

## PLANNING COMMITTEE

WEDNESDAY, 25TH APRIL, 2018, 6.00 PM

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

### AGENDA

- |           |   |                 |
|-----------|---|-----------------|
| <b>1</b>  | <b>Welcome and Introduction</b>   |                 |
| <b>2</b>  | <b>Apologies for Absence</b>  |                 |
| <b>3</b>  | <b>Declaration of Interest</b>  |                 |
| <b>4</b>  | <b>Minutes of the Last Meeting</b>  | (Pages 5 - 8)   |
|           | Held on Wednesday, 28 March 2018, to be signed as a correct record.   |                 |
| <b>5</b>  | <b>Planning Application 07/2018/0278/VAR - Land to the west of Grasmere Avenue, Farington, Leyland</b>                        | (Pages 9 - 18)  |
|           | Report of the Director of Planning and Property attached.   |                 |
| <b>6</b>  | <b>Planning Application 07/2018/0334/OUT - Land south of 89 Langdale Road, Leyland</b>  | (Pages 19 - 38) |
|           | Report of the Director of Planning and Property attached.   |                 |
| <b>7</b>  | <b>Planning Application 07/2018/0856FUL - Land to the rear of 60-64 Fossdale Moss, Moss Side, Leyland</b>                     | (Pages 39 - 60) |
|           | Report of the Director of Planning and Property attached.   |                 |
| <b>8</b>  | <b>Planning Application 07/2018/0844/FUL - Oakland Farm, Hollins Lane, Leyland</b>  | (Pages 61 - 74) |
|           | Report of the Director of Planning and Property attached.   |                 |
| <b>9</b>  | <b>Planning Application 07/2018/0979FUL - 8B Centurion Court, Farington, Leyland</b>  | (Pages 75 - 80) |
|           | Report of the Director of Planning and Property attached.   |                 |
| <b>10</b> | <b>Planning Applications 07/2018/0635/FUL, 07/2018/0636/LBC, 07/2018/0637/FUL and 07/2018/0638/LBC - Worden Park, Leyland</b> | (Pages 81 - 86) |
|           | Report of the Director of Planning and Property attached.   |                 |

<b>11 Planning Service End of Year Performance Report 2017/18</b>	(Pages 87 - 92)
Report of the Director of Planning and Property attached.	
<b>12 Exclusion of Press and Public</b>	
To consider the exclusion of the press and public for the following item of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.	
By Virtue of Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).	
<b>13 Appeal against the refusal of planning permission at Land Off, Brindle Road, Bamber Bridge</b>	(Pages 93 - 102)
Report of the Director of Planning and Property attached.	

Heather McManus  
CHIEF EXECUTIVE

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

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

#### Forthcoming Meetings

6.00 pm Wednesday, 9 May 2018 - Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

#### Procedure of Debate at Planning Committee

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

- Up to five members of the public who wish to speak against an application will be allowed to speak. Each will have up to four minutes in which to state their case.
- Up to five members of the public who wish to speak in favour of an application will then be allowed to speak. Again each will have up to four minutes in which to state their case.

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

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

### **Filming/Recording Meetings**

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

When exercising the rights to record a Planning Committee meeting a member of the public must not in any way be disruptive to that meeting. They must not provide an oral commentary on the meeting whilst it is continuing. If disruption is caused then the Chairman of the meeting may exclude that person from the rest of the meeting.

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

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

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**MINUTES OF PLANNING COMMITTEE**

**MEETING DATE** Wednesday, 28 March 2018

**MEMBERS PRESENT:** Councillors Jon Hesketh (Chair), Rebecca Noblet (Vice-Chair), Renee Blow, Carol Chisholm, Malcolm Donoghue, Bill Evans, Derek Forrest, Mary Green, Ken Jones, Jim Marsh, Mike Nathan, Linda Woollard and Barrie Yates

**OFFICERS:** Tom Graham (Local Planning Solicitor), Janice Crook (Planning Officer), Catherine Lewis (Senior Planning Officer), Chris Sowerby (Senior Planning Officer) and Andy Houlker (Senior Democratic Services Officer)

**OTHER MEMBERS AND OFFICERS:** Councillor Colin Clark (Deputy Leader of the Council and Cabinet Member for Corporate Support and Assets), Councillor Michael Green, Councillor Clifford Hughes MBE (Cabinet Member for Strategic Planning and Housing), Councillor Keith Martin, Councillor Phil Smith (Cabinet Member for Regeneration and Leisure) and Councillor Graham Walton (Cabinet Member for Neighbourhoods and Streetscene)

**PUBLIC:** 8

## **113 Welcome and Introduction**

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

## **114 Apologies for Absence**

Apologies for absence was submitted on behalf of Councillors Mike Nelson and Caleb Tomlinson.

## **115 Declaration of Interest**

Councillor Mary Green declared a personal interest in planning application (07/2018/0965/PAPTDE). However, due to the close proximity of the application site to her property she would make a statement and then leave the meeting for the consideration and voting thereon.

Councillor Michael Green (in the audience) declared a personal interest in planning application (07/2018/0965/PAPTDE). However, due to the close proximity of the application site to his property he would make a statement and then leave the meeting for the consideration and voting thereon.

**116 Minutes of the Last Meeting**

RESOLVED (Unanimously):

That the minutes of the meeting held on 7 March 2018 be approved as a correct record and signed by the chairman.

**117 Appeal Decisions**

The Planning Officer informed the Committee on the outcome of an appeal against the refusal of planning permission for the erection of two houses at **Mulberry House, Rhoden Road, Moss Side, Leyland** - the appeal was allowed.

**118 Planning Application 07/2018/0965/PAPTDE - Telecommunications Mast, Hedgerows Road, Moss Side, Leyland**

Address: Telecommunications Mast, Hedgerows Road, Moss Side  
Leyland, Lancashire

Applicant: Vodafone Ltd and CTIL

Agent: Mr Chris Taylor, Mono Consultants Ltd, Steam Packet House,  
76 Cross Street, Manchester M2 4JG

Development: Application for prior notification of telecommunications for the installation of a 15m dual user monopole accommodating 3no shrouded antennas and 2no. 300mm transmission dishes with 1no equipment cabinet

RESOLVED: (Unanimously):

That prior approval not be required.

**119 Planning Application 07/2017/3794/OUT - Longton Equestrian Centre, Chapel Lane, Longton**

Address: Longton Equestrian Centre, Chapel Lane, Longton, Preston,  
Lancashire PR4 5NA

Applicant: Mr Ainscough

Agent: Mr Chris Betteridge, Farington House, Stanifield Business Park,  
Stanifield Lane, Leyland PR25 4UA

Development: Outline application for the erection of 9 dwellings following demolition of existing equestrian centre buildings

RESOLVED (Unanimously):

That the application be Approved with Conditions.

**120 Planning Applications 07/2017/1795/FUL, 07/2017/1796/LBC, 07/2017/1797/FUL and 07/2017/1798/LBC - Worden Park, Leyland**

The Chair advised the Committee that due to a clerical error with the published report, this item had been withdrawn and the planning applications would be considered at the next meeting of the Committee.

**121 Planning Committee: 9 May 2018 - provisional additional meeting**

The Chair informed the Committee that arrangements had been made for a provisional additional meeting of the Planning Committee to be held at 6.00pm on Wednesday 9 May 2018. This was to principally consider planning application 07/2017/4115/FUL - Residential and community development - Erection of 75 dwellings on land to the west of Daub Hall Lane together with the erection of two storey replacement community centre and associated works following demolition of existing facility at Gregson Lane community centre site.

Chair

Date

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# Agenda Item 5

**Application Number** 07/2018/0278/VAR

**Address** Land To The West Of  
Grasmere Avenue  
Farington  
Lancashire

**Applicant** Landway Properties Ltd

**Agent** Ms Cheryl Wood  
McDermott Development Ltd  
1 Mercury Rise  
Altham Business Park  
ALTHAM  
BB5 5BY

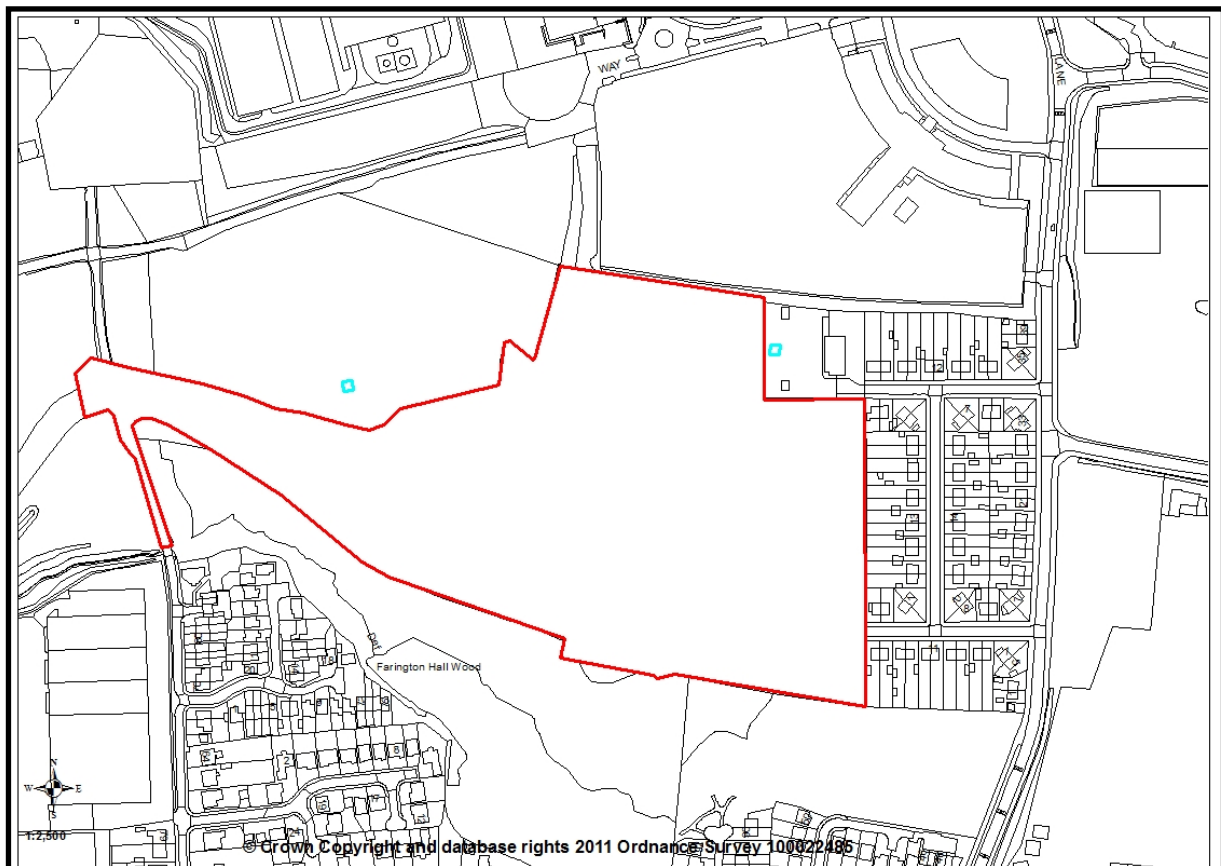
**Development** Application for the variation of condition 2 (Approved plans) of planning permission 07/2016/0186/REM

**Officer Recommendation** Approval with Conditions

**Officer Name** Mrs Janice Crook

Date application valid 15.01.2018  
Target Determination Date 16.04.2018  
Extension of Time 10.05.2018

## Location Plan



## **1.0 Summary**

1.1. This application seeks a variation of condition 2 of planning approval 07/2016/0186/REM in respect of the approved plans. Condition 2 required that the development be carried out in accordance with the approved plans and listed those plans by reference number and title. The proposed amendments mainly involve changes to the housetype as those previously approved were of a generic nature and the developer has their own designs. The changes to the housetypes also involves some minor changes to the site layout/plots. The amendments have been considered in terms of the relationship to existing properties to ensure no undue impact will occur to residential amenity as a result of the amendments and as such are considered to be policy compliant.

1.2. Whilst it is appreciated that a number of objections have been received, many of these relate to matters such as the impact on the local highway network and the loss of an area of amenity greenspace. These matters are not for consideration as part of the application process as this application merely seeks to amend the housetypes with the overall development of this site and the access to it having already been considered as part of the outline approval 07/2011/0711/ORM which approved the access to the site and 07/2016/0186/REM which approved the detailed design of the site.

1.3. The amendment are considered to be policy compliant and the application is recommended for approval.

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

1.1. The application site comprises 7.13ha of land bounded by residential properties on Grasmere Avenue, Windermere Avenue and Kentmere Drive to the east, Farington Hall Wood to the south and Lancashire Business Park to the north. Land to the south and west of Lancashire Business Park forms part of the Farington Hall Estate and is allocated for Employment Use with a Master Plan having been produced for a mixed use development of employment and residential development on the land, including the application site with this application site being the residential element.

## **3.0 Planning History**

- Outline planning approval 07/2011/0711/ORM or the erection of 160 dwellings with associated landscaping, public open space, cycle and footpath links, accessed off Grasmere Avenue was granted on 11 March 2013.
- Reserved Matters application 07/2016/0186/REM for the erection of 160 dwellings with associated landscaping, public open space, cycle and footpath links, accessed off Grasmere Avenue was approved on 28 July 2016.
- Planning application 07/2017/2181/VAR for a variation of condition 2 of planning permission 07/2016/0186/REM in respect of amendments to the site layout plan and housetype plans was approved 17 November 2017.
- Discharge of conditions application 07/2018/0271/DIS to discharge conditions 2(Approval of details of the layout scale and appearance) 6(Noise management) 8(Remediation strategy) 9(Wheel washing facilities) 10(Drainage design and levels design) 12(Ecology) 15(Cycle and footpath links) and 16(Air quality assessment) of planning permission 07/2011/0711/ORM was discharged on 09 March 2018
- Discharge of conditions application 07/2018/0272/DIS to discharge conditions 3(Materials), 5(Construction Management Plan), 6(Waste and recycling storage), 9(SUDS Management plan), 11(Air Quality Technical scoping report) and 12(Boundary

treatment plan) of planning permission 07/2016/0186/REM was discharged on 23 March 2018

#### **4.0 Proposal**

4.1. The application is made under Section 73 of the Town and Country Planning Act 1990. Section 73 allows applications to be made for permission to amend or remove a condition previously imposed on a planning permission. The original planning permission will continue to subsist whatever the outcome of the application under section 73.

