policy G13 of the South Ribble Local Plan.

7.34 However, following the revised plans submitted to address the access to the site from Gill Lane, alterations to the lane would be required to provide passing places which would require two parts of the hedgerow and trees on the eastern boundary to be removed. The Council's tree officer has advised that the current AIA would need to be amended as a number of trees on the access road would need to be removed. A revised Tree Protection Plan to demonstrate trees to be retained/felled, specialist root protection measures and method statement are required. The loss of more trees would need to be mitigated too on a 2 for 1 basis.

### **Ecology**

7.35 The application is accompanied by an Ecology Statement. Ecology Services has advised that the information is to an appropriate and proportionate standard and no further surveys are required. However, a number of conditions are recommended, tree hedgerow and ditch protection during the course of construction, the method statement for the protection of amphibians as set out in the report is implemented, a landscape and management creation plan should be required that provides for species rich grassland to the north of the site, nesting birds to be protected during construction and due to the decline in the swift species, measures to provide artificial nesting boxes are recommended for both kestrels and swifts.

Initially subject to a condition controlling these aspects the proposal met the aims of Policy G16 of the South Ribble Local Plan and Policy 22 of the Core Strategy. However, further to the revised arrangements for the access lane an update from Ecology Services will be provided at the meeting to this aspect.

### **Public Open Space**

7.36 As the proposal is for less than 10 dwellings there is no requirement to provide any open space contributions.

### **Community Infrastructure Levy (CIL)**

7.37 The application is accompanied by a CIL additional form and the development would be CIL liable. As this is an outline application CIL would be calculated upon the receipt of an application for reserved matters when the detail including floor space would be known.

## **8.0 CONCLUSION**

8.1 The proposal constitutes inappropriate development in the Green Belt contrary to policy G1 of the South Ribble Local Plan and the Framework. It would also conflict with one of the purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

8.2 Only limited weight can be attached to the increase of 9 executive type dwellings to the housing supply, which does not outweigh the harm that the proposed development would cause. The substantial weight to be given to Green Belt harm is not clearly outweighed by other considerations to demonstrate very special circumstances. Therefore, the application is recommended for refusal.

## **9.0 RECOMMENDATION:**

### **9.9 Refusal.**

### **REASONS FOR REFUSAL:**

1. The application site is allocated as Green Belt in Policy G1 of the South Ribble Local Plan. The proposed development of nine dwellings on a parcel of land approximately 0.98 hectare, outside the settlement boundary of Walmer Bridge would be contrary to the Green Belt designation and is not classed as limited infilling in villages. Therefore, the proposal would not meet the exception (e) of paragraph 145 of the NPPF or exception (e) of Policy G1 of the South Ribble Local Plan.
2. The proposal would introduce residential development into an open, green area which would be contrary to Policy 134 of the NPPF which seeks to safeguard the countryside in the Green Belt from encroachment.
3. The proposed changes to the access lane and increase in the number of vehicle movements would create an unacceptable impact upon the residential amenity of the residents of even no's 20 to 40 Rockburgh Crescent and would require the removal of trees and two areas of hedgerows. These aspects of the proposal would not respect the character of the area and proposed changes would not be of an adoptable standard. Therefore, the proposed development would be contrary to Policy G17 (b) (c) and (e) of the South Ribble Local Plan.

## **RELEVANT POLICY**

## **NPPF National Planning Policy Framework**

### **Central Lancashire Core Strategy**

- 1. Locating Growth (Core Strategy Policy)**
- 4 Housing Delivery (Core Strategy Policy)**
- 5 Housing Density (Core Strategy Policy)**
- 6 Housing Quality (Core Strategy Policy)**
- 7 Affordable and Special Needs Housing (Core Strategy Policy)**
  
- 17 Design of New Buildings (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- 29 Water Management (Core Strategy Policy)**

### **South Ribble Local Plan**

- POLG1 Green Belt**
- POLG10 Green Infrastructure Provision in Residential Developments**
- POLG13 Trees, Woodlands and Development**
- POLG16 Biodiversity and Nature Conservation**
- POLG17 Design Criteria for New Development**

### **Note:**

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# Agenda Item 8

**Application Number** 07/2020/00443/FUL

**Address** Land At Cottage Gardens  
Bamber Bridge

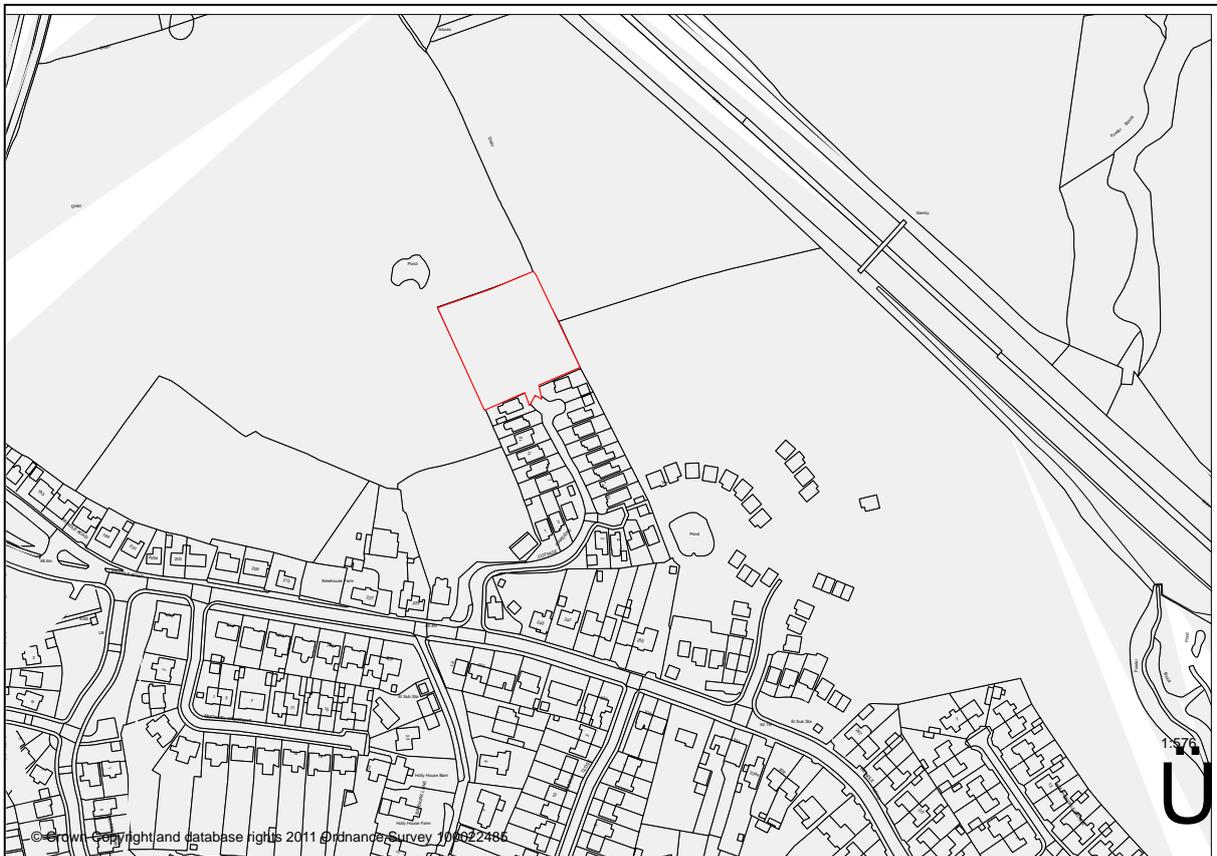
**Applicant** Dorbcrest Homes  
The Old Carnegie Library  
Ormskirk Road  
Pemberton  
Wigan  
WN5 9DQ