4.2. This application proposes the variation of condition 2 of planning permission 07/2016/0186/REM in respect of amendments to the site layout plan and housetype plans.

4.3. Condition 2 required that that development be carried out in accordance with the approved plans and listed those plans by reference. This condition was varied by planning application 07/2017/2181/VAR as a new developer wanted changes to the site layout in a number of locations and also the housetypes. This application was approved but will not now be implemented and another developer is now to develop the site and has submitted their own housetype plans. The proposal amends the housetypes and site layout with all previously approved plans being replaced or updated. The proposed plans subject of this variation of condition 2 application are listed below:

Site Layout GA/PLO1 Rev A

Site Layout Wider Context GA/PLO2 Rev A

Affordable Housing Layout GA/PLO3 Rev A

Street Scene

Landscape Layouts 5636.01A; 5636.02A; 5636.03A; 5636.04A; 5636.05A

Housetype plans: Buttermere (brick) BUT 1.0C; Windermere (brick) WIN 1.7; Winster (brick) WIN 1.7; Welland (brick) WEL 1.7; Oakhurst (brick) OAK 1.7; Cleveland (brick) CLE 1.7; Churchill (brick) CHU 1.11; Ashdown (brick) ASH 1.7; Ashdown (brick/render) ASH 1.71; Ashdown 2 (brick) ASH2 1.7; Bromley (brick) BRO 1.7; Bromley (brick/render) BRO 1.71; Bromley 2 (brick) BR2 1.7; Applebury (brick) APP 1.7; Grasmoor (brick) GRA 1.7; Millrigg (brick) MIL 1.7

#### **5.0 Summary of Publicity**

5.1. Two hundred and seventy six neighbouring properties were notified by letter and three site notices were posted in the vicinity of the site. 7 letters of representation were received, objecting to the proposal on the following grounds:

- Emergency access to Hall Lane will required significant tree felling or pruning of established and mature trees
- The woodland has protected status
- Emergency access should not be allowed
- Will cause problems to local residents
- Considerable amount of traffic passing through Wheelton Lane, this application will increase the volume of this
- Wheelton Lane will become a rat run
- Increase in noise and pollution
- State of highway along Wheelton Lane
- Parking problems in area
- All the green land and wildlife are being stripped away from the area
- Risk of asbestos being brought to the surface
- Air pollution
- Public Safety due to increase in traffic

- Highway works required do not have to be carried out before the developer starts work, this puts public at unnecessary risk
- When will 10 space parking area be available for residents?
- Size of development and its impact on natural flood plain for the River Lostock
- Flooding has previously caused damage to properties, development will add to this problem
- Leyland has lots of recent new home development but no infrastructure to support it
- Roads in area are in a shocking conditions
- Insufficient GP surgeries, schools, nurseries, hospitals etc
- Leyland need some green wild space for wildlife to inhabit
- Development should be reduced in size

## **6.0 Summary of Consultations**

6.1 **County Highways** do not have any objections in principle to the proposed variation of Condition 2. However they comment that the Churchill and Cleveland house types are listed within the submitted documents as 3 bed dwellings with studies. The studies are of a size that could be used as bedrooms. This is supported on the developer's website where it lists these two dwellings as four bed properties. The amended layout as shown in drawing GA-PL02 has included 3 parking spaces for each of the Churchill dwellings therefore it meets South Ribble Borough Councils parking standards for a four bedroom dwelling. However the Cleveland only has two parking spaces plus an under sized integral garage.

6.2 **Environmental Health** comment that the proposed access to the site off Grasmere Avenue for construction vehicles is a poor concept which will lead to conflict with existing residents. However, this application is for a change of housetypes and the access to the site was approved at outline stage and therefore these comments cannot be taken into account as part of this current application.

6.3 **Lancashire Archaeological Advisory Service** has examined the documentation accompanying this application. Their records indicate there are no significant archaeological implications in relation to the proposed development and therefore have no comments to make with regard to the variation of condition.

6.4 **Arboriculturist** has no objections to the application

6.5 **Natural England** has no comment to make on the variation of condition 2 but comment that, should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

6.6 **Strategic Housing** comment that the scheme proposes for 16 affordable housing units, a mix of 2 and 3 bed dwellings to be available as an intermediate tenure through shared ownership. The affordable housing units are located in small clusters around the site. Given the number of affordable units and the size of the site, this is accepted and can support effective housing managements

6.7 **The Council's Independent Valuers – Keppie Massie** considered the submitted Confidential Financial Viability Report in terms of the provision of affordable housing together with information on abnormal costs and S106 contribution to enable the adjacent site to come forward. Keppie Massie concluded that the site's viability could support the 10% (16) affordable dwellings on the basis of shared ownership whilst remaining sufficiently viable. This is discussed further in the 'Affordable Housing' section of this report.

## **7.0 Policy Considerations**

7.1. The application 07/2016/0186/REM to which this application seeks amendments was considered in terms of the National Planning Policy Framework, the Central Lancashire Core Strategy policies 1: Locating Growth; 5: Housing Density; 6: Housing Quality; 7: Affordable Housing; 17: Design of New Buildings; 22: Biodiversity and Geodiversity; 26: Crime & Community Safety; and 27: Sustainable Resources and New Development; the Central Lancashire Supplementary Planning Documents on Affordable Housing; Design Guide and Open Space and Playing Pitch and South Ribble Local Plan 2012-2026 policies A1: Developer Contributions; D1: Allocation of Housing Land; D2: Phasing, Delivery and Monitoring; Policy G10: Green Infrastructure Provision in Residential Developments; G11: Playing Pitch Provision; G13: Trees, Woodlands & Development; Policy G16: Biodiversity & Nature Conservation

7.2. In terms of this variation of condition application, the relevant policy in the South Ribble Local Plan are considered to be:

7.3. **F1: Parking Standards** requires developments to provide car parking in accordance with the parking standards adopted by the Council.

7.4. **Policy G17: Design Criteria for New Development** permits new development provided that the development does not have a detrimental impact on neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses.

## **8.0 Material Considerations**

### **8.1. Principle of Development**

8.1.1. The principle of development of this site for 160 dwellings with access off Grasmere Avenue was established with the outline approval 07/2011/0711/ORM. The Reserved Matters approval considered the detailed design of the site layout and the design and appearance of the residential dwellings. The application was duly considered and approved by planning committee in July 2016. During consideration of that application and again with this current application, a number of objections have been received in respect of the site access, traffic and highway issues and the use of Hall Lane for an emergency access.

8.1.2. This application is for minor material amendments to the design and appearance of the dwellings and redesign of some areas of the site layout. Matters of access to the site, traffic and highway issues are not for consideration, although parking provision and the suitability of the amended site layout is for consideration, together with any impact the amendments may have on the residential amenity of the occupants of existing properties.

### **8.2. Amendments**

8.2.1. The application site is accessed off Grasmere Avenue with the main estate road extending in a westerly direction then turning north and then again west. A central 'square' feature, forming a block paved junction, will be incorporated to break the expanse of road up. Six cul-de-sac roads will be formed off the main access route, each with their own turning areas to their ends.

8.2.2. The amendments relate to changes to the housetypes and plot sizes to 144 plots with others remaining as approved. Originally the proposal included 13 different housetypes listed as T1 to T13. The amendments are now to provide the following dwellings:

- 7 Buttermere, 2-bed Mews
- 24 Windermere, 3-bed Mews
- 14 Winster, 3-bed semi-detached
- 19 Welland, 3-bed detached
- 19 Oakhurst, 3-bed detached
- 4 Ashdown, 3-bed detached
- 16 Churchill, 3/4-bed semi-detached
- 17 Applebury, 4-bed detached with integral garage
- 5 Cleveland, 3/4-bed detached
- 16 Millrigg, 4-bed detached with integral garage
- 11 Bromley, 4-bed detached
- 8 Grasmoor, 4-bed detached with integral garage

8.2.3. In order to accommodate the amended housetypes some of the plots have been amended, for example, plots 148 and 149 as approved had a pair of semi-detached T3 dwellings. These are now amended and become one plot, plot 12, with a detached Millrigg housetype.

### **8.3. Residential Amenity**

8.3.1. As assessment of the amendments has been carried out in respect of the relationship to the existing residential properties on Kentmere Avenue and Grasmere Avenue.

8.3.2. Plot 160 becomes plot 1 and is adjacent 14 Grasmere Avenue with a spatial separation distance of 7m. No first floor windows in the side facing elevation are proposed with 14 Grasmere Avenue having a first floor landing window facing. As this is not to a habitable room, the proposal is considered acceptable and no undue impact will occur to No 14.

8.3.3. Plot 17 will be located to the rear of 3, 5 and 7 Windermere Avenue at a distance of 30m with one first floor window to a bathroom facing. The spatial separation distance is in excess of that normally required to prevent any loss of privacy.

8.3.4. Plots 18 to 22 are to be located to the rear of 11 to 21 Windermere Avenue with their rear elevations facing the rear elevations of those existing properties. A 35m separation distance is achieved and therefore there will be no undue loss of privacy or overlooking issues.

8.3.5. Plot 23 is located adjacent to the rear garden of 15 Kentmere Avenue and is set at a distance of 8m off the common boundary. The dwelling is to be the Windermere housetype with a first floor window facing which is to a bathroom and will therefore be of obscure glazing and as such no overlooking will occur to the amenity garden area of 15 Kentmere Avenue.

8.3.6. In terms of the proposed amendments and their relationship to existing properties, in all circumstances no undue impact will occur and the proposal is considered to be compliant with Policy G17.

### **8.4. Parking**

8.4.1. Parking provision is by way of parking bays, detached or integral garages. County Highways comment that the Churchill and Cleveland house types are listed within the submitted documents as 3 bed dwellings with studies. County Highways consider the studies are of a size that could be used as bedrooms and comment that the developer's website lists these two dwellings as four bed properties.

8.4.2. They go on to comment that the amended layout has included 3 parking spaces for each of the Churchill dwellings and therefore it meets the parking standards for a four bedroom dwelling. However the Cleveland only has two parking spaces plus an under sized integral garage. This issue was raised with the applicant who confirms that the study to the first floor layout has a total floor area of 6.83sqm. This is below the technical requirements for bedroom floor areas set out in the National Technical Housing Standards paragraph 10c for single bedrooms and therefore this house type is classed as a 3 bedroomed house with study.

8.4.3. Additionally, it is noted that 5 Cleveland housetypes are proposed, plots 59, 103, 125, 138 152 and these are scattered around the site and not in one area. Therefore, given bedroom 4 is indicated as a study and is below the recommended room size to count as a bedroom and that this relates to just 5 plots, then it is considered acceptable to relax the parking standards on this scheme.

8.4.4. Additionally, as part of the reserved matters approval, a 10 space parking area adjacent the site entrance is to be provided for parking for existing residents of Grasmere Avenue. This is to remain as approved.

## **8.5. Affordable Housing**

8.5.1. A Section 106 Agreement was negotiated and agreed at outline stage which sets out the requirement for commuted sums of £22,000 (bus stop contribution) and £454,500 (employment land contribution). The S106 also set out the affordable housing requirement for the scheme to provide a minimum of 10% and a maximum of 20% affordable housing, subject to a viability assessment. At Reserved Matters stage, the approved Affordable Housing Plan, Dwg BP/PL-303 Rev A, demonstrated the suggested location of the affordable homes and included 32 dwellings, forming 20% of the overall development. As part of this amended scheme, the applicant, due to issues of viability, only proposes 16 affordable dwellings amounting to 10% of the total dwellings and has submitted a Financial Viability Report which has been considered by independent valuers, Keppie Massie, the Council advisors in financial matters. Keppie Massie have assessed the likely costs and revenues associated with the application scheme and consider that the methodology that has been adopted for assessing viability is reasonable. In relation to the appraisal variables many are considered reasonable for the purpose of the assessment including the net sales prices for the dwellings and the benchmark land value.

8.5.2. The appraisal shows that once the development costs and developers profit return are deducted, the residual land value is below the benchmark land value and indicates that the development is not sufficiently viable to support 20% affordable housing together with the full S106 contribution of £476,500.

8.5.3. Keppie Massie prepared a financial appraisal inclusive of 16 affordable units on the basis of shared ownership and also included the S106 contribution of £476,500. They have assumed that the affordable units comprise Buttermere (7 units) and Windermere (9 units). The appraisal, inclusive of the proposed 10% affordable housing provision, generates a residual land value which is very slightly above the benchmark land value figure and indicates that the development would be sufficiently viable to support the offer made by the applicant of 16 affordable dwellings and a S106 contribution of £476,500. As the residual land value is in slightly in excess of the benchmark figure, it is possible that this may be sufficient to support one further affordable dwelling. Overall however, based on an objective assessment of viability, the offer of 16 affordable dwellings and a S106 contribution of £476,500 is considered reasonable.

8.5.4. The Council's Strategic Housing Officer comments that the scheme proposals offer 16 affordable housing units, a mix of 2 and 3 bedrooms to be available as an intermediate tenure through shared ownership. The affordable housing units are located in small clusters

around the site. Given the number of affordable units on the site and the size of the site, this is accepted and can support effective housing management.

8.5.5. Suggested affordable housing size mix for Low Cost Home Ownership within South Ribble has been identified within the SHMA as follows:

1 Bed	2 Bed	3 Bed	4 Bed
12%	42%	38%	8%

8.5.6 Proposals for 2 and 3 bedroom affordable homes on the site will therefore support the housing need of the borough. Additionally, a total of 52 applicants have applied to the Council’s affordable home ownership interest list of which 52% have registered their interest in affordable home ownership within the Central area of which Farington falls. Expression of interest is greatest for two and three bedroom homes.

**9.0 Conclusion**

9.1.1. For the reasons outlined above, the amendments to the previously approved scheme are considered acceptable and accord with policies in the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions. However, it must be noted that the applicant has successfully discharged conditions imposed on the reserved matters approval that this application seeks to amend. The discharge of conditions involves the submission of the technical details required by each condition which are then considered by the relevant statutory consultees. As this is a Section 73 application, each condition has been re-imposed but with reference to the discharged status and listing the documentation and plans which enabled each condition to be discharged.