**Development** Erection of 11 dwellings with associated works.

**Officer Recommendation** **Approval with conditions with the** the decision to be delegated to the Director of Planning & Property in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of a legal agreement to secure a financial contribution towards public open space

**Officer Name** **Mrs Debbie Roberts**

Date application valid 12.06.2020  
Target Determination Date 11.09.2020  
Extension of Time None



## **1. Report Summary**

1.1. The application refers to a roughly 0.4ha, square parcel of land accessed off Cottage Gardens, Bamber Bridge; a relatively new, residential development off Brindle Road.

1.2. The site is bound by sporadically placed trees and a fragmented hedgerow. Some of the trees bounding the site are to be retained, but others are recommended for removal on tree health grounds. Hedgerow would also be removed. Replacements and in site landscaping have been proposed however and are considered acceptable by the Councils Arborist.

1.3. The proposal seeks permission to erect 11 no: detached dwellings with associated works and supplementary landscaping as detailed in full at Section 4 below. The development would be accessed from, and become an extension of Cottage Gardens; a similar scheme completed by the same developer. As such, in design terms properties would reflect the wider streetscene. Parking provision, and spatial separation to and from existing and proposed properties are also policy compliant. Access, highways safety and capacity are considered acceptable

1.4. The site forms part of a wider tract of land allocated as 'Site S' by Local Plan D1 (Allocation of housing land) which allocates land for residential development. The site was safeguarded by the 2000 Local Plan and it is now appropriate to bring the site forward for residential development. Although part of a much larger allocation the area in question completes an existing cul-de-sac and is unlikely to unacceptably compromise any future development of the larger site.

1.5. Three letters of representation have been received. Comments raised by statutory consultees have been dealt with either by amendments to the scheme or by condition

1.6. Overall, the proposal is considered compliant, and having regard to the comments of statutory bodies and the following commentary, it is recommended that the application should be approved subject to the imposition of conditions

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

2.1. The application refers to a square piece of land (0.4ha) accessed off Cottage, Gardens; a small development of detached properties circa 1999 to the north of Brindle Road, Bamber Bridge. The site is bound on three sides by mature, and in some case protected trees and sparse hedgerow, but its centre is cleared rough ground. There are no other landscape features of obvious value on site.

2.2. The site is part of a wider tract of land allocated as 'Site S' by Local Plan D1 (Allocation of housing land) which allocates land for residential development.

2.3. North east and west of the site are areas of open land; these are within the same D1 (housing land) allocation. In the south residential properties are built in a typical cul-de-sac formation; the cul-de-sac head being proposed for connection to the estate road for this scheme.

## **3. Site Context / Planning History**

3.1. There are nine planning applications on the history of this site which also encompasses the earlier phase of Cottage Gardens:

- 07/0975/0674 – shop and storage to rear 235 Brindle Road. Approved August 1975
- 07/1977/0684 – open sided timber storage. Approved October 1977

- 07/1979/0055 – greenhouses. Approved March 1979
- 07/1982/0048 – new greenhouse and change of use to camping trailer storage. Refused Sept 1982
- 07/1982/0532 – greenhouse. Approved Nov 1982
- 07/1984/0707 – Single dwelling. Refused Jan 1985
- 07/1995/0397 – change from garden centre to fishing pond. Approved Sept 1995
- 07/1999/0726 – Residential development of 22 dwellings. Approved May 2020

#### 4. **Proposal**

4.1. The application proposes erection of 11 detached dwellings with associated works.

4.2. Properties are two storey, detached units in a modern style. Eight would be four bed roomed, whilst three would be three bed roomed. Parking to adopted standards is available either in a combined detached garage (plots 4 & 5), integral garaging or within the individual plots. Garden space to front and rear is similar to that of adjacent properties (6m and 10m deep approx. respectively), and design reflects that of the connecting Cottage Gardens development which was also constructed by the applicant. Access would extend the cul-de-sac of Cottage Gardens to provide a similar arrangement at the northern site boundary.

4.3. Six complementary house types are proposed with footprints ranging from 6.3m - 8.5m wide x 8.5m deep, and with gabled front/hipped or pitched roofs measuring a maximum of 8m in height. Eaves align throughout the street scene at around 4.5m. Properties would be constructed in a mix of red facing brick with contrasting window heads and cills, grey roof tiles and white windows/rainwater goods.

4.4. Supplementary landscaping would be added throughout and around the site, and whilst some trees and hedgerow are to be removed on the boundary some would also remain. 1.2m - 1.8m Beech Hedge with a post and rail fence and stock proof netting would be installed around the site boundaries and to denote individual plots within the site; offering defensible space to the rear for each dwelling.

4.5. Waste storage to the rear or side of each property has been identified. Installation of an electric vehicle charging point for each dwelling is also required; both would be secured by condition

#### 5. **Summary of Supporting Documents**

5.1. The application is accompanied by the following:

- Arboricultural Impact Assessment (Working Woodland April 2020/Appendix 1 plan)
- Community Infrastructure Levy documentation
- Design & Access statement (Dorbcrest Homes)
- Ecological appraisal (ERAP 2020/093 April 20)
- Proposal Drawings (Dorbcrest Homes)
  - o Boundary treatments (3038/BPA)
  - o Car parking (3002-P2-CP)
  - o Garage plan (GAR001)
  - o House type plans FA001 (Fairhurst), BE001 (Beeley), NE001 (Newby), NO001 (Norwood), RE001 (Redfearn), RI001 (Ribchester), NE001 (Newby)£
  - o Landscaping plan (3038/LPC)
  - o Location plan (3002/P2-LPA)
  - o Materials (3038/9.4.20)
  - o Proposed site layout (3038/DPB)
  - o Waste storage (3038/BS)

## 6. Representations

### 6.1. Summary of Publicity

6.1.1. A site notice has been posted and forty-one neighbouring properties have been consulted. Representation has been received from three occupants of the first phase of Cottage Gardens whose comments are summarised as follows.