**10.0 Recommendation**

10.1 Approval with Conditions.

**11.0 Recommended Conditions**

1. The development hereby approved shall be begun either before the expiration of 3 years from the date of the outline permission, or before the expiration of 2 years from the date of the Reserved Matters permission, determined on 28/07/2016  
REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990
  
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwgs: Site Layout GA/PLO1 Rev A; Site Layout Wider Context GA/PLO2 Rev A; Affordable Housing Layout GA/PLO3 Rev A; Street Scene; Landscape Layouts 5636.01A; 5636.02A; 5636.03A; 5636.04A; 5636.05A; Boundary Treatment Plan GA-BTP01; Material Layout GA-MLP01; Housetype plans: Buttermere (brick) BUT 1.0C; Windermere (brick) WIN 1.7; Winster (brick) WIN 1.7; Welland (brick) WEL 1.7; Oakhurst (brick) OAK 1.7; Cleveland (brick) CLE 1.7; Churchill (brick) CHU 1.11; Ashdown (brick) ASH 1.7; Ashdown (brick/render) ASH 1.71; Ashdown 2 (brick) ASH2 1.7; Bromley (brick) BRO 1.7; Bromley (brick/render) BRO 1.71; Bromley 2 (brick) BR2 1.7; Applebury (brick) APP 1.7; Grasmoor (brick) GRA 1.7; Millrigg (brick) MIL 1.7  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development



3. The development shall be carried out in accordance with the materials schedule detailed on the approved plan Dwg GA-MLP01 'Material Layout' 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 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan 2012-2026
4. The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extend before any development commences fronting the new access road.  
REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative as required Policy G17 in the South Ribble Local Plan 2012-2026
5. The development shall be carried out fully in accordance with the approved Construction and Environmental Management Plan document and updated Management Plan Dwg MP-02.  
REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
6. The storage of refuse and waste materials for the development hereby approved shall be provided in accordance with the approved Refuse Statement and the Planning Layout Dwg GA-PL01 Rev A  
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
7. Prior to first occupation of the dwellings hereby approved, one Electric Vehicle Recharge point shall be provided to all dwellings with one or more off-street parking space/garage space integral to the curtilage to the property.  
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.
8. The drainage for the development hereby approved, shall be carried out fully in accordance with the approved drainage and levels design plans Dwg Drainage and Levels Design Layout 17200/01/1 to 4 Rev C; Drainage and Levels Design Long Section 17200/01/5, 8 & 9 Rev A; Long Section 17200/1/6 Rev B and 17200/1/7 Rev C  
REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy
9. The development hereby approved shall be carried out fully in accordance with the approved SUDS Management Plan - SUDS O&M Manual dated January 2018 Ref V1 (11.01.17).  
REASON: To improved water management and reduce the risk of flooding in accordance with Policy 29 in the Central Lancashire Core Strategy.
10. The development hereby approved shall be carried out in accordance with the recommendations made in the Arboricultural Statement Ref: CW/6382-AS2 dated 25 February 2016. Before any site activity (construction or demolition) is commenced in association with the development, the barrier fencing shall be erected around all trees to be retained on the site as detailed in the Tree Protection Plan Ref: CW/6382-P-TP-

1. 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

11. The development hereby approved shall be carried out fully in accordance with the approved Air Quality Technical Scoping Report dated January 2018 Ref A106729 and through the provision of an AQMesh monitoring system supplied by the applicant at a point of 80% occupancy of the site with the data collection and maintenance of the system to be undertaken by the Environmental Health Department.

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

12. Prior to first occupation of the development hereby approved, the boundary treatments shall be erected fully in accordance with the approved Boundary Treatment Layout plan Dwg GA-BTP01 Boundary Treatment Plan. Any fencing/walling erected pursuant to this condition shall be retained at all times thereafter.

REASON: To ensure the provision and retention of adequate screening in the interests of amenity in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.

13. The roadway to the north of the site, west of proposed public open space, shown on the approved plans GA-PL01 Rev A Planning Layout shall be restricted to use as part of the development hereby approved. At no time shall the roadway be used to access lands beyond the approved boundary of the site unless otherwise agreed in writing by the Local Planning Authority.

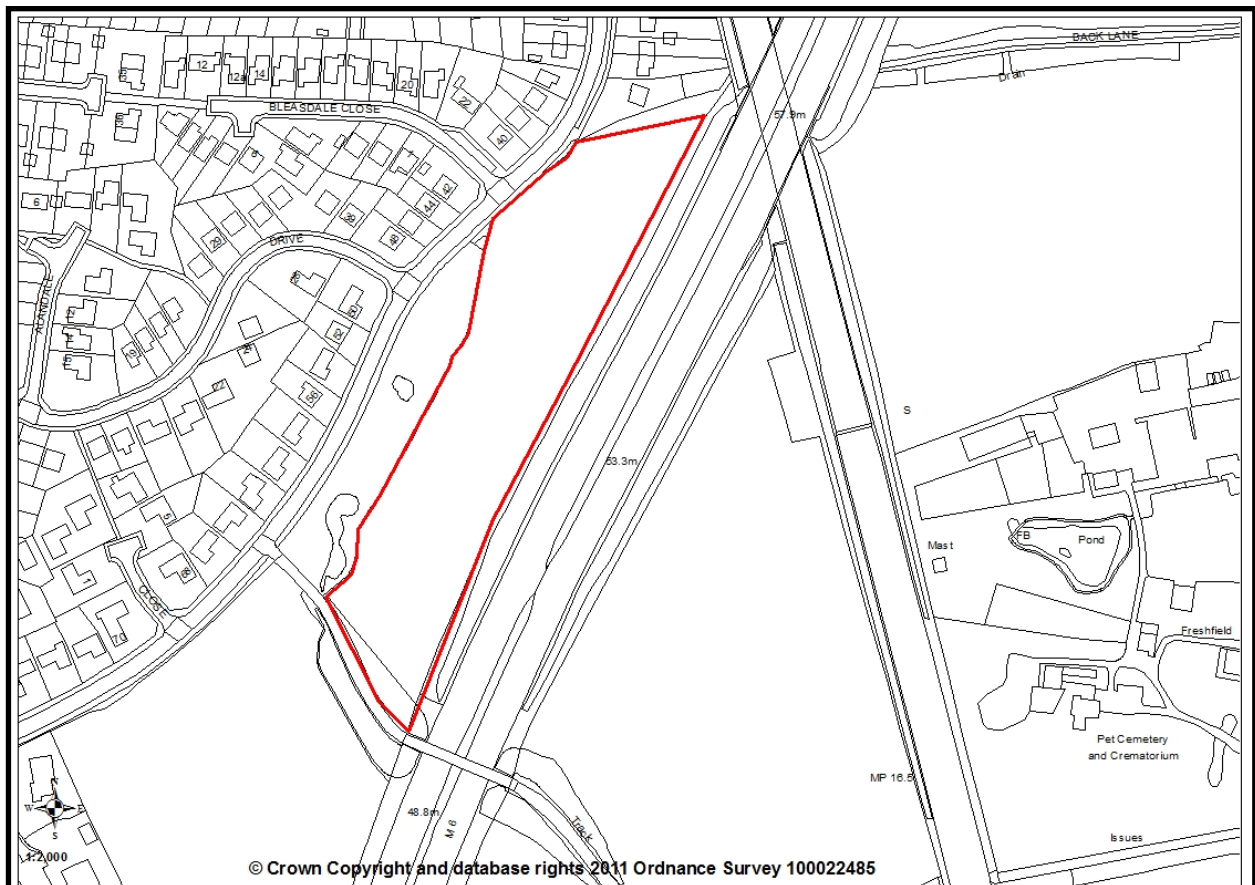
REASON: To allow the Local Planning Authority to retain control over the impact of adjacent development and/or land uses on residential amenity and/or highway safety in accordance with Policy G17 in the South Ribble Local Plan 2012-2026

## **12.0 RELEVANT Policy**

- G17 Design Criteria for New Development  
F1 Car Parking

# Agenda Item 6

<b>Application Number</b>	07/2018/0334/OUT
<b>Address</b>	Land South Of 89 Langdale Road Langdale Road Leyland Lancashire
<b>Applicant Agent</b>	The Trustees of the Worden Estate Mr Richard Percy Broadsword House, 2 Stonecrop North Quarry Business Park Appley Bridge Wigan WN6 9DL
<b>Development</b>	Outline application for a residential development (14 dwellings) with associated access road, earth bund and the erection of 2.5m high boundary fence to the eastern side of the site
<b>Officer Recommendation</b>	That members be minded to approve the application with the decision being delegated to the Director of Planning and Property in consultation with the Chair and Vice-Chair of Planning Committee upon the successful completion of a Section 106 Agreement to secure commuted sums for affordable housing, off-site public open space and for the management and maintenance of on-site public open space and the adjacent woodland.
<b>Officer Name</b>	Mrs Janice Crook
<b>Date application valid</b>	16.01.2018
<b>Target Determination Date</b>	17.04.2018
<b>Extension of Time</b>	27.04.2018
<b>Location Plan</b>	



## **1.0 Report Summary**

1.1 This application is in outline and seeks the principle of development of the site for 14 dwellings with the means of access being applied for together with the provision of an earth bund with 2.5m high acoustic fence above. This is due to the site's location adjacent the M6 motorway.

1.2 Due to an error at the time of the final printing of the Local Plan, the site was incorrectly shown as allocated under Policy G7: Green Infrastructure on the Local Plan policies map, when in fact part should have been shown as B1: Existing Built Up Area and this is explained in the 'Background Information' section of this report. Given that the site is within the existing built up area and is located in a predominantly residential area, the principle of residential development on this site is considered acceptable.

1.3 The application, due to the site's location adjacent the motorway, is supported by a noise assessment report which includes a number of noise mitigation measures which are considered acceptable. There are no objections to the application from statutory consultees and the scheme is considered appropriate for this site with the inclusion of conditions requiring the submission of details at Reserved Matters stage or prior to commencement of the development.

1.4 A Section 106 Agreement will be entered into to secure commuted sums for off-site public open space and to ensure the on-site POS and adjacent woodland is maintained and managed. The Section 106 would normally also include the off-site affordable housing contribution but, in this case, the applicant has provided a financial viability appraisal which demonstrates that the development would not be viable with this contribution and therefore no affordable housing contribution will be provided.

1.5 The application is recommended for approval subject to the imposition of conditions and subject to the successful completion of the Section 106 Agreement.

## **2.0 Site and Surrounding Area**

2.1 The application site is 1.67ha in size and located on the eastern side of Langdale Road in Leyland. To the east is the M6 motorway and to the west and north are residential properties. To the south of the site are the playing fields and grounds of Runshaw College.

2.2 The site itself was formerly part of a larger agricultural estate which was affected by the building of what is now the M6 motorway in the late 1950's. Since its separation from the rest of the estate, the site has been mainly used as pasture land. A bridge connects the site to land on the west side of the rail line.

2.3 The site is relatively flat, with a slight fall from north to south. The embankment to the M6 rises from 0.5m above the site at the south east corner, up to 4m above at the north east corner. A number of trees are located within the fenced embankment area.

2.4 Immediately to the west of the application site is a small wooded area which is within the ownership of the applicant but which does not form part of the application site. There is presently no lawful public access to the wooded area. However, it is proposed that public access will be made available as a consequence of the submitted proposals. All existing trees will be retained.

## **3.0 Planning History**

3.1 There is no planning history associated with the site. However, by way of background, during the course of pre-application discussions, it became apparent that a drafting error had been made in terms of the identification of the application site on the Local

Plan Policies Map. The site was shown as being allocated under Policy G7: Green Infrastructure whereas it should have been shown being allocated under Policy B1: Existing Built Up Areas. The woodland area between the site and Langdale Road was correctly shown as being subject to Policy G7.

#### **4.0 Proposal**

4.1 The application is in outline for a residential development of 14 dwellings with access road, earth bund and a 2.5m fence to the eastern boundary. An indicative plan has been provided to demonstrate how the 14 dwellings can be accommodated on the site. Access is off Langdale Road opposite the junction of Langdale Road and Bleasdale Close.

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

Design and Access Statement dated January 2018  
Ecological Survey and Assessment dated November 2017 by ERAP Consultant Ecologists Ref 2017-336  
Arboricultural Constraints Appraisal dated September 2017 by Bowland Tree Consultancy  
Statement of Community Involvement by Steven Abbott Associates LLP  
Planning Statement dated January 2018 by Steven Abbott Associates LLP  
Financial Viability Appraisal by Lambert Smith Hampton Ref PDC  
FRA and Drainage Strategy dated 16<sup>th</sup> January 2018 by PSA Design Ref D2094-FRA-01  
Phase 1 Land Quality Assessment by dated 16<sup>th</sup> January 2018 by PSA Design Ltd Ref D2094-GR-01  
Appendix C Groundsure Report- Geo Insight dated 3 January 2018 Ref: HMD-336-4624034  
Noise Assessment dated 17<sup>th</sup> October 2017 by Miller Goodall Ref 101347  
Draft Planning Obligation Section 106 Agreement  
Draft Site Masterplan

#### **6.0 Summary of Publicity**

6.1 Forty-three neighbouring properties were notified and a site notice posted in the vicinity of the site. Seven letters of representation were received, objecting to the proposal on the following grounds:

- An area under TPO 2005 No 7 is shown as being included in the development site
- Why does this development need a footpath cutting across the protected wood?
- Path will affect drainage of existing ponds
- Ecology report recommended provision of bat boxes who will maintain these?
- Ecology report asks for a detail arboricultural report will this be available for public viewing
- At southern end there is a drain that goes into a ditch in Runshaw College's field, who will maintain this
- Pleased to see developers have omitted apartment block
- Traffic congestion already experienced on Langdale Road
- No consideration given to the road layout and management of the additional traffic this will cause
- Highway safety issues
- Amount and speed of traffic using Langdale road and proposal will add to this
- Runshaw College continues to grow and this increases the amount of traffic, both buses and cars
- Continual stream of traffic to the college
- Loss of this green belt site will be detrimental to the wild life in the area
- Will a safety audit be undertaken in respect of the proposed access directly opposite Bleasdale Close
- Will the access road be adopted by the Highway Authority?
- Want to view the final landscaping proposals

- Worried that the land to be Public Open Space will be built on in the future

## **7.0 Summary of Consultations**

7.1 **County Highways** has no objection to this application in principle and is of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

7.2 The site will be accessed via a new access on to Langdale Road. Langdale Road is an unclassified road with a speed limit of 30 mph fronting the site. The available sight lines from the proposed access onto Langdale Road are acceptable based on the recommendations from Manual for Streets and are fully achievable over the existing adopted highway and within the applicant's control. However the operation of the existing bus stop located adjacent to the proposed access has the potential to have a negative impact on the available sightlines of vehicles exiting the site. LCC Highways therefore requests that it is relocated away from the proposed junction.