- ☒ No need for development when approval has been granted at Bellway and Persimmon sites – existing houses should be sold before any more are allowed
- ☒ Developer is *'trying to jump on the bandwagon and hope that their application will simply just be waved through'*
- ☒ Disruption and highways safety during construction
- ☒ Increased traffic
- ☒ Respondent bought house as it was a small development – this scheme will override that
- ☒ Bus routes are always being cut so this development would be car dependant
- ☒ Existing issues with construction traffic from the Bellway/Persimmon sites
- ☒ If approved Cottage Gardens should be gated so that only those with permission can enter
- ☒ One resident requests drainage information. The applicant has confirmed that these are in progress and as is standard practice requests that a pre-commencement condition be imposed if permission is granted

6.1.2. *Officer Comment:* This proposal is not an opportunistic attempt to follow on the heels of other developments in the area. The site forms part of a much larger allocation of land which was safeguarded pre-2000 for housing led development and released in the current plan for the same purpose. At no point was Cottage Gardens intended to be a small stand-alone scheme. LCC Highways have assessed the scheme in terms of highways capacity, safety and amenity and subject to a number of conditions are satisfied. Officers are confident that this relatively small phase of development can be carefully managed during construction in much the same way as the first phase.

## 7. Summary of Responses

7.1. **Lancashire County Council Highways** notes that levels of parking are acceptable, and that there have been no incidents within the vicinity of the site in the past five years. The existing adopted highway up to the proposed site access is acceptable to serve a development of this size and nature. Minor amendments have been requested however which are now acceptable to LCC subject to conditions

7.2. **Ecology** - The applicant's ecological assessment found no notable species or habitats on site and sought no further survey. Surveys also discounted the presence of Great Crested Newts as a material consideration. The Council's Ecologist has no objection on nature conservation grounds subject to precautionary conditions, and conditions to require additional bat and bird roosting opportunities and an invasive species management plan. There were some concerns about proposed boundary treatments, but the applicant has amended plans to show a 1.2-1.8m Beech hedge beside a 1.2m post and rail fence with temporary stock proof mesh. This is now acceptable to the ecologist

7.3. **Lancashire Fire & Rescue** offer generic comments relating to access which have been considered by LCC Highways and would be implemented where relevant during construction by Building Control.

7.4. **Lancashire County Council Education** confirm that an education contribution is not required at this stage in regard to this development.

7.5. **Lead Local Flood Authority** - drainage proposals have not been provided and the LLFA has no objection subject to conditions

7.6. **South Ribble Arborist** – the site is surrounded by two rows of Poplar trees (northern and western boundaries). A fragmented hawthorn hedge bounds the eastern side where four Oak trees are present. All of the Poplars and three of the Oaks are protected by Tree Preservation Order and have the potential to be affected by development. Three Oaks (side boundaries) are worthy of retention and will offer some degree of screening. Poplars conversely are located within seasonally waterlogged ground and are at increasing risk of total root failure in high winds. The tree survey notes that *'these are unsuitable for being close to buildings... and should be removed since they impact both the site and the adjacent housing development. A further suppressed oak tree which is within one of the groups of poplars should also be removed'* The surveyor also notes that *'misplaced enthusiasm for the retention of inappropriate trees can create as many problems as poor tree management'*. Fragmented hedgerow along the eastern boundary is also to be removed. Replacement in the form of small stature trees is recommended where growing space allows, and protection of retained trees.

The Councils Arborist initially stated that *'the proposed removal of the row of Poplar trees and single Oak which are protected under TPO 2014/7 is in breach of the Local Plan Policy G13, and that proposed mitigation planting of 6 no: trees is also none compliant*. A revised landscaping scheme has been submitted however and subject to conditions is now acceptable

7.7. **South Ribble Environmental Health** has no objection and requests construction management, hours of operation, contaminated land and charge point conditions.

7.8. **South Ribble Housing** has no comment to make but notes that the site is allocated for residential development as part of the wider Site S and that affordable units are only required for sites of 15 properties or more.

7.9. **United Utilities** have no objections subject to sustainable drainage in line with the NPPF hierarchy.

## 8. **Material Considerations**

### 8.1. Site Allocation Policy

8.1.1. The site forms part of a wider tract of land allocated as 'Site S' by Local Plan D1 (Allocation of housing land) which allocates land for residential development. Policy D1 states that the site was safeguarded for development in the 2000 Local Plan but that it is now considered appropriate to bring the site forward for residential development as a result of its location close to the urban area, and the contribution the site can make to local and community infrastructure through CIL. Although part of a much larger allocation the fairly contained site in question lies to the end of, and seeks to extend in a similar form an existing cul-de-sac. It is therefore not considered that the proposal would unacceptably compromise any future development of the larger site, and in terms of Policy D1 the proposal which contributes towards the Councils housing supply is considered compliant.

## 8.2. Additional Policy Background

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

### *National Planning Policy Framework (2019)*

☐ The NPPF at Para 11: provides a presumption in favour of sustainable development, supporting sustainable economic growth to deliver amongst other things homes. In particular, the following chapters of the NPPF are also relevant:

☐ Chapter 5: Delivering a Sufficient Supply of Homes - in line with Governments objective to boost the supply of homes, in a sustainable and appropriate way, and in relevant locations. The Councils Affordable Housing SPD and Central Lancashire Policy 7 threshold requiring affordable housing of schemes over 15 units only in urban areas is also relevant here

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

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

☐ Chapter 15: Conserving and Enhancing the Natural Environment – when determining planning applications, Local Planning Authorities should aim to conserve and enhance biodiversity as reflected by Core Strategy Policy 22 (Bio and Geo diversity)

### *Central Lancashire Core Strategy*

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

☐ Policy 3: Travel – reducing the need to travel, and providing alternatives to travel by car

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

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

☐ Policy 7: Affordable and special needs housing – this policy provides for adequate provision of affordable housing relevant to a site’s type and location.

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

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

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

#### *South Ribble Local Plan*

In addition to Local Plan policy D1 (above), the following are also pertinent:

☐ Policy A1: Developer Contributions – new development is expected to contribute towards mitigation of impact upon infrastructure, services and the environment, by way of Section 106 agreement and/or CIL contribution

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

☐ Policy G11: Playing Pitch Provision requires all development resulting in a net gain of five dwellings or more to provide Green Infrastructure and a contribution towards playing pitches to meet recreational needs of the development in accordance with adopted standards.