7.3 The proposed plan includes a pedestrian link to Footpath 23 on the sites south western boundary. To support sustainable travel LCC Highways request that as part of the s278 works, FP23 is surfaced from Langdale Road to the proposed pedestrian link.

7.4 Finally, LCC Highways request that conditions are imposed in respect of the provision of wheel washing facilities during the construction phase of the development; that a scheme for the construction of the site access and the off-site works of highway improvements be submitted for approval and that no part of the development be occupied until the approved scheme has been constructed and completed.

7.5 **Highways England** recommend that conditions should be attached to any planning permission. However, as the proposed conditions relate to Highways England land, outside of the application site boundary, it is considered more appropriate to include these on the decision notice as Informative notes as they do not meet the tests for imposing conditions.

7.6 **United Utilities** confirm the proposals are acceptable in principle, providing the drainage is carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. D2094-FRA-01, Dated 16<sup>th</sup> January 2018). This can be secured by a suitably worded condition. UU also require a condition to secure the submission of a sustainable drainage management and maintenance scheme for the lifetime of the development.

7.7 **Lead Local Flood Authority (LLFA)** has no objection to the proposed development subject to the inclusion of conditions to secure the submission of an appropriate surface water drainage scheme; timescales for the implementation of the scheme and the submission of a SUDS management and maintenance scheme for the lifetime of the development.

7.8 **Environmental Health** make comments in respect of noise and consider that, to mitigate the harmful effects from road traffic noise the developer must abide by the recommendations detailed in the submitted noise assessment. Therefore conditions should be imposed in respect of the construction of the bund and fence; that mitigation measures be included within the new dwellings during construction; that details of the type of glazing to be used are provided; and that the deeds to the resultant properties have details of the acoustic measures included.

7.9 In terms of the construction phase of the development, Environmental Health also require conditions in respect of the submission of a dust management plan; that wheel washing facilities are provided; that details of the site compound and storage area are

provided; that the hours of construction be restricted. That the times deliveries of construction material be restricted; that details of any piling works be submitted; that a contaminated land desk study be undertaken and, depending on the findings, a site investigation be carried out with a report submitted for approval; that information is submitted to support the suitability of any subsoil and/or topsoil materials to be imported onto site and that electric vehicle recharge points be provided to each property.

7.10 **Arboriculturist** comments that trees to the rear of the development (toward Langdale Road) are subject to a tree preservation order. TPO 2005 No 7. This is a woodland order. As the development boundary runs along the woodland boundary, a detailed arboricultural impact assessment is required which will include a tree survey, tree loss/retention identification, trees to be pruned and a tree protection plan which should be superimposed over the layout. Given the proximity of the development to the woodland an arboricultural method statement should be prepared if any works are to take place within the RPA of any of the protected trees.

7.11 **The Council's Ecological Advisors** have considered the Updated Ecological Survey and Assessment Report (ERAP, Ref: 2017-336, November 2017). This is an update of the surveys which were carried out in February and May 2015. The surveys consider bats, birds, trees, invasive species and biodiversity enhancements and these are reported fully in the 'Biodiversity' section of this report. The Ecological Advisors recommend a number of conditions be imposed in respect of further bat survey works; that no site clearance works be carried out in the birds nesting seasons; the trees be protected for the duration of the development; that a method statement for the control of invasive species be submitted; and that the development should include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Native tree and shrub planting
- Sensitive lighting

7.12 In conclusion, the Ecological Advisors are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the conditions above.

7.13 **Lancashire County Council Education** have requested a contribution of £42,846.54 to fund 5 primary school places. However, such funding should come from the Community Infrastructure Levy and a separate amount through developer contributions cannot be requested.

7.14 **The Council's Consultants on matters of Viability – Keppie Massie** have reviewed the submitted Viability Assessment Report and comment that the developer's costs are lower than their own independently assessed costs and therefore consider these costs form a fair basis for viability assessment purposes. Keppie Massie concludes that the development is not able to support the full off-site affordable housing commuted sum of £286,581 but could support a payment of £103,750 and remain viable.

## **8.0 Policy Considerations**

### **8.1 Central Lancashire Core Strategy**

- **Policy 1: Locating Growth** concentrates growth and investment in specified areas, including the key service centre of Leyland/Farlington.
- **Policy 4: Housing Delivery** will be managed by setting applying minimum annual requirements. The South Ribble minimum requirement is for 417 dwellings per annum.

- **Policy 5: Housing Density** requires that densities are to be in keeping with local areas.
- **Policy 7: Affordable and Special Needs Housing** requires 30% affordable housing be provided on sites of over 15 dwellings or with a site area of over 0.5 hectares.

## 8.2 Central Lancashire Supplementary Planning Document

- Design Guide
- Open Space and Playing Pitches
- Affordable Housing

## 8.3 South Ribble Local Plan (2012-2026)

- **Policy B1: Existing Built-Up-Areas** permits the re-use of undeveloped and unused land within the defined built-up areas, provided the proposal meets parking and other standards, is in keeping with the character and appearance of the area and will not adversely affect the amenities of nearby residents.
- **Policy G7: Green Infrastructure – Existing Provision** seeks to protect and enhance all areas of Green Infrastructure.
- **Policy G8: Green Infrastructure – Future Provision** requires all new development to provide appropriate landscape enhancements; conserve important environmental assets, natural resources, biodiversity and geodiversity; the long-term use and management of such areas; and access to well-designed cycleways, bridleways and footways to help link local services and facilities
- **Policy G10: Green Infrastructure Provision in Residential Developments** requires all new residential development resulting in a net gain of five dwellings or more to provide sufficient Green Infrastructure to meet the recreational needs of the development. This should normally be provided on-site. Off-site provision will be at the Council's discretion and delivered by developer contributions.
- **Policy G11: Playing Pitch Provision** requires all new residential development resulting in a net gain of five dwellings or more to provide playing pitches in South Ribble, at a standard provision of 1.14 ha per 1000 populations. Contributions will also be sought to fund or improve associated facilities (eg changing rooms).
- **Policy G13: Trees, Woodlands and Development** prevents planning permission being permitted where the proposal adversely affects trees, woodlands and hedgerows which are protected by a Tree Preservation Order.
- **Policy G17: Design Criteria for New Development** permits new development, including extensions and free standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in **Policy F1**, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard; and the proposal would not have a



detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.

## **9.0 Material Considerations**

### **9.1 Background Information**

9.1.1 In respect of the site's allocation in the South Ribble Local Plan, early in 2017, the planning department noticed there had been a drafting error in the final version of the map accompanying the Local Plan, relating to the site. This meant that the whole of the site was incorrectly shown as G7: Green Infrastructure, when in fact part should have been shown as B1: Existing Built Up Area, and part as G7: Green Infrastructure. Further investigation revealed that the land was given two designations early (approximately July 2012) in the process of preparing the new Local Plan. This was following an audit that was carried out by consultants, which looked at the quality and the role of all the open space in the borough. The strip of protected woodland across the site frontage is subject to Policy G7: Green Infrastructure, and the remaining open grassed area is subject to Policy B1: Existing Built-up Areas. During the preparation of the Local Plan, the two designations were then subject to public consultation; considered by the Government's Local Plan Examiner and found sound and as a consequence of this subsequently adopted by South Ribble Council. Therefore they are the lawful designations of the land in planning terms. It was only when printing the final map and information was sent to the printers that an error occurred and an old base layer was used which showed an earlier designation when Policy G7 covered the whole site.

9.1.2 The principle of the proposed development is therefore assessed below against the requirements of Policy B1 which requires development in existing built up areas to meet the parking standards, be in keeping with the character and appearance of the area and not adversely affect the amenities of nearby residents.

### **9.2 Access**

9.2.1 The application is in outline with the means of access being applied for. The proposed access is off Langdale Road opposite the junction with Bleasdale Close. Langdale Road is an unclassified road with a speed limit of 30 mph fronting the site.

9.2.2 County Highways comment that the available sight lines from the proposed access onto Langdale Road are acceptable and are fully achievable over the existing adopted highway and within the applicant's control. However the operation of the existing bus stop located adjacent to the proposed access has the potential to have a negative impact on the available sightlines of vehicles exiting the site. County Highways therefore request that the bus stop is relocated away from the proposed junction as part of a Section 278 agreement.

9.2.3 County Highways also comment that the draft site masterplan includes a pedestrian link to the Public Right of Way, Footpath 23, on the site's south-western boundary. In order to support sustainable travel, County Highways request that, as part of the Section 278 works, PROW 23 is surfaced from Langdale Road to the proposed pedestrian link.

### **9.3 Parking**

9.3.1 The application is in outline and therefore the detailed design of the site layout and dwellings is not being applied for. County Highways comment that, as part of any Reserved Matters application, the applicant should consider the parking provision for the site. Appendix 4 of the South Ribble Local Plan recommends one parking space for one-bedroom property; two to three bedroom properties to have 2 parking spaces and four to five bedroom properties to have 3 parking spaces. The minimum internal single garage size to be 6m x 3m and the minimum dimension for a parking bay is 2.4m wide by 4.8m long. Where garages are smaller than the recommended minimum internal dimension of 6m x 3m they

should not be count as a parking space and the applicant would need to provide an additional parking space for each garage affected, including integral garages.

#### **9.4 Highway Matters**

9.4.1 Although this application is in outline, County Highways have commented on the internal road layout. Where shared access roads are serving less than 20 properties, the new shared surface carriageway should vary in width between 4.1m and 6m. This is to allow, passing places for larger vehicles such as refuse vehicles, fire appliances, home deliveries etc, and additional occasional on-road visitor parking. The recommended road widths are taken from the Lancashire County Council Residential Road Design Guide. This document together with the Manual for Streets document, places emphasis on highway safety, the future maintenance of the highway and access to statutory undertaker's equipment. The recommended road widths will allow access to the statutory undertakers' equipment while allowing vehicle to pass the maintenance works.

9.4.2 County Highways advise that a turning head is required to allow refuse vehicle and emergency vehicles to turn within the site. The turning head should be to either a prescribed "Access Way" turning head from Lancashire County Council Residential Design Guide or the applicant would need to prove the turning head layout by way of a swept path analysis for a twin axel refuse vehicle. As this application is in outline with only the means of access being applied for, it is considered that, as part of the Reserved Matters application, the applicant should provide details of the required turning head to County Highways satisfaction.

9.4.3 A number of objections have been received to the application, raising highway issues. Residents comment on the traffic congestion already experienced on Langdale Road and that the proposed development will add to this situation; that no consideration has been given to the road layout and management of the additional traffic this will cause; and that the nearby Runshaw College continues to grow and this increase the amount of traffic, both buses and cars, resulting in a continual stream of traffic to the college. Residents also question the safety of the proposed access directly opposite Bleasdale Close and whether the access road be adopted by the Highway Authority.

9.4.4 County Highways have no objection to this application in principle and are of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. They consider the site access is acceptable and the required sight lines are fully achievable and have provided advice on their requirements to ensure the site access road is adoptable. County Highways require conditions be imposed to ensure that a scheme for the construction of the site access and the off-site works of highway improvements be submitted for approval and that no part of the development be occupied until the approved scheme has been constructed and completed. Additionally, matters of the site layout; required turning head, road layout and parking provision would need to be included as part of the Reserved Matters application. It is therefore considered that the proposed site access is acceptable and will have no undue impact on the area in terms of highway safety, highway capacity or the free flow of traffic.

#### **9.5 Relationship to Neighbours**

9.5.1 The site is located to the west of the M6 motorway with residential properties located on the opposite side of Langdale Road. Due to the existing protected wood, view of the site and resultant dwellings will be obscured to most of the neighbouring properties.

9.5.2 As shown on the indicative site layout plan, Plot 1 of the proposed development will be opposite 42 Langdale Road with a 25m separation distance between the front elevation of 42 and the site boundary. Therefore it is considered that, with careful design of the dwelling to plot 1, and due to the separation distance, no undue impact will occur to the residential amenity of the occupants of 42 Langdale Road in terms of loss of privacy or overlooking.

9.5.3 The site access is proposed opposite to the junction of Langdale Road and Bleasdale Close. To the north of this junction are 48 and 50 Langdale Road. These will be opposite the area of the site where the open space provision is proposed.

9.5.4 Existing residents have raised a number of concerns with the proposal, commenting that the woodland area has a footpath cutting across it, and that the land for public open space will be built on in the future. As this application is in outline with means of access applied for, the subsequent reserved matters application will need to ensure that site layout, design of the dwellings and areas of public open space are acceptable and meet policy requirements and therefore will not result in any undue impact on the existing residents.

## 9.6 Impact on Character of Area

9.6.1 The area is characterised by 1970's residential dwellings, detached and semi-detached two storey dwelling and bungalows. Opposite the site itself, the dwellings are two storey detached. The area has a spacious feel about it with dwellings set on good sized plots and grass verges between the highway and footpaths. The wooded area fronting Langdale Road is to be retained with the majority of the proposed development hidden by this wood and therefore little of the proposed development will be viewed in the street scene of Langdale Road, although there will be views into the site when travelling along Langdale Road in a southerly direction. This is mainly due to the open area to the northern part of the site being retained as public open space and which will offer some view into the site. It is considered that the proposed scheme will have little impact on the character and appearance of the area due to the retention of the wooded area and the open space area. The application is in outline and as part of the detailed design at Reserved Matters stage, consideration should be given to the style and design of the proposed dwellings to ensure they are in keeping with the existing dwelling in the area. This can be done through a number of measures, the use of materials and use of features common in the area.