☐ Policy G13: Trees, Woodlands and Development – permission will not be granted where development adversely impacts upon protected trees or woodland. G13 includes a presumption to retain trees and woodland, but where loss of protected trees is unavoidable replacement trees must be planted on site on a two for one replacement basis.

☐ 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.

☐ 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.

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

*South Ribble Residential Design SPD* echoes Policy G17 in considering design, but in a more prescribed manner.

*Central Lancashire Open Space and Playing Pitch SPD* sets out the standards for provision of on and off site public open space and playing pitch provision

### 8.3. Relationship to Neighbouring Properties

8.3.1. The South Ribble Residential Design SPD at Para DG03 states that habitable room windows shall not face any blank gable or wall at less than 13m, and that directly facing habitable room windows facing the same in another dwelling shall have a minimum of 21m spatial separation.

8.3.2. Interrelationships between proposed properties have been assessed and are considered acceptable. Loss of privacy, overlooking or general amenity is unlikely to occur to the occupants of these properties.

8.3.3. With regards to properties outside of the site there are only two proximate dwellings – no's 19 and 24 Cottage Gardens. Proposed and existing gable walls would face with landing windows opposite bathrooms in both cases. No 19 has an extension to the rear, but this would sit partially alongside the proposed gable of Plot 1 with around 2m extending beyond

the proposed rear elevation. As such loss of amenity to these neighbours is also not felt likely.

#### 8.4. Design, Character & Appearance

8.4.1. Local Plan Policy G17 (Design Criteria for new development) seeks to ensure 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; providing interesting visual environments which respect local character, reflect local distinctiveness, and offer appropriate levels of parking and servicing space in line with Policy F1 (Parking Standards) of the same document. Core Strategy Policy 17 (Design of New Buildings) effectively mirrors these criteria.

8.4.2. Properties have been designed to reflect the style, size and layout of the adjacent dwellings which were also completed by the applicant. The type of properties proposed by the applicant would fit in well and would not in design terms be detrimental to the street scene. Density amounts to a low 27 per hectare with gardens and amenity space which reflect those in nearby streets. Overall the proposal accords to the remit of Policies 17 and G17

#### 8.5. Highways Considerations, Suitability of Access and Parking Arrangements

8.5.1. The proposal and accompanying documentation have been reviewed by LCC Highways whose comments are noted at Para 7.1 above. Access and sight lines are acceptable.

8.5.2. Appropriate parking for each plot has been provided

#### 8.6. Natural Environment, Ecology and Ground Conditions

8.6.1. *Ecology/Trees* – Neither site contains any protected species, or habitats of national or local importance. Some trees are to be retained and environmental mitigation secured by condition. The Councils Arborist and Ecologists are comfortable with that approach.

8.6.2. *Drainage and Flood Management* - Core Strategy Policy 29(e) (Water Management) seeks to improve water quality and flood management in areas such as Bamber Bridge. The site sits within Flood Zone 1 - areas of least probability flooding, and as the proposed development does not exceed one hectare a Flood Risk Assessment was not required. Drainage proposals have not been provided but would be required prior to development by condition if approved. United Utilities and LLFA are happy with this arrangement subject to pre-commencement conditions.

#### 8.7. Construction Standards

8.7.1 One of the objectives of modern construction is to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources whilst improving the quality of housing by facilitating higher standards of construction. Should permission be granted, conditions to ensure appropriate construction standards are considered necessary

#### 8.8. Developer Contributions

8.8.1. Local Plan Policy A1 (Developer Contributions) expects most new development to contribute towards mitigation against impact on infrastructure, services and the environment. Contributions would be secured where appropriate through planning obligations (Section 106 agreement) and/or Community Infrastructure Levy.

a) *Community Infrastructure Levy* - CIL is payable on most new developments at the current rate of £65 x 1.427 – in this case £142,286.17 (1534m<sup>2</sup>). Liability has been claimed and a schedule of four instalments has been agreed should permission be granted.

b) *Affordable Housing* – Central Lancashire Core Strategy Policy 7 (Affordable and Special Needs Housing) requires provision of affordable and special needs housing on all sites of 15 properties or more. On that basis affordable housing is not required on this site. This has been confirmed by the Councils Strategic Housing Officer.

c) *Public Open Space* - The NPPF states that ‘*access to high quality open space makes an important contribution to the health and wellbeing of communities*. The Central Lancashire Open Space & Playing Pitch Strategy (2012) also provides an assessment of the quantity, quality and accessibility of open space in Central Lancashire. As such, all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development in accordance with specific but flexible standards. Where POS cannot be provided on a restricted site such as this a contribution towards off site provision must be provided. A calculation for this site shows that a figure of £20,306 is payable to be used towards play areas at Bracken Close, natural amenity space at Furtherfield and playing pitches at Worden Park. This would be secured by legal agreement should members be minded to approve the application.

#### 8.9. Sustainable Location

8.9.1. There are six primary schools and two secondary schools within 1 mile of the site which is closely located to Brindle Road and a number of bus stops with services to the wider area. Tardy Gate local retail centre is 0.7 miles away and there are 4 doctors and 4 dentists within 1.5 miles; none of which would be compromised by a development of this size. From a sustainable location perspective, the application is considered acceptable.

### **9. Conclusion**

9.1 The site is a small tract of land allocated by adopted policy for housing development. Proposed dwellings and access relate well to adjacent properties and have been assessed by the Councils statutory consultees as acceptable. Subject to conditions there would be no loss of environmental diversity, spatial separation is appropriate and overall the scheme presents a well-balanced extension to an existing cul-de-sac. The proposal is therefore considered policy compliant and is recommended for approval. If Members are minded to approve the application it is recommended that the decision be delegated to the Director of Planning and Housing in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of a legal agreement to secure a financial contribution towards public open space.

#### **RECOMMENDATION:**

Approval with conditions, and that the decision be delegated to the Director of Planning & Housing in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of a legal agreement

#### **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. 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.

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 2012-2026

3. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:

- o Arboricultural Impact Assessment (Working Woodland April 2020/Appendix 1 plan)
- o Community Infrastructure Levy documentation
- o Design & Access statement (Dorbcrest Homes)
- o Ecological appraisal (ERAP 2020/093 April 20)
- o Proposal Drawings (Dorbcrest Homes)
- o Boundary treatments (3038/BPA)
- o Car parking (3002-P2-CP)
- o Garage plan (GAR001)
- o House type plans FA001 (Fairhurst), BE001 (Beeley), NE001 (Newby), NO001 (Norwood), RE001 (Redfearn), RI001 (Ribchester), NE001 (Newby)£
- o Landscaping plan (3038/LPC)
- o Location plan (3002/P2-LPA)
- o Materials (3038/9.4.20)
- o Proposed site layout (3038/DPB)
- o Waste storage (3038/BS)

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

4. Prior to the commencement of any works on site, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:

(a) A full desk study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases, in line with BS10175:2011 +A1:2013.