9.6.2 Due to the site's location adjacent the M6 motorway, acoustic measures are required to mitigate against traffic noise. The proposal is for a 3m high earth bund with a 2.5m high acoustic fence on top to be located to the eastern boundary. The fence would be in close boarded or overlapped timber panelling. The bund and fencing would be located facing the front elevations of the proposed dwelling which in turn are separated from the Langdale Road street scene by the existing woodland. Therefore the proposed acoustic mitigation measures will not be highly visible and as such will not unduly impact on the character and appearance of the area.

## 9.7 Affordability

9.7.1 The application proposes 14 dwellings on a site of 1.66ha in size. Local Plan Policy 7 requires 30% affordable housing be provided on sites of over 15 dwellings or with a site area of over 0.5 hectares. Although the proposal is for 14 dwellings, this application is in outline and therefore the site area is taken into account. The Affordable Housing SPD provides advice at paragraph 34. Which states "*the size of development should not be artificially reduced to reduce or eliminate the affordable housing requirements as set out in the Core Strategy ..... for example by sub-dividing sites or reducing the density of all or part of a site.*"

9.7.2 It is considered that an affordable housing requirement is relevant to this site as, although this outline application only proposes a development of 14 dwellings, due to the site area, more dwellings could potentially be accommodated.

9.7.3 The SPD provides further advice on the affordable housing requirements and has the presumption that the affordable housing will be provided on-site. In this case, it is considered an off-site contribution would be more appropriate given the location of the site and the limited number of dwellings proposed. Strategic Housing confirm that a financial contribution will enable the delivery of affordable housing in a more sustainable location within the borough.

9.7.4 However, the applicant has submitted a financial viability assessment which concludes that with an off-site affordable housing contribution the scheme would not be viable. The financial viability assessment was considered by the Council's advisors in such matters, Keppie Massie. They have robustly considered the viability assessment and have also undertaken a review of relevant comparable evidence and have prepared their own appraisal of the development. Keppie Massie consider that, overall the assumptions in the viability appraisal are reasonable. They consider that, the developer's costs are lower than their own independently assessed costs, and can therefore recommend that these costs can form a fair basis for viability assessment purposes.

9.7.5 In conclusion, Keppie Massie consider that the development is not able to support the full affordable housing commuted sum of £286,581 but could support a sum of £103,750 and remain viable.

9.7.6 However, they comment that there is one caveat to this, that this is an outline application and the eventual scheme may differ from the mix and dwelling sizes that have been adopted in the viability assessment. The true viability position can only really be confirmed at reserved matters stage once to exact form of the scheme is known. Therefore the wording of the Section 106 agreement will need to reflect this.

## **9.8 Public Open Space**

9.8.1 During the course of pre-application discussions with the applicant, it became apparent that a drafting error had been made in terms of the identification of the application site and this is outlined earlier in this report in the 'Background Information' section. The woodland area between the site and Langdale Road, is allocated under Policy G7. This policy seeks to protect and enhance the Borough's existing Green Infrastructure. The woodland area is not included in the site boundary, although is within the same ownership as the application site. The supporting planning statement indicates that the application proposal retains the woodland area which is also subject of TPR 2005 No 7. In terms of enhancement, the woodland area would become a public amenity area as part of the development proposals. The Council's Arboriculturist has no objections to this but comments that a detailed arboricultural impact assessment is required which will include a tree survey, tree loss/retention identification, trees to be pruned and a tree protection plan. Although the woodland area is not part of the application site boundary, conditions can still be included requiring the submission of these at Reserved Matters stage. Additionally, the supporting statement indicates the area will be maintained and managed although no details have been provided on how the woodland will be maintained and managed. These details would need to be included in the section 106 agreement as this is effectively off-site works.

9.8.2 In terms of POS for the application site itself, the Policy G10 requirement for this development of 14 dwellings is 0.044ha of amenity greenspace to be provided on-site; a contribution for off-site equipped play of £1,414; a contribution towards natural/semi-natural open space of £3,332 and a contribution to off-site playing pitch provision of £21,098.

9.8.3 An area of amenity public open space will be located to the northern end of the site amounts to approximately 0.3ha. This is in excess of the policy requirement for amenity POS.

9.8.4 In respect of the provision of equipped play areas, Parks have confirmed the contribution of £1,414 would be allocated to Worden Park to enable the purchase of replacement parts for existing play equipment.

9.8.5 In respect of the natural/semi-natural contribution, the policy requirement for a contribution has been identified which would need to be allocated to a project in the area, with the woodland on Langdale Road being one of the projects identified. However, it is not appropriate to request the amount of £3,332 as enhancements are proposed to the existing woodland which is to be managed and maintained as reported above.

9.8.6 In respect to the playing pitch contribution, there are projects identified in the area and the monies would be allocated to the playing pitches at Worden Park.

## 9.9 Flood Risk and Drainage

9.9.1 A Flood Risk Assessment and Drainage Strategy was submitted with the application which concluded that a viable sustainable drainage solution is achievable within the constraints of the site. The document was considered by United Utilities who confirm the proposals are acceptable in principle providing the drainage for the development is carried out in accordance with principles set out in the FRA and require a condition be included, should permission be granted, to ensure this.

9.9.2 In respect of the site drainage, UU comment that, in accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer should consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

9.9.3 The submitted drainage strategy is contained within the FRA at section 7. It highlights that the ground is likely to be unsuitable for infiltration techniques and there are no watercourses within or adjacent to the site. Until a ground investigation is undertaken to formally assess the infiltration potential of the site, it is proposed that surface water from the development is discharged to the public sewer within Bleasdale Close. Clearly this is last resort in terms of surface water drainage, as per the above hierarchy. However, as the scheme is in outline, this is a proposed drainage strategy rather than a final solution.

9.9.4 The Lead Local Flood Authority (LLFA) were also consulted and they have no objection to the proposed development subject to the inclusion of a number of conditions. These include details required to be submitted as part of any reserved matters application. They require that an appropriate surface water drainage scheme to be submitted and include details of what the surface water drainage scheme should include as a minimum.

9.9.5 Additionally, the LLFA require a condition to ensure the sustainable drainage scheme for the site be completed prior to first occupation of any of the dwelling and be managed and maintained thereafter and also they require a Surface Water Lifetime Management and Maintenance Plan for the lifetime of the development be submitted for approval

9.9.6 Finally, the LLFA require an informative note be included on the decision notice, advising that a full ground investigation should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means.

## 9.10 Biodiversity

9.10.1 An Ecological Survey and Assessment Report dated November 2017 was submitted with the application. This was an update of the surveys which were carried out in February and May 2015. The document was considered by the Council's Ecological Advisors who comment on Great Crested Newts (GCN), Bats, Birds, Trees, Invasive Species and Biodiversity Enhancements.

9.10.2 The Council's Ecological Advisors confirm that a ditch present on site is unsuitable for GCN, no other amphibians were found and no other waterbodies are present within a 500m radius of the site. In respect of bats, Ecology comment that 12 trees within the woodland adjacent the site have potential bat roosting features. They consider that, if any of these trees are to be affected by the development, including pruning, then further surveys would be required and recommend that a condition to this effect be imposed.

9.10.3 All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). the Council's Ecological Advisors therefore recommend that works to trees and scrub should not be undertaken in the main bird breeding season, unless a competent ecologist has undertaken a detailed check of the trees first and recommend that a condition to this effect be imposed.

9.10.4 The Ecological Survey found the invasive species Himalayan Balsam and Turkey Oak were present on the site. It is an offence under the terms of the Wildlife and Countryside Act to allow these plants to grow in the wild and the Council's Ecological Advisors recommend that a condition be imposed requiring a methodology statement for the control of invasive species be submitted for approval and the agreed detail be implemented in full.

9.10.5 Finally, the Council's Ecological Advisors recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Native tree and shrub planting
- Sensitive lighting"

9.10.6 The Council's Ecological Advisors, in conclusion, confirm they are satisfied that the application can be determined favourably without any undue impact on biodiversity providing that the recommended conditions are imposed.

## 9.11 **Trees**

9.11.1 Between the application site and Langdale Road is an area of woodland protected under TPO 2005 No 7. An Arboricultural Constraints Appraisal was submitted with the application which includes a tree survey, a tree constraints plans and temporary protective fencing measures. The Council's Arboriculturist has commented that the development boundary runs along the woodland boundary and therefore a detailed arboricultural impact assessment is required which will include a tree survey, tree loss/retention identification, trees to be pruned and a tree protection plan which should be superimposed over the layout. The Arboriculturist also comments that, given the proximity of the development to the woodland, an arboricultural method statement should also be provided if any works are to take place within the root protection area of any of the protected trees. These requirements can be secured by conditions.

9.11.2 The Council's Ecological Advisors also commented in respect of trees and recommend that the trees on the margins of the site be retained where possible. All trees to be retained on the site should be protected from the development to prevent damage to the root system. Protection should follow guidelines presented within BS 5837:2012 – "Trees in relation to design, demolition & construction". Therefore the Council's Ecological Advisors recommend a condition be imposed to ensure this.

## 9.12 **Noise**

9.12.1 A Noise Assessment report dated 17th October 2017 was submitted in support of the application. The noise assessment was undertaken to predict the impact of existing noise sources on a proposed development. Attended and unattended noise measurements were taken of the existing noise levels impacting upon the site during a typical weekday

period. The dominant noise source was road traffic noise from the M6 and noise levels were found to be relatively high on the eastern site boundary.

9.12.2 Based on the measured noise levels, the day and night time internal noise levels were calculated within a dwelling located along the most noise-exposed boundary of site. It was shown that internal noise levels can be made to achieve recognised acoustic guidelines for dwellings, provided that acoustic rated glazing and acoustic rated trickle ventilators are utilised in the most noise-exposed elevations of the new dwellings, together with uprated ceilings to top floors in order to help reduce noise ingress through the roof.

9.12.3 The Noise Assessment Report goes on to outline that external noise levels across the site are currently relatively high and exceed the WHO guidelines for noise in external areas. However, the introduction of an acoustic bund and noise barrier onto the eastern elevation of the site would result in significant reductions in external noise levels in some areas of the site. The design of the site would be to provide gardens to the rear of the development which can achieve the external WHO guideline values.

9.12.4 The Noise Assessment Report concludes that a suitable and commensurate level of protection against noise can be provided to new dwellings, provided that the acoustic specification of building elements is properly undertaken and strategies are implemented to reduce the noise levels in external areas.

9.12.5 Environmental Health have considered the Noise Assessment Report and comment that, in order to mitigate the harmful effects from road traffic noise the proposed application must abide by the recommendations detailed in the submitted noise assessment. Therefore they recommend conditions be imposed to ensure this. The conditions are quite specific and set out the sound reduction requirement.

9.12.6 EH also require that a maintenance and management plan be submitted which details the measures to ensure the acoustic barrier is maintained throughout the life of the development.

9.12.7 In respect of the dwellings themselves, Environmental Health have proposed conditions which specify the construction of the ceilings to the top floor of all properties, the type of glazing to be used and that the deeds to the properties included details of the acoustic measures installed at the property. However, these conditions require measures which would be covered under Building Control legislation and therefore do not meet the tests for imposing planning conditions. It is considered however appropriate to impose a single condition requiring the development be carried out in accordance with the mitigation measures included in the Noise Assessment Report at section 9.

9.12.8 In terms of the noise from the construction phase of the development, Environmental Health also require conditions in respect of the submission of a dust management plan; that wheel washing facilities are provided; that details of the site compound and storage area are provided; that the hours of construction be restricted. That the times deliveries of construction material be restricted; that details of any piling works be submitted; that a contaminated land desk study be undertaken and, depending on the findings, a site investigation be carried out with a report submitted for approval; and that information is submitted to support the suitability of any subsoil and/or topsoil materials to be imported onto site.

### 9.13 **Community Infrastructure Levy**

9.13.1 This application is in outline and, although it seeks the principle of a development of 14 dwellings which would attract a CIL payment of £144,067.69 based on the total internal floorspace provided by the applicant, the actual CIL requirement can only be accurately calculated at Reserved Matters stage when the detailed design of each dwelling is submitted.

## **10.0 Conclusion**

10.1 The application has been duly considered with reference to all relevant planning policies in the Central Lancashire Core Strategy and the South Ribble Local Plan and is considered to be policy compliant. There are no objections from statutory consultees and with the imposition of a number of conditions requiring details to be submitted at reserved matters stage or prior to commencement of the development, the application is considered acceptable and is recommended for approval subject to the successful completion of a section 106 agreement.

## **11.0 Recommendation**

11.1 That members be minded to approve the application with the decision being delegated to the Director of Planning and Property in consultation with the Chair and Vice-Chair of Planning Committee upon the successful completion of a Section 106 Agreement to secure commuted sums for affordable housing, off-site public open space and for the management and maintenance of on-site public open space and the adjacent woodland.

## **12.0 Recommended Conditions**

1. No development shall commence until approval of the details of the Appearance, Landscaping, Layout and Scale hereinafter called "the reserved matters", has been obtained from the Local Planning Authority in writing. An application for approval of reserved matters must be made no longer than the expiration of three years beginning with the date of this permission and the development must be commenced not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.  
REASON: Required to be pursuant to section 92 of the Town and Country Planning Act 1990
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg 100\_36\_SMP001D REV A 'Draft Site Masterplan'  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. As part of any reserved matters application and prior to the commencement of any development the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority.
  1. Surface water drainage scheme which as a minimum shall include:
    - a) Information about the lifetime of the development design storm period and intensity (1 in 1, 1 in 2, 1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
    - b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
    - c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
    - d) Flood water exceedance routes, both on and off site;
    - e) A timetable for implementation, including phasing where applicable;
    - f) Site investigation and test results to confirm infiltrations rates;



g) Details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development, elsewhere and to future users, and to be in accordance with Policy 29 in the Central Lancashire Core Strategy

4. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON; To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on-site or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system and to be in accordance with Policy 29 in the Central Lancashire Core Strategy

5. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

i. on-going inspections relating to performance and asset condition assessments

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REASONS: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; to identify the responsible organisation/body/company/undertaker for the sustainable drainage system and to be in accordance with Policy 29 in the Central Lancashire Core Strategy

6. The overall noise screening shall have a 3m high bund with a 2.5m high acoustic barrier on top, to be constructed from continuous, imperforate material with a minimum mass of 12 kg/m<sup>2</sup>. Close boarded or overlapped timber panelling would be suitable in this regard; hit-and-miss fencing would not. Alternatively, a proprietary acoustic fence with a minimum weighted sound reduction index of 25 dB Rw would be appropriate.