(b) If the desk study identifies potential contamination and/or ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and/or ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, 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 buildings, 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 be 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.

(d) 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.

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.

REASON: To confirm before work commences on site that proposed development will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the South Ribble Local Plan 2012-2026

5. Prior to the importation of any subsoil and/or topsoil material into the proposed development site, a Desk Study shall be undertaken to assess the suitability of the proposed material to ensure it shall not pose a risk to human health as defined under Part IIA of the Environmental Protection Act 1990. The soil material shall be sampled and analysed by a Competent Person. The details of the sampling regime and analysis shall be submitted to and agreed in writing by the Local Planning Authority prior to the work taking place.

A Verification Report which contains details of sampling methodologies and analysis results and which demonstrates the material does not pose a risk to human health shall be submitted to the Local Planning Authority for approval in writing.

REASON: To confirm before work commences on site that imported sub and/or topsoil will be protective of human health and the environment, and in the interests of residential amenity in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the South Ribble Local Plan 2012-2026

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) parking of vehicles of site operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials used in constructing the development
- d) location of site compound
- e) measures to control the emission of noise during construction
- f) details of external lighting to be used during construction
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works
- h) anticipated delivery times

REASON: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

7. For the full period of construction, facilities shall be available on-site for the cleaning of the wheels of vehicles leaving the site. Such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: In the interests of highway safety and other highway users in accordance with Policy G17 in the South Ribble Local Plan 2012-2026

8. Prior to the commencement of any works on site a Dust Management Plan shall be submitted, for written approval, to the local planning authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control measures to ensure dust and soil does not travel beyond the site boundary. The Dust Management Plan shall consist of a suitable risk assessment in line with national guidance.

Once agreed the identified control measures shall be implemented and maintained throughout the duration of the site preparation and construction phase of the development.

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

9. Prior to commencement of works on site details of all piling activity shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to between 09:30 - 17:00.  
REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and G17 of the South Ribble Local Plan
10. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.  
REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate
11. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.  
REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.
12. No machinery shall be operated, no process carried out and no deliveries taken at or dispatched from the site during construction, demolition or clearance of the site outside the following times:  
0800 hrs to 1800 hrs Monday to Friday  
0800 hrs to 1400 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
13. That any tree or hedgerow felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not take place during the nesting season, normally between March and August, unless the absence of nesting birds has been confirmed by further surveys or inspections and written approval has been given from the Local Planning Authority.  
REASON: To protect habitats of wildlife in accordance with Policy 22 of the Central Lancashire Core Strategy.

14. Should the development not have commenced within two years the date of this permission, a re-survey be carried out to establish whether bats or barn owls 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 bats or barn owls 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
15. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around all trees to be retained on the site as detailed in approved plan 3038/LPC. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant, removal or addition of soil may take place. This includes ground disturbance for utilities. The fencing shall not be moved in part or wholly without the written agreement of the Local Planning Authority. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development.

REASON: To prevent damage to trees during construction works in accordance with Policy G13 in the South Ribble Local Plan 2012-2026
16. Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of invasive plants - particularly Variegated Yellow Archangel and Hollyberry Cotoneaster, 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
17. The approved landscaping scheme shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. Replacement trees as identified on approved plan 3038/LPC shall be 10-12 standards.

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

18. Prior to first occupation of each dwelling hereby approved, one Electric Vehicle Recharge point shall be provided to that dwelling. This shall be retained and maintained thereafter.  
REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy
19. Prior to the commencement of the development hereby approved a scheme for the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. This scheme, which shall be maintained and managed in accordance with the approved details, shall be implemented during construction and no building shall be occupied until the approved scheme has been completed to serve that building  
REASON: In order to satisfy the Local Planning Authority that the final details of proposed foul water drainage are acceptable before work commences on site, for avoidance of doubt and to safeguard local watercourses and avoid pollution of the water environment in accordance with Policy 29 in the Central Lancashire Core Strategy
20. Prior to 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 conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.  
The surface water drainage scheme must be restricted to existing run off rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewer system either directly or indirectly.  
The development shall be completed, maintained and managed in accordance with the approved details.  
REASON: In order to satisfy the Local Planning Authority that the final details of proposed surface water drainage are acceptable before work commences on site, 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
21. Prior to first occupation of each dwelling hereby approved, waste storage facilities to the rear of that dwelling shall be provided in line with approved drawing 3038/BS (Dorbcrest). The approved facility shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.  
REASON: To safeguard the character and visual appearance of the area and to safeguard the living conditions of any nearby residents particularly with regard to odours and/or disturbance in accordance with Policy 27 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
22. Prior to first occupation of each dwelling, the approved parking spaces for that dwelling as identified on drawing 3002-P2-CP (Dorbcrest) shall be drained and surfaced with a material to be agreed by the Local Planning Authority. These areas shall be retained at all times thereafter and shall not be used for any purpose other than the parking of vehicles.  
REASON: To ensure the provision and retention of adequate on-site parking in the interests of residential amenity and highway safety as required by Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026
23. Notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), the garages hereby approved shall be retained solely for the housing of private motor vehicles or storage associated with the main dwelling. In particular it

shall not be used for any other domestic, trade or business purposes without the express permission of the Local Planning Authority.

REASON: To safeguard residential amenity and to provide satisfactory off-street parking facilities in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

24. Notwithstanding the provisions of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.  
REASON: To safeguard residential amenity and to provide satisfactory off-street parking facilities in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
25. The screen fencing/boundary treatments shown on the approved plans shall be erected prior to the first occupation of each dwelling hereby approved and retained thereafter unless otherwise agreed in writing with the local planning authority.  
REASON: To ensure the provision and retention of adequate screening in the interest of amenity and to accord with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
26. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of an appropriate legal agreement, under the Highways Act 1980. Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
27. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 26 (as of this document) has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority. Reasons: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.  
REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026.

## **RELEVANT POLICY**

### **NPPF National Planning Policy Framework**

### **Central Lancashire Core Strategy**

- 1 Locating Growth
- 3 Travel
- 4 Housing Delivery
- 5 Housing Density
- 6 Housing Quality
- 7 Affordable and Special Needs Housing
- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity
- 27 Sustainable Resources and New Developments
- 29 Water Management

### **South Ribble Local Plan 2012-2026**

- A1 Policy A1 Developer Contributions
- D1 Allocations of housing land
- F1 Car Parking
- G1 Green Belt
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

Residential Extensions Supplementary Planning Document

Open Space and Playing pitch

Affordable Housing (Supplementary Planning Documents)

### **Note:**

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £116. The forms can be found on South Ribble Borough Council's website [www.southribble.gov.uk](http://www.southribble.gov.uk)
2. The applicant is advised that under the terms of the Wildlife and Countryside Act 1981, and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species. The work hereby granted does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species
3. For the avoidance of doubt and to ensure compliance with conditions please pass a copy of this decision to all future occupants of the properties hereby approved.