Prior to the first occupation of the property a maintenance management plan shall be submitted to the local authority detailing the measures to ensure the acoustic barrier is maintained throughout the life 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

7. The development hereby approved shall be carried out full in accordance with the mitigation measures outlined in Section 9 of the Noise Assessment Report by Miller Goodall dated 17th October 2017 Ref 101347.

REASON: In the interests of the amenity of the future occupants of the development in accordance with Policy 17 of the Central Lancashire Core Strategy.

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. 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.

9. Prior to commencement of any works on site the location of the site compound and storage yard shall be agreed in writing with the local planning authority.

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

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

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

11. No deliveries of construction materials or removal of construction waste shall be undertaken outside the hours of 09:00 - 17:00 Monday to Friday. No deliveries or removal of waste shall be carried out at weekends or nationally recognised Bank Holidays.

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

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

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

13. 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 ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990, in accordance with Policy 17 of the Central Lancashire Development Plan

14. 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,

15. Electric vehicle recharge points shall be provided to every property, prior to occupation. This shall consist of as a minimum a 13 amp electrical socket located externally (or in the garage if available) in such a position that a 3 metre cable will reach the designated car parking spaces. A switch shall be provided internally to allow the power to be turned off by the residents.

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.

16. If any of the trees identified on the submitted Arboricultural Constraints Appraisal are to be affected by the works, including pruning, then further surveys for bats will be required prior to any work commencing on site. The surveys would need to be carried out at an appropriate time of year when bats are active (May-September) and by a suitably qualified bat worker and a survey report submitted to the Local Planning Authority for approval in writing.

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

17. That any tree 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 and Policy G16 of the South Ribble Local Plan 2012-2026

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

under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

REASON: To prevent the spread of invasive species through development works in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 of the South Ribble Local Plan 2012-2026.

19. As part of the Reserved Matters submission a detailed tree survey of the site and adjoining site, comprising a plan and schedule indicating the precise location, species, spread, height and condition of each tree accurately plotted and showing those trees to be retained and those to be felled with a reason for felling has been submitted to and approved in writing by the Local Planning Authority.

REASON: To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity and in accordance with Policy G13 of the South Ribble Local Plan

20. Prior to commencement of the development (construction or demolition), a Tree Protection Plan shall be submitted with the application to be approved by the Local Planning Authority. The Tree Protection Plan shall be in accordance with Para 5.5 of BS5837: 2012 'Trees in Relation to Design, Demolition and Construction - Recommendations'

REASON: To prevent damage to trees during construction works in accordance with Policy G13 of the South Ribble Local Plan 2012-2026

21. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway.

REASON; to prevent stones and mud being carried onto the public highway to the detriment of road safety.

22. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvements (bus stop relocation and surfacing of footpath 23 from Langdale Road to the proposed pedestrian link) has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

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.

23. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 22 has been constructed and completed in accordance with the scheme details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

### **13.0 Relevant Policy**

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

- 1 Locating Growth (Core Strategy Policy)
- 4 Housing Delivery
- 5 Housing Density
- 7 Affordable and Special Needs Housing
- 17 Design of New Buildings

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

- B1 Existing Built-Up Areas
- G7 Green Infrastructure Existing Provision

- G17 Design Criteria for New Development
- G8 Green Infrastructure and Networks Future Provision
- G10 Green Infrastructure Provision in Residential Developments
- G11 Playing Pitch Provision
- G13 Trees, Woodlands and Development

### **Supplementary Planning Documents**

Affordable Housing

Open Space and Playing pitches

#### 14.0 **Informative Notes**

##### **LCC Highways**

1. The granting of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council in the first instance to ascertain the details of such an agreement and the information to be provided.

##### **Highways England**

1. There shall be no direct vehicular or pedestrian access of any kind between the site and the M6 motorway. To this end, a close-boarded fence or similar barrier of not less than 2 metres high shall be erected along the boundary of the site and the M6 motorway that has been agreed with and constructed to the satisfaction of Highways England and the Local Planning Authority. Any fence or barrier shall be erected a minimum of one metre behind the existing motorway boundary fences on the developer's land and be independent of the existing motorway fence.
2. There shall be no development on or adjacent to any motorway embankment that shall put any embankment or earthworks at risk.
3. There shall be no earthworks within one metre of the motorway boundary fence.
4. No works pursuant to this application shall begin on site until such time as the design, materials and construction methods to be adopted for the proposed acoustic barrier and earth bund have been subject to the full requirements of the Design Manual for Roads and Bridges standard BD2/12 'Highway Structures: Approval Procedures and General Design Approval Procedures', have been given Technical Approval by a competent and independent Technical Approval Authority appointed by the applicant and that this technical Approval has been agreed in writing with Highways England.
5. No drainage from the proposed development shall run off into the motorway drainage system, nor shall any drainage adversely affect the motorway embankment.
6. No works relating to the construction of the facility shall require any temporary closure to traffic of the M6 motorway.
7. Access to the site for the purposes of maintaining the existing motorway boundary fence, embankment and motorway boundary landscape planting shall not be withheld to Highways England and its representatives.
8. No construction works associated with this planning application shall be carried out on land in the ownership of the Highways England Company Limited under Title LA40987.

##### **LLFA**

The Lead Local Flood Authority wishes to highlight that the PSA Design Ltd Consulting Engineers Land off Langdale Road, Leyland FRA & Drainage Strategy ref.D2094-FRA-01 dated 16th January 2018 states no geotechnical survey has been undertaken at this stage. It is therefore unknown whether infiltration techniques will prove feasible.

The applicant is reminded that Paragraph 103 of the NPPF requires priority use to be given to SuDS and in accordance with Paragraph 80, Section 10 of the Planning Practice Guidance the

preferred means of surface water drainage for any new development is via infiltration. The applicant must submit evidence as to why each 'level' of this hierarchy cannot be achieved.

Prior to designing site surface water drainage for the site, a full ground investigation should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means. For example, should the applicant intend to use a soakaway, they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365 revised 2016.

The Lead Local Flood Authority also strongly encourages that the developer should take into account designing drainage systems for exceedance working with the natural topography for the site. Should exceedance routes be used, the applicant must provide a site layout plan with these displayed, in line with Standard 9 of DEFRA's Technical Standards for SuDS.

# Agenda Item 7

**Application Number** 07/2018/0856/FUL

**Address** Land To The Rear Of  
60 - 64 Fossdale Moss  
Moss Side  
Leyland  
Lancashire

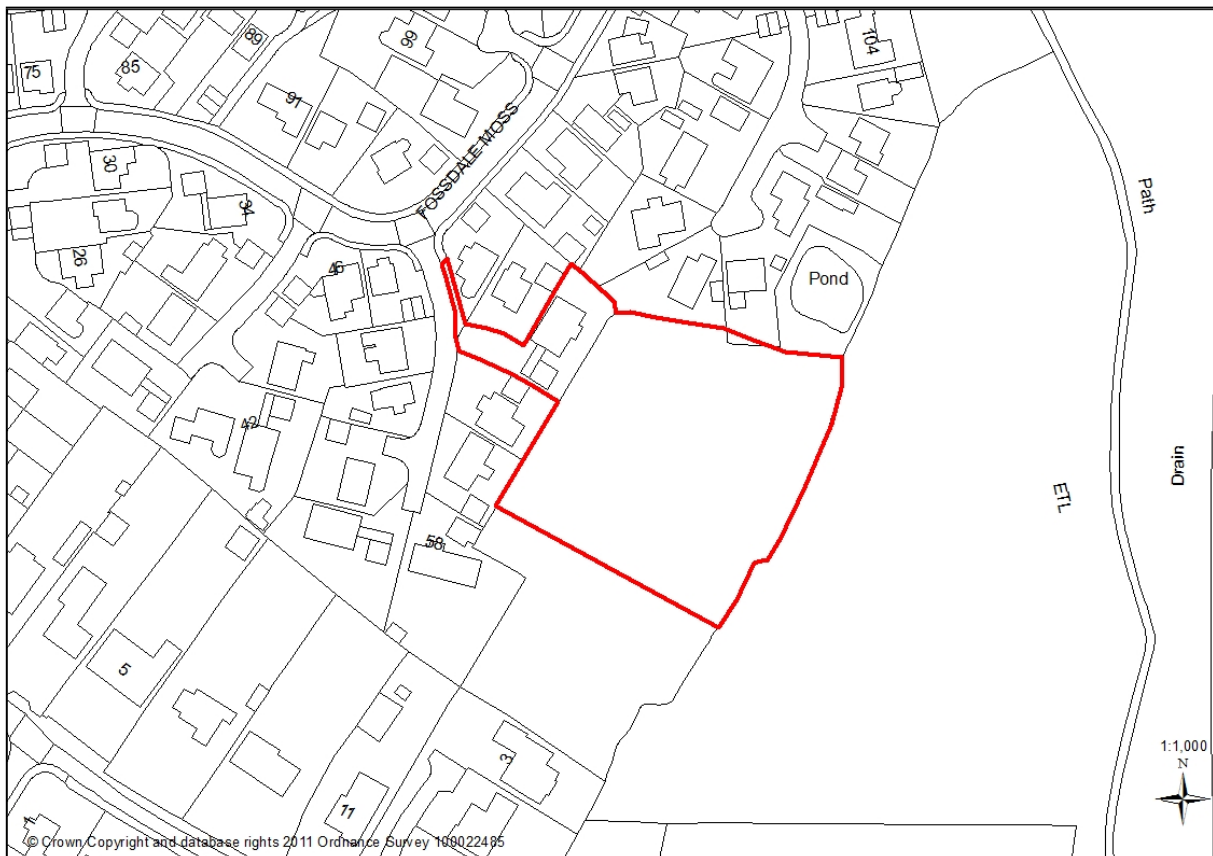
**Applicant** Five Star Development Homes Ltd

**Agent** Geoffrey Clark  
  
14 St Clements Road  
Wigan  
WN1 2RU  
United Kingdom

**Development** Erection of 6 detached dwellings and ancillary works

**Officer Recommendation** **Approval with Conditions**  
**Officer Name** **Mrs Debbie Roberts**

Date application valid 22.02.2018  
Target Determination Date 19.04.2018  
Extension of Time 30.04.2018



## **1. Introduction**

1.1. This application has been brought to Committee as two previous applications on this site were determined in this way.

## **2. Report Summary**

2.1. The Fossdale Moss site is a fairly rectangular, unmanaged tract of land (approx. 0.5 ha) located off Fossdale Moss, Leyland; a predominantly residential area designated by Policy B1 of the South Ribble Local Plan as Existing Built up Area.

2.2. Abutting the site in the north are the rear gardens to 92 and 94 Fossdale Moss and a large pond. Immediately adjacent in the west are no's 58-64 (evens) Fossdale Moss which back onto the development site. No's 50, 62-68 (evens) would also face the proposed access way; 62-68 being particularly affected.

2.3. In the south is the recently developed Gillyflower Court – this separated from the proposal site by a small section of field, and to the east is a large tract of Council owned open land designated as Green Infrastructure (Policy G7) and Green Corridor/Wedge (Policy G12) by the Local Plan. Beyond this is the Schleswig Way dual carriageway. A belt of mature trees and narrow watercourse also denotes the eastern boundary

2.4. The proposal is for a residential development of 6 detached dwellings with associated garages, and accommodating works to no's 64-& 68 Fossdale Moss; proposed access to be between these properties and no: 62.

2.5. Proposed house type designs are not considered to be out of character with the surrounding area, and adequate garden space in comparison to adjacent residential properties is proposed. Proposed development would not therefore result in overdevelopment of the site, and inter-relationships between existing and proposed properties would not result in undue overlooking, loss of privacy or over dominance.

2.6. County Highways raised no objections to the proposed development, considering that the proposed scheme would not materially increase traffic within the estate and would have a "*negligible impact on safety and capacity in the immediate vicinity of the site*". The proposal also provides an acceptable level of off-street parking for both existing and proposed properties.

2.7. This development would bring some benefits; namely improved pedestrian safety following installation of a 15m stretch of footpath along the northern edge of the cul-de-sac spur, delivery of 6 dwellings to contribute to the Council's housing land supply requirement, and a CIL contribution of £115,834 towards infrastructure detailed in the Regulation 123 list – although CIL is a compensatory payment rather than an additional benefit. Benefits however must be balanced against the effect that the proposal would have on the areas character and appearance, and on the amenity of neighbouring residents. 18 letters of objection and two in support have been received, although it should be noted that 5 residents have submitted multiple objections.

2.8. This scheme with a 13 dwelling per hectare density, is thought to be appropriately designed, incorporates levels of amenity, garden and parking space which not only comply to adopted standard, but are similar to properties in the extended housing estate, and accommodates access deemed appropriate by both LCC Highways and the Planning Inspectorate. It has also been fully assessed by the Councils other statutory consultees as acceptable development.



2.9. On balance, and taking all of the above comments into account, it is considered that this proposed development of 6 dwellings on land to the rear of Fosssdale Moss accords to the relevant policy of the South Ribble Local Plan and Residential Design SPD, National Planning Policy Framework and Central Lancashire Core Strategy, It is therefore recommended for approval subject to conditions

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

3.1. The Fosssdale Moss site is a fairly rectangular, unmanaged tract of land (approx. 0.5 ha) located off Fosssdale Moss, Leyland; a predominantly residential area designated by Policy B1 of the South Ribble Local Plan as Existing Built up Area.

3.2. Abutting the site in the north are the rear gardens to 92 and 94 Fosssdale Moss and a large pond. Immediately adjacent in the west are no's 58-64 (evens) Fosssdale Moss which back onto the development site. No's 50, 62-68 (evens) would also face the proposed access way; 62-68 being particularly affected.

3.3. In the south is the recently developed Gillyflower Court – this separated by a small field from the proposal site, and to the east is a large tract of Council owned open land designated as Green Infrastructure (Policy G7) and Green Corridor/Wedge (Policy G12) by the South Ribble Local Plan. Beyond this land is the Schleswig Way dual carriageway.