# Agenda Item 9

**Application Number** 07/2020/00361/REM

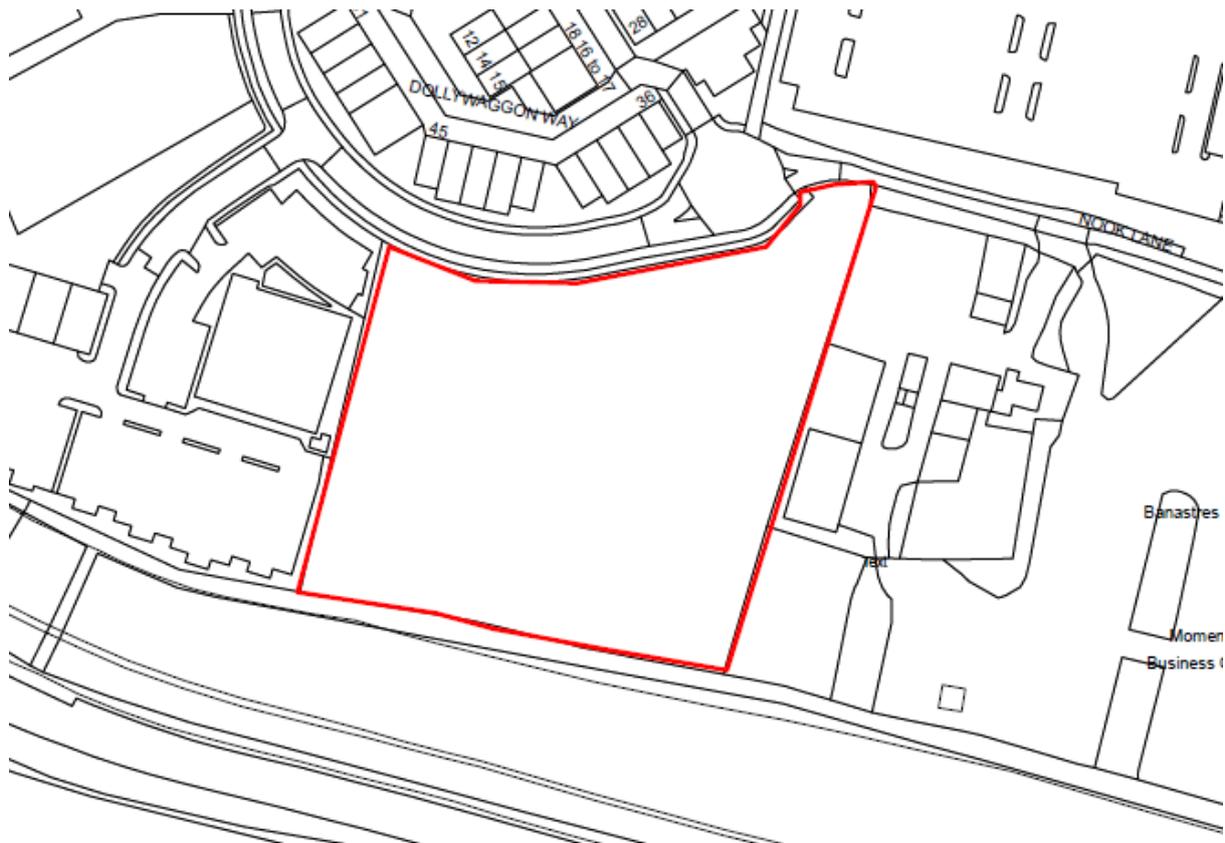
**Address** Plot 6000 South Rings Business Park  
Craven Drive  
Bamber Bridge  
Preston  
Lancashire  
PR5 6BZ

**Applicant** Commercial Development Projects Limited  
(CDP Ltd)

**Development** Storage and distribution unit (Use Class B8) with associated offices (Use Class B1a), electricity substation, car parking and service yard

**Officer Recommendation** **Approval with Conditions**  
**Officer Name** **Mr Chris Sowerby**

Date application valid 01.05.2020  
Target Determination Date 31.07.2020  
Extension of Time 02.08.2020



## **1. REPORT SUMMARY**

1.1 The proposal is a Reserved Matters application for the erection of a storage and distribution unit (Class B8) with ancillary office space and associated electricity substation, car parking and service yards, with the matters of 'Access', 'Appearance', 'Landscaping', 'Layout' and 'Scale' being applied for. The principle of the development on the site has been established by the previous outline approval.

1.2 The application relates to 1.2 hectare parcel of land identified as Plot 6000 within the South Rings Business Park off Craven Drive, Bamber Bridge. The commercial and retail development site at South Rings Business Park currently comprises of a B&Q store, a Holiday Inn hotel, a Burger King fast food restaurant, The Walton Fox Public House, a number of starter-office units, the 'Places for People' housing association offices and a gym, all of which are accessed off a junction on the A6 (Lostock Lane).

1.3 The Reserved Matters application is in keeping with the associated outline planning permission by proposing a B8 employment use, therefore according with the general principles of Policy B3.

1.4 The proposed scheme reflects the character and appearance of the area and includes features such as a mixture of horizontal and vertical cladded panels in two tones of grey, with orange feature panelling, and glazing in part on the front elevation to serve the office area which is split over two floors.

1.5 Sufficient car parking provision to serve the development is provided with County Highways raising no objections to the proposal subject to the imposition of conditions.

1.6 There is one nearby residential property, some 40m to the east of the site, which is situated within its own extensive commercial vehicle scrap and reclamation yard. The submitted Noise Impact Assessment concludes that given the existing background noise from surrounding commercial and motorway traffic, any noise from the proposed development would not have a detrimental impact on the quality of life. Environmental Health have assessed the proposal and have raised no objections subject to a number of conditions including restricting certain openings of the building to emergency access, the provision of acoustic fencing and restrictions on the types of forklift trucks that are permitted to be used with noise mitigation in mind.

1.7 The proposed development is deemed to be in accord with Policies 1, 3, 10, 17 and 22 of the Core Strategy and Policies B3, F1, G14 and G17 of the South Ribble Local Plan. For these reasons, and those contained within the report, the application is recommended for approval.

1.8 The outline permission included conditions relating to the site access, highway works, drainage details, ecology and tree works which do not need to be re-imposed as part of the Reserved Matters approval.

## **2. APPLICATION SITE AND SURROUNDING AREA**

2.1 The application relates to 1.2 hectare parcel of land identified as Plot 6000 within the South Rings Business Park off Craven Drive, Bamber Bridge.