3.4. A belt of mature trees and narrow watercourse are present along the eastern boundary

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

4.1. Apart from pre-application advice, there are two planning applications on the history of this site.

4.2. Application 07/2016/0299/FUL for erection of 12 dwellings, garages and associated works following demolition of existing garage at 64 Fosssdale was refused in September 2016 by this committee for the following reasons:

*'That the increase in traffic flow within the cul-de-sac spur off Fosssdale Moss (50-66 Fosssdale Moss - even numbers only), and the resulting amount of traffic and associated traffic noise, resulting from the proposed vehicular access would have a detrimental impact on the residential amenity of the occupants of neighbouring properties within the cul-de-sac. This is contrary to Policy B1 (criterion c) of the South Ribble Local Plan (2012-2026).'*

*'The proposed access road between 62 and 64 Fosssdale Moss, by virtue of its size, design and proximity, would appear cramped in the streetscene. It would be situated in very close proximity to the southern (front) elevation of 64 Fosssdale Moss and, as such, would be seriously detrimental to the character and appearance of the residential area. This is contrary to Policy G17 (criterion b) of the South Ribble Local Plan (2012-2026).'*

4.3 An appeal against refusal of this proposal (Ref APP/F2360/W/17/3171469) was dismissed, but the Inspector summarised by saying that *'Although I find access would not harm the character and appearance of the area, I do find that the development would harm the living conditions of neighbours, and for this reason this proposal is unacceptable'*. The Inspector does however place considerable weight on proposed housing numbers when she states that *'The appeal site is located off one of several small off shoots which currently provide access to 9 dwellings... but being for 12 houses, the proposal would more than double the number of dwellings taking access off it ... and more than doubling of the general activity and comings and goings on the road. The scale of activity is therefore much greater than would reasonably be expected on a small cul-de-sac'*

4.4 Application 07/2017/0960/FUL was an almost identical scheme, but sought to widen the access way by partially demolishing no: 64 Fossdale Moss. This application was submitted prior to determination of the above appeal, but was subject to such minor changes that the proposal was refused. Having regard to the previous appeal decision, the reason for refusal was:

*'That the increase in traffic flow within the cul-de-sac spur off Fossdale Moss (48-68 Fossdale Moss - even numbers only), and the resulting amount of traffic, associated traffic noise and congestion, resulting from the proposed dwellings and vehicular access would have a detrimental impact on the residential amenity of the occupants of neighbouring properties within the cul-de-sac. This is contrary to Policy B1 (criterion c) of the South Ribble Local Plan (2012-2026).'*

4.5. An appeal against this refusal has been lodged with the Planning Inspectorate but is yet to be determined.

## 5. **Proposal**

5.1. The application seeks planning permission for erection of 6 no: dwellings on land at Fossdale Moss, Leyland with associated works. Access to the site would be through the existing residential area of Fossdale Moss, but requires some remodelling of one adjacent property (no: 64) and minor works to land adjacent to no 68.

5.2. Four house types would be traditionally styled over three floors (two floors and dormered roof space accommodation). All are 5 bedroomed, with integral garage space, have arched and standard windows with decorative heads and cills, and would be constructed in brickwork (to be agreed) with decorative arch and soldier brick courses. Garages in all cases are deep enough to qualify as off road parking spaces, and in each case off road parking for two vehicles is available in accordance with the Councils adopted standard (see Highways discussion below).

5.3. Plot 1 (House type A) would include a gabled front with part hipped roof and rear dormer. Its footprint would be 10.4m x 10.7m, and it would have a hipped roof to 11.2m (10m ridge/1.2m chimney stack), and eaves to 5.3m. This property would also benefit from a detached single garage.

5.4. Plots 4 & 5 (Type D) would be similar in style but with integral rather than detached garages. A single dormer would be installed to the rear, and the property would have a footprint of 10.1m – 16m (wide) x 6.8m - 10.7m deep. Ridge heights vary from 6m – 9.3m, whilst eaves run at 3m - 7m, and the chimney stack stands at 10.8m

5.5. Plots 2 & 3 (House Types B & C) would have a gabled centre to the front elevation, and garages which sit at right angles to the front of the property. Single dormers would be installed into rear of each dwelling. Footprints would be 5.8m – 12.1m x 8.1m – 14.5m (Plot 2) and 6.4m – 12.1m x 8.1m – 15m (Plot 3), ridges between 6m and 10.2m (including 1m chimney), and eaves would stand at 2.3m – 7m in height. Both properties include canopied entrance porches.

5.6. Plot 6 (Type E) would include 1 dormer to the rear elevation, and an integral garage reduced in height from the main ridge by 2.6m – ridge heights ranging from 9.6m (including 1m chimney) to 6m, and eaves from 7m to 2.4m. This property also includes a canopied porch, and has a footprint of 11.8m – 17.3m wide x 6m – 8.1m deep.

5.7. Although waste storage has not been shown, access to the rear of each proposed dwelling is possible and would be secured by condition. Amenity space to the front of each property is limited, but more than adequate at the rear.

5.8. Existing trees bordering the site would be retained and protected during construction, and some domestic style landscaping included within the site itself.

5.9. Proposed access between no's 62 and 64 Fossdale Moss would require demolition of a double garage linked to no: 64; this would be rebuilt within the proposal site. Some remodelling of no: 64 would also take place – namely repositioning of the front door and windows to the side and replacement of windows facing Fossdale Moss with roof lights. Following redevelopment, no: 64 would sit approximately 1m from the proposed northern pavement and 3m from the proposed highway.

5.10 The proposed new access road would be constructed beyond the northern side boundary of 62 Fossdale Moss. The existing evergreen hedge to the front of 62 Fossdale Moss along the northern side boundary does not form part of the application site. Existing trees along the site boundaries would be retained.

5.11 A laurel hedge would be removed from the service verge outside no: 68 and replaced with a short stretch of footpath; behind which is a 1.8m dwarf wall with timber infills. A pavement would run around the cul-de-sac but these would include service strips outside plots 2, and 4-6.

5.12 Density proposed is approximately 13 dwellings per hectare; more than acceptable in development terms.

## **6 Summary of Supporting Documents**

6.1 The application is accompanied by the following:

- Ecological Assessment/Bat Survey (ERAP: 2016-122 / July 2016)
- Ecological Reasonable Avoidance Measures Statement – Amphibians (ERAP 2016-122: August 2016)
- Construction Management Statement
- Proposed drainage solutions
- Noise Impact Assessment (Royal Haskoning DHV: I&BPB6033R001F01 v 1 / 22.2.17)
- Design & Access Statement (Clark Planning Consultants: JDC/Leyland/18/Feb 18)
- Transport Statement/Technical Note (Royal Haskoning DHV: PB6033/21.2.17)
- Tree and Arboricultural Impact Assessment (Peake Active Tree Management: QATM0005 16: 23.6.16)
- Proposed Site Plan (Francis Haigh 17/50/04P Rev E)
- House Type Drawings (Five Star Homes Dec 2017 FM 10.01P Rev C ((Plot 1), FM18.02P Rev D (Plot 2), FM18.03P Rev D (Plot 3), FM18.04P Rev D (Plots 4 & 5), FM18.05P Rev D (Plot 6), FM18.06P Rev C Garages)
- Topographical Survey (Survey & Design Ltd: SDL1278/3: 9.12.15)

## **7 Representations**

7.1 Summary of Publicity

7.1.1 A site notice and newspaper advertisement have been posted, and 23 neighbouring properties consulted. A second two week period of consultation was also undertaken following minor amendments to the plan; late representation will be made verbally at committee. Ward Councillors Mrs and Michael Green have also been notified.

## 7.2 Letters of Objection

7.2.1 18 letters of objection were received. Comments made are summarised as follows, but it should be noted that 5 residents submitted multiple objections

### Traffic/Highways Impact

- Increased traffic volume, flow and resulting noise; particularly as there is only one restricted access into/out of the site
- Inadequate sight lines
- Increased congestion in adjacent areas
- Highways/pedestrian safety during and after construction
- Inadequate road widths / layout proposed which will cause issues in general highway terms, and for emergency and service vehicles
- 1.8m fence/wall proposed at access would be out of keeping with area
- Reduction of house numbers negated by bedroom numbers resulting in similar traffic movement to earlier scheme
- Respondent questions LCC ability to assess the site correctly
- Transport assessment doesn't account for large number of retired residents who drive less, or for children playing within the new site
- Issues for existing residents when reversing onto the road
- Questions why road is not of an adoptable standard
- *'Entry and continuous width of road is unknown and likely to be not wide enough into the new development'* – a scaled location plan is available to provide this information

### Impact upon Neighbouring Properties

- Loss of neighbour amenity and quality of environment in what is a quiet area
- Unacceptable proximity to no's 62 and 64 Fossdale despite attempts to widen the proposed access
- Additional noise and nuisance from new properties and during construction in a relatively quiet area. It is not uncommon for residential properties to share party boundaries with other residential properties, but such inter-relationships do not generally result in unacceptable noise disturbance following occupation. A degree of disturbance during construction is also an inevitable but temporary nuisance. Should the application be approved however this can be controlled by suitable condition
- Loss of light and privacy to adjacent neighbours and those along the access route; particularly no 62 when taking in the sites varying topography.
- Respondent questions the validity of the applicants noise report (see Environmental Health comments below)
- Over dominance and loss of amenity as a result of access adjacent and properties to the rear of no:62
- Cramped appearance of proposal and overdevelopment of Fossdale Moss
- Light intrusion into no: 50 Fossdale Moss from vehicles leaving the site
- Reduced quality of life
- Land between Plot 6 and no: 62 Fossdale Moss is not large enough to 'house a commercial vehicle or caravan,... or should future trees be planted' resulting in loss of light and amenity to no: residents
- *'the site is directly behind my house'* (no 94 Fossdale Moss)

### Character and Design

- Impact upon character of the area and street scene
- Boundary treatments have not been identified adjacent to no: 62 and to the rear of no's 60 and 62. A condition to require details of the same is therefore considered necessary.

- Respondent requests that fences bounding no: 62 are replaced with brick walls/inset fence panels as a more appropriate alternative, and to offer increased security

### Environmental Impact

- Impact of development on trees protected by Tree Preservation Order – there are not TPO's in or around the edges of the site.
- Potential flooding issue as proposed garage to no: 64 is lower than existing properties
- *'Intrusion into countryside, loss of access to nature and vital green space and threat to conservation'*

*Officer Comment:* Issues of highways safety, amenity and capacity have been assessed by the Highways Authority, and ecological assessment has been fully considered by the Councils Ecologist and Arborist. Noise resulting from the development has also been assessed by Environmental Health; all statutory consultees being experts in their own fields. In each case, and subject to appropriate conditions the proposal is considered acceptable (detailed comments below). Large vehicle storage and future soft landscaping is not a material planning consideration providing that appropriate numbers of off road parking spaces are identified. Design and need for development are also discussed below, although the NPPF is clear that windfall sites may be acceptable over and above sites allocated within the Local Plan.

### Other

- Site is landlocked and inappropriate for development
- Objection on basis of previous refusals - proposal does not differ enough from earlier schemes to warrant approval
- Respondent notes that South Ribble Borough Council have confirmed that there has been no contact re: purchase or compulsory purchase of the land for affordable housing development from any party.

7.2.2 Comments also made which as non-material considerations have not been taken into account are:

### Infrastructure & Landscaping

- Neighbours highlight that no consideration has been given to the siting of street lamps. This is not a material planning consideration and would be determined by County Highways as part of the road adoption process (if adopted).

### Land Use

- Neighbours question the need for additional dwellings in the locality. Although not an allocated housing site the Local Plan does allow for windfall development in line with the NPPF. The sites 'Existing Built up Area' designation also has an in-principle presumption towards development which includes for residential purposes.
- Respondent suggests that there is a sewer running between no's 62 and 64 which will restrict development of the access. A check of the United Utilities Safedig website identifies surface and foul water pipework in front of the dwellings but not between. Private drainage infrastructure information is not however available.
- Reduction of G7 (Green Infrastructure) land – the site is allocated as B1 (built up area) not G7 (Green Infrastructure) land

### Miscellaneous

- Suggestion that development includes bungalow properties (particularly Plots 1 & 6) in line with Government support for housing for older people. Although a valid request this determination must consider the proposal submitted and not alternatives submitted by third parties.
- A neighbour questioned the applicant's suitability as a developer and their financial position; citing the incomplete Gillyflower Court development as example of this developer's work. As planning permissions are tied to the site and not the applicant such an assessment would hold no purpose. Regardless of this, the history of a developer is not a material planning consideration.
- Concern has been raised by neighbours at the need for access to the electricity junction box and potential for damage to the service strip outside nos 50 and 66 in existing highway. Any damage to the adopted highway should be reported to County Highways to investigate.
- *'Council needs to instruct him (developer) to find an alternative way of entering and leaving new dwellings – either directly onto Fossdale Moss or via Gillyflower Court'*
- Respondent questions the site boundary particularly with regards to land which he feels is within his ownership (see Land Registry comment below)
- Neighbour cites Human Rights Act which says that *'person has the right to peaceful enjoyment of all possessions including home and land'* (Article 1, First Protocol)

### 7.3 Letters of Support

7.3.1 Two letters of support from the residents of nos 64 and 66 Fossdale Moss have been received. Both welcome development of the overgrown site which will *'enrich the area'*, but it has to be acknowledged that no: 64 also forms part of the proposal to be determined, and would benefit from any approval granted.

## 8 Summary of Responses

8.1 **Ecology Consultant** – surveys provided and assessed by the Council's Ecologist (ERAP 2016/122/July-August 2016) concluded that there was no evidence of bats within the garage to be demolished or detected by the dusk emergence survey on site. The presence of Great Crested Newts at the adjacent pond has been reasonably discounted through Environmental DNA analysis, and whilst a second pond connected to the site by suitable terrestrial habitat is present within 270m of the site, compliance with the Reasonable Avoidance Measures Method Statement is considered acceptable. Condition to this effect is recommended. A condition to require control of the two invasive plant species on site is also considered necessary.

8.2 **Environmental Health** are of the opinion that development has the potential to cause an adverse impact upon neighbouring properties as a result of dust and noise. Furthermore there is a need to ensure that future residents of the proposal are protected against road traffic noise and ground contamination. For this reason EH have requested conditions with regards to burning on site, dust and construction management, piling, contaminated land, invasive weed control, glazing, and electric vehicle charging points. An acoustic fence was also requested to all areas of the site, but protection of one residential area from another in such an overt manner is considered excessive; particularly as boundary treatments would be required in any case. A construction management plan has been submitted. But is not considered detailed enough.