2.2 The commercial and retail development site at South Rings Business Park currently comprises of a B&Q store, a Holiday Inn hotel, a Burger King fast food restaurant, The Walton Fox Public House, a number of starter-office units, the 'Places for People' housing association offices and a gym, all of which are accessed off a junction on the A6 (Lostock Lane).

2.3 South Rings Business Park is bounded to the south by the western end of the M65 motorway, at a higher level than the site. To the west is a gym and starter units with a short length of dual carriageway road beyond. To the east of the application site is a vehicle scrap and reclamation yard with an on-site dwellinghouse (Banastres on Bank). To the north is Craven Drive with starter units beyond.

2.4 The site, which is currently largely cleared down to earth, is allocated as part of Policy B3: Commercial and Employment Site at South Rings Business Park, Bamber Bridge in the South Ribble Local Plan.

### **3. SITE HISTORY**

3.1 In February 2000 planning permission (07/1999/0372) was granted by the Secretary of State following a 'call-in' Inquiry for a mixed use development on the wider site, now known as South Rings Business Park, comprising of a retail warehouse, public house, fast food outlet, offices, industry, storage, distribution and hotel uses (Classes A1, A3, B1, B2, B8 and C1) with associated landscaping at Lostock Lane, Cuerden. This permission has since been implemented with Reserved Matters consents granted on various parcels and then developed.

### **4. PROPOSAL**

4.1 The proposal is a Reserved Matters application for the erection of a storage and distribution unit (Class B8) with ancillary office space and associated electricity substation, car parking and service yards, with the matters of 'Access', 'Appearance', 'Landscaping', 'Layout' and 'Scale' being applied for.

4.2 Separate accesses are proposed on to Craven Drive for the staff/visitor car parking area and the servicing area with landscaping proposed along the site frontage.

4.3 The unit measures 89m (width) x 41m (depth) x 7.5-9 m (height) and would be finished in a mixture of horizontal and vertical cladded panels in two tones of grey with orange feature panelling. Glazing is proposed in part on the front elevation to serve the office area which is split over two floors. To the front of the unit 45 car parking spaces are proposed with parking for a further 10 cars to the rear on the periphery of the associated service area. Five loading bays are proposed on the rear of the unit.

4.4 To the front of the units, set within the proposed landscaping, a 3.5m x 3.5m brick built electricity substation is proposed to serve the units.

4.5 The application is accompanied by a Noise Impact Assessment

4.6 The plans have been amended since originally submitted to change from two smaller units to one larger unit following the securing of an end user.

### **5. REPRESENTATIONS**

5.1 No letters of representation have been received in relation to the proposal.

### **6. CONSULTATION REPLIES**

**County Highways** have raised no objections to the proposal stating "*the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site*". In regards to parking County Highways advise that the proposal meets the Council's parking standards. Conditions are recommended relating to the agreement of a Construction Traffic Management Plan and site access details.

**Environmental Health** have raised no objections to the proposal recommending the imposition of conditions relating to dust management during construction, hours of construction, restrictions on piling, contaminated land, external plant, noise mitigation, external lighting and the provision of electric vehicle charging points. A condition recommended relating to the burning of waste cannot be imposed as this would be controlled by other legislation. Given the extant outline planning a new condition cannot be imposed requiring the submission of a Contaminated Land Survey, a pre-cautionary can however be imposed detailing the necessary steps should land contamination be suspected during construction.

### **7. MATERIAL CONSIDERATIONS**

7.1 The principle of a mixed use development comprising of Class B1 (Business), B2 (General industry), B8 (Storage and distribution) and a Health and Fitness Club, together with the matter of 'Access', has previously established by the granting of outline planning permission 07/2014/0072/OUT.

### **7.2 i) NPPF**

7.2.1 The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development, stating *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development"*.

### **7.3 ii) Core Strategy Policy Considerations**

7.3.1 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.

7.3.2 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.

7.3.3. 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.

### **7.4 iii) South Ribble Local Plan**

7.4.1 In the South Ribble Local Plan the site is allocated as Policy B3: Commercial and Employment Site at South Rings Business Park, Bamber Bridge which reserves the sites for offices, non-food retail, employment, leisure, recreation and tourism facilities.

7.4.2 The Reserved Matters application is in keeping with the associated outline planning permission by proposing an employment use in line with the Outline planning consent, therefore according with the general principles of Policy B3.

### **7.5 Character and Design**

7.5.1 Policy G17 of the Local Plan, amongst other things, requires development to be well related to neighbouring buildings and the locality in terms of its size, scale and intensity (plot coverage) and Policy 17 of the Core Strategy expects new buildings to *"take account of the character and appearance of the local area"*.

7.5.2 A mixture of buildings scales are present within the South Rings Business Park, ranging from large warehouse retail units and office buildings to small business starter units. With this variety present the scale and siting of the proposed building will not be unduly prominent.

7.5.3 The building is proposed to be finished in a mixture of horizontal and vertical cladded panels in two tones of grey with orange feature panelling. Glazing is proposed in part on the front elevation to serve the office area which is split over two floors. With the business park comprising of a mixture of commercial and retail development designed in a similar modern style. The proposed development would be in keeping with the character of the local area and complies with Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan.

### **7.6 Relationship to Neighbours**

7.6.1 There is one nearby residential property (Banastres on Bank), 40m to the east of the application site set inside its own extensive vehicle scrap and reclamation yard. This spatial separation distance, with substantial boundary landscape treatment and intervening structures in the reclamation yard also present, is sufficient to prevent the proposal form

having an undue impact on the neighbouring property in terms of overshadowing / overdominance and overlooking / loss of privacy.

### **7.7 Highway Issues**

7.7.1 The proposed access from Craven Drive has been assessed by County Highways and is considered to be suitable to serve the development and that the development should have a *“negligible impact on highway safety and highway capacity within the immediate vicinity of the site”*.

7.7.2 The proposed 55 car parking spaces meets the minimum car parking standards contained within Policy F1 and Appendix 4 of the South Ribble Local Plan.

### **7.8 Noise Issues**

7.8.1 The application is accompanied by a Noise Impact Assessment which considers the impact of the proposed development and concludes given the characteristics of the surroundings the proposed development would not result in a *“perceived change in the quality of life”* for the occupant of the sole nearby residential property to the east of the application site set inside its own extensive vehicle scrap and reclamation yard.

7.8.2 Environmental Health have raised no objections to the proposal recommending a number of conditions relating to noise mitigation including restricting certain openings of the building to emergency access, the provision of acoustic fencing and restrictions on the types of forklift trucks that are permitted to be used.

## **8. CONCLUSION**

8.1 The proposed development conforms with the permitted uses detailed within the associated extant outline planning consent on the wider South Rings site according with the requirements of Policy B3. The proposed development would not be out of character with the local area and there are not highway safety issues associated with the proposal. Environmental Health have raised no objections to the proposal subject to the imposition of conditions.

8.2 The proposed development is deemed to be in accord with Policies 1, 3, 10, 17 and 22 of the Core Strategy and Policies B3, F1, G14 and G17 of the South Ribble Local Plan. For these reasons, and those contained within the report, the application is recommended for approval.

8.3 The outline permission included conditions relating to the site access, highway works, drainage details, ecology and tree works which do not need to be re-imposed as part of the Reserved Matters approval.

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### **RECOMMENDATION:**

Approval with Conditions.

### **RECOMMENDED CONDITIONS:**

1. The development hereby approved shall be begun before the expiration of 2 years from the date of this permission.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990

2. The development shall be carried out in accordance with the approved materials schedule detailed on the approved Drawings no. M2530-301 (Elevations), M2530-203 (Roof Layout Plan), M2530-601 (Substation Details), M2530-602 (Substation Elevations) and M2530-603 (Substation Roof) unless otherwise agreed in writing with the Local Planning Authority.

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

3. Prior to the commencement of development details of the landscaping of the site including, wherever possible, the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following the development being brought into use, or first occupation/use, whichever is the soonest.

The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the Local Planning Authority. The replacement tree or shrub must be of similar size to that originally planted.

Details submitted shall be compliant with 'BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations' and shall include details of trees and hedges to be retained or removed, root protection zones, barrier fencing, and a method statement for all works in proximity to those trees or hedges to be retained during the development and construction period. Details shall also indicate the types and numbers of trees and shrubs, their distribution on site, those areas seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026

4. 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
- (x) Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- (xi) Measures to ensure that construction and delivery vehicles do not impede access to adjoining units and obstruct the public highway

REASON: To safeguard the amenities of neighbouring properties and to protect existing road users in accordance with Policy 17 of the Central Lancashire Core Strategy.

5. The development shall not be brought into use until a scheme for the construction of the site access has been fully implemented prior to which it will have been submitted to, and approved in writing 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 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.

6. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 5 has been constructed and completed in accordance with the scheme details, unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the traffic generated by the development does not exacerbate unsatisfactory highway condition in advance of the completion of the highway scheme/works.

7. Prior to the commencement of development, full details of the bin facilities within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved bin facilities shall be provided prior to first use of the associated buildings and be retained as such thereafter.

REASON: To ensure the satisfactory appearance of the site in accordance with Policy 17 in the Central Lancashire Core Strategy.

8. 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 use of the associated building 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

9. 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 Monday to Friday with no activity Saturday, Sunday 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.

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.
10. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at South Ribble Borough Council.

Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.

Should no adverse ground conditions be encountered during site works and/or development, a verification statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building/s, which confirms that no adverse ground conditions were found.

Reason: To ensure that the site is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 of the Central Lancashire Development Plan, Policy G14 of the South Ribble Local Plan and the National Planning Policy Framework.

NOTE TO APPLICANT: If no adverse conditions are encountered to discharge this condition photographic evidence of all ground workings shall be submitted together with a description of the ground encountered

11. Prior to the importation of any subsoil and/or topsoil material into the proposed development site, information supporting the suitability of the material shall be submitted to the Local Planning Authority for approval in writing.

The information submitted shall include details of the material source, sampling methodologies and analysis results, which demonstrates the material does not pose a risk to human health as defined under Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that the site is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 of the Central Lancashire Development Plan, Policy G14 of the South Ribble Local Plan and the National Planning Policy Framework.

12. Prior to the development being brought into use a scheme to provide sound attenuation measures for any fixed external plant shall be submitted to and agreed in writing by the local planning authority. The agreed measures shall be implemented and thereafter retained and maintained for the duration of the approved use.

Any external plant must not result in sound levels at the nearest noise sensitive property above;  
50dB(A) 07:00-19:00  
45dB(A) 19:00-23:00  
39dB(A) 23:00-07:00

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

13. Any external doors to the South East elevation of the development(facing 'Banastres on Bank') shall be restricted to use as an emergency exit only and shall not be used as a staff entrance/exit door or for the purposes of taking deliveries.

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

14. Deliveries shall be only taken at the designated service area to the rear / South West elevation of the building hereby approved only with no deliveries to take place to the front or sides of the premises.

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

15. The approved acoustic fence shall be completed as per the application details prior to the development being brought into use.

Thereafter the acoustic fence shall be maintained as per the specification within the application at all times.

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

16. All forklift trucks in use at the site shall be fuelled by gas or electric. No forklift trucks in use at the site shall be powered by diesel or petrol.

As per the noise impact assessment provided as part of the application, all forklift trucks in use at the site must be fitted with white noise (broadband) reverse alarms, lights or alternative procedures employed (to ensure compliance with health and safety legislation, and NOT tonal reverse alarms).

All silencing or soundproofing equipment shall be the standard set out in the manufacturers original specifications or greater and shall be maintained in such a condition at all times.

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

17. Prior to the development being brought into use 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.

18. Prior to the commencement of the approved scheme details of all external lighting shall be submitted for written approval to the local planning authority. The approved scheme shall then be installed, maintained and retained as approved. Any changes to the agreed scheme shall first be agreed with the local planning authority and no other external lighting shall be used thereafter.

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

**NOTE TO APPLICANT:**

The submitted scheme shall include:

- o full details of the luminaires to be used,
- o the installation heights,
- o the over spill contour plot of the designed scheme,

- o the upward light ratio of the proposed scheme,
- o The horizontal glare level at the nearby sensitive receptors, both ground and first floor as appropriate.

19. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans no. M2530-100-02 (Location Plan), M2530-100-01 (Site Layout Plan), M2530-301 (Elevations), M25030-201 (Floor Layout Plans), M2530-202 (Office Layout Plans), M2530-203 (Roof Layout Plan), M2530-601 (Substation Details), M2530-602 (Substation Elevations) and M2530-603 (Substation Roof) unless otherwise agreed in writing with the Local Planning Authority.

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

### **RELEVANT POLICY**

- 1 Locating Growth (Core Strategy Policy)**
- 3 Travel (Core Strategy Policy)**
- 10 Employment Premises and Sites (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- POLB3 Commercial and Employment Site at South Rings**
- POLF1 Car Parking**
- POLG14 Unstable or Contaminated Land**
- POLG17 Design Criteria for New Development**
- NPPF National Planning Policy Framework**

### **Note:**

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## **Planning Committee Updates Sheet – 30<sup>th</sup> July 2020**

### **07/2020/00361/REM – Plot 6000 South Rings Business Park, Craven Drive, Bamber Bridge**

United Utilities have responded confirming no objections to the proposal subject to the imposition of the following conditions:

1. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

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

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

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