8.3 **Lancashire Constabulary** did not wish to comment as the proposal is for fewer than 25 houses. During earlier discussions however they made a number of crime prevention/reduction recommendations which for consistency have been included as informative notes should permission be granted.

8.4 **Lancashire County Archaeology** has no comment to make

8.5 **Lancashire County Council Education** are responsible for provision of school places across the county and commented about earlier schemes. As this proposal is below 10 units LCCE do not have any comment to make.

8.6 **Lancashire County Council Highways** have no objection confirming that the level of traffic generated from the proposal should have a '*negligible impact on safety and capacity in the immediate vicinity of the site*'. LCC also confirms that subject to replacement of the hedge outside no 68 with service verge, the required sightlines from the proposed access onto Fossdale Moss are achievable over the existing adopted highway.

8.7 Off road parking to all dwellings is also considered acceptable. LCC initially stated that the layout is not to an adoptable standard, but on receipt of site plan 17/50/04P Rev E confirm that adoption would be possible. Conditions are recommended with regards to provision of wheel washing facilities, estate roads and highways works and submission of a traffic management plan covering the construction period.

8.8 **Lancashire County Council Local Lead Flood Authority** did not wish to comment as the proposal is below the threshold required for major development.

8.9 **South Ribble's Arborist** does not object to proposals to lift the adjacent tree canopy and removal of deadwood, although a condition to protect the trees before and during construction is considered necessary. He does have some concern however with regards to potential overshadowing on the rear gardens of Plots 3 & 4 which may lead to future tree loss. An informative note detailing construction methods has also been suggested.

8.10 **United Utilities** have no objections but recommend that conditions are imposed with regards to foul and surface water provision. They also recommend consultation with the Local Lead Flood Authority and suggest a number of informative notes which would be included should permission be granted.

## **9 Material Considerations**

### 9.1 Site Allocation

9.1.1 The site is designated under Policies B1 (Existing Built Up Area) of the South Ribble Local Plan 2012-2026 with its presumption towards redevelopment in allocated areas provided that proposals meet Local Plan requirements relating to access, parking and servicing; would be in keeping with the character and appearance of the area, and would not adversely affect the amenity of nearby residents.

### 9.2 Policy Background

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

#### *9.2.1 National Planning Policy Framework*

9.2.1.1 The NPPF at Para 14: favours sustainable development '*which should be seen as a golden thread running through both plan-making and decision taking*', and supports sustainable economic growth to deliver, amongst other things homes. Given the sites location, and availability of local transport options it is the Officer's view that the site is sustainable and that the development accords with the overall principles of the NPPF; in particular:

9.2.1.2 **Chapter 6: Delivering a wide choice of high quality homes** notes that 'housing applications should be considered in the context of the presumption in favour of sustainable development' (Para 49). The NPPF also supports the development of 'windfall' sites.

9.2.1.3 **Chapter 7: Requiring good design** attaches great importance to the design of the built environment which contributes positively to making better places for people.

9.2.1.4 **Chapter 11: 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

## 9.2.2 *Central Lancashire Core Strategy*

9.2.2.1 The Core Strategy was adopted at full Council on 18<sup>th</sup> July 2012, and is therefore a material consideration in the determination of this planning application.

9.2.2.2 **Policy 4: Housing Delivery** provides for, and manages the delivery of new housing; for South Ribble this amounts to 417 dwellings per year.

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

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

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

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

## 9.2.3 *South Ribble Local Plan*

9.2.3.1 In addition to site allocation policy B1 the following are also pertinent:

9.2.3.2 **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 contributions.

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

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

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

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



9.2.4 *South Ribble Residential Design SPD* discusses design in very specific terms, and whilst more attuned to domestic extensions is relevant with regards to separation of properties within and beyond the site bounds.

### 9.3 Impact of Development on Neighbouring Properties

9.3.1 The South Ribble Residential Design Guide states that blank walls on any property shall be located a minimum of 13m from any neighbouring habitable room window, and that there should be 21m spatial separation between directly facing, habitable room windows. The SPD is also used to assist with the design of new-build residential developments.

9.3.2 A splayed distance of 17m would be present from the rear elevation of the dwelling on Plot 1 to the conservatory of detached two-storey dwelling at 92 Fossdale Moss; 21m would be present from the main dwelling. Whilst this reduced distance falls short of the recommended 21m separation distance, the offset relationship of the properties would prevent any impact in terms of overlooking / loss of privacy. A minimum distance of 13m would be present between the angled side elevations of Plot 1 and the detached two-storey dwelling at 94 Fossdale Moss.

9.3.3 Although development to no: 64 Fossdale Moss will result in its principle elevation facing towards the proposal site, the reinstated garage to this property would screen existing residents from any loss of privacy; the angled side elevation of Plot 1 in this case would be 17m away. The front elevation of Plot 1 would also indirectly face the rear of 62 Fossdale Moss at 31m away.

9.3.4 A minimum distance of 13m would be present between the blank side elevation of the dwelling proposed on Plot 6 and the main rear elevation of no: 62 Fossdale Moss. Although a conservatory/orangery is present at this property, proposed and existing boundary treatments and window placement on the proposed gable should restrict any loss of amenity. The rear elevation of Plot 6 would indirectly face no: 58 Fossdale Moss at approximately 28m separation.

9.3.5 Proposed inter-relationships between existing and proposed dwellings are considered to be acceptable, and impact by virtue of overlooking, loss of privacy or overshadowing is not anticipated. Separation between proposed properties would be similar to that of existing properties within the extended estate.

9.3.6 The proposed access is considered separately in the '*Design, Character & Appearance and Highways Consideration*' section of this report.

9.3.7 There was some concern that the sites red edge infringed upon neighbouring property ownership – in particular land adjacent to 62 Fossdale Moss and part of the garden of 94 Fossdale Moss which had been included in the sites 'red edge'. Land and boundary disputes are a civil matter between neighbours, but as a precaution, checks of the Land Registry system have been made and all appears correct from the applications perspective.

### 9.4 Design, Character & Appearance and Highways Consideration

9.4.2 South Ribble 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.

9.4.3 In consideration of the above, local distinctiveness and character of the area have been assessed. This part of Leyland is a relatively modern (1970/80's), extensive housing estate, comprising a mix of detached, semi-detached and bungalow properties; the majority of which are accommodated within short cul-de-sac spurs off a central estate road. More traditional, detached properties exist to the south of the area on Cocker Lane but otherwise the locale is similar in design. The proposed house types whilst more modern in style are not considered to be out of character with the surrounding area, and adequate garden space in comparison to nearby properties is indicated. In general design terms, and with a 13 dwelling per hectare density the proposed development is not considered to represent over or unacceptable development of the site.

9.4.4 Proposed dwellings vary slightly in height and it is acknowledged that these are higher than those on Fossdale Moss. It should be noted however that those proposed with higher ridge heights back onto adjacent public open space, whilst lower ridge heights are present towards, and are more reflective of those of the existing estate. Roof heights are also similar to those approved on Gillyflower Court in the south.

9.4.5 NPPF Para 61 however states that, *'although visual appearance of individual buildings are important factors, securing high quality and inclusive design goes beyond aesthetics. Planning decisions therefore should address the integration of new development into the natural, built and historic environment'*. In addition to proposed dwellings, the application proposes an additional spur off one of the existing cul-de-sac spurs in order to access the development to the rear of existing properties. This arrangement has been considered acceptable from a technical highway perspective, and has also been tested at earlier appeal following refusal of a 12 property development; with the Inspector finding that the access would not harm the character and appearance of the area, but that issues of highways amenity i.e. excessive noise, lights and general movement associated with access and egress of the site would be unacceptable. Appeal commentary however does place considerable weight on the unacceptability of 12 properties off a cul-de-sac of 9 which is *'greater than would reasonably be expected on a small cul-de-sac'* – unlike the present proposal of 6 dwellings. Although some additional movement would occur from occupants of proposed properties, it would not be dissimilar to other cul-de-sac spurs off Fossdale Moss, and is not expected to materially increase. The proposal which would be seen only from properties surrounding the site would introduce only limited visual intrusion into the area. It is therefore considered that this proposal which halves the number of dwellings, and has been drawn up in accordance with adopted parking and design standards – bearing in mind that the access itself must be considered acceptable when having regard to the Inspectorates earlier decision – is fully policy compliant.

9.4.6 The cul-de-sac to which the proposed access road would connect comprises 9 detached properties, with a further two at the cul-de-sac entrance. The carriageway is 5m wide with no parking restrictions in place. There is no footway within the cul-de-sac, with only the sections of service strips in front of driveways providing intermittently a makeshift pavement for pedestrians. It is noted that as part of the proposed development a 15m long stretch of footpath would be provided along the eastern side of the cul-de-sac to connect to the existing footpath on the main Fossdale Moss estate road.

9.4.7 The proposed development provides adequate levels of off-street parking space (including garages) for both new and altered, existing dwellings in line with the parking standards contained within Policy F1 of the South Ribble Local Plan (2012-2026). Given that the earlier appeal decision hinged on highways amenity, but emphasised the relatively high number of units proposed, the reduction in house numbers in this case is considered to tip the balance in favour on this specific matter.

## 9.5 Natural Environment, Ecology and Ground Conditions

9.5.1 The application is accompanied by Ecological Assessment, Bat Survey, RAM Statement (ERAP 2016 122/2016) and Tree & Arboricultural Impact Assessment (Peake Active Tree Management QATM0005 16 23.6.16); each of which has been assessed as acceptable by the Councils statutory consultants (see above).

9.5.2 *Ecology* –The site does not contain any protected species, or habitats of national or local importance, and apart from peripheral woodland is of limited value to wildlife. The report affirms that measures to augment site biodiversity whilst retaining connectivity throughout green infrastructure areas could include suitable landscaping and additional enhancement measures; several of which have been suggested. Conditions to this effect have been included.

9.5.3 There are no other features of obvious landscape value on the site

## 9.6 Construction & Flood Risk Standards

9.6.1 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. Conditions to ensure appropriate construction standards are therefore considered necessary should permission be granted.

9.6.2 Concerns have been received from neighbours about the potential for flooding. There is no recorded history of flooding on this site, it is not within Flood Risk Zones 2 and 3 and the Local Lead Flood Authority and United Utilities have raised no objections to the proposed development subject to the imposition of appropriate conditions.

## 9.7 Developer Contributions

9.7.1 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.

9.7.2 *Community Infrastructure Levy* - CIL is payable on most approved properties. In this case the scheme as a whole amounts to an additional 1436m<sup>2</sup> of floor space which at the current rate (£65 x 1.241) would be payable at £115,834. Liability for this amount has been accepted by the applicant.

9.7.3 *Public Open Space /Affordable Housing* – As the development is below the thresholds for POS and affordable housing contributions (10 and 15 dwellings respectively), a financial contribution for provision is not required.

## 10 Conclusion

10.1 It must be acknowledged that the proposal does bring some benefits; namely improved pedestrian safety following installation of a 15m stretch of footpath along the northern edge of the cul-de-sac spur, delivery of 6 dwellings to contribute to the Council's housing land supply requirement, and a CIL contribution of £115,834 towards infrastructure detailed in the Regulation 123 list – although CIL is a compensatory payment rather than an additional benefit. These benefits however must be balanced against the effect that the proposal would have on the areas character and appearance, and on the amenity of neighbouring residents.

10.2 The scheme with a 13 dwelling per hectare density, is thought to be appropriately designed, incorporates levels of amenity, garden and parking space which not only comply to adopted standard, but are similar to properties in the extended housing estate, and accommodates access deemed acceptable by both LCC Highways and the Planning Inspectorate. It has also been fully assessed by the Councils statutory consultees as acceptable development.

10.3 On balance, and taking all of the above comments into account, it is considered that this proposed development of 6 dwellings on land to the rear of Fossdale Moss accords to the relevant policy of the South Ribble Local Plan and Residential Design SPD, National Planning Policy Framework and Central Lancashire Core Strategy, It is therefore recommended for approval subject to conditions

**RECOMMENDATION:**

Approval with Conditions.

**RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:
  - Ecological Assessment/Bat Survey (ERAP: 2016-122 / July 2016)
  - Ecological Reasonable Avoidance Measures Statement - Amphibians (ERAP 2016-122: August 2016)
  - Construction Management Statement
  - Proposed drainage solutions
  - Noise Impact Assessment (Royal Haskoning DHV: I&BPB6033R001F01 v 1 / 22.2.17)
  - Design & Access Statement (Clark Planning Consultants: JDC/Leyland/18/Feb 18)
  - Transport Statement/Technical Note (Royal Haskoning DHV: PB6033/21.2.17)
  - Tree and Arboricultural Impact Assessment (Peake Active Tree Management: QATM0005 16: 23.6.16)
  - Proposed Site Plan (Francis Haigh 17/50/04P Rev E)
  - House Type Drawings (Five Star Homes Dec 2017 FM 10.01P Rev C ((Plot 1), FM18.02P Rev D (Plot 2), FM18.03P Rev D (Plot 3), FM18.04P Rev D (Plots 4 & 5), FM18.05P Rev D (Plot 6), FM18.06P Rev C Garages)
  - Topographical Survey (Survey & Design Ltd: SDL1278/3: 9.12.15)  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
3. No 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 before development commences that materials used will result in the developments satisfactory appearance in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
4. 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

5. Prior to the commencement of any development, a surface water drainage scheme and means of disposal based on sustainable drainage principles with evidence of an assessment of the site condition (inclusive of post-completion management) shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include, but is not limited to:

o Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100+ allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed taken to delay and control surface water discharged from the site, and measures taken to prevent flooding and pollution of the receiving groundwater and/or surface water including watercourses and details of floor levels

- The drainage scheme should demonstrate that the surface water run off must not exceed the existing green-field rate, and shall subsequently be implemented in accordance with the approved details before the development is completed.
- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culvers where relevant)
- Flood water exceedance routes both on and off site
- A timetable for implementation, including phasing where applicable
- Site investigation and test results to confirm infiltration rates
- Details of water quality controls where applicable

The development shall be completed, maintained and managed in accordance with the timing and phasing arrangements embodied within the approved drainage scheme, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to satisfy the Local Planning Authority that the final details of proposed surface water drainage and disposal are acceptable before work commences on site, to prevent flooding by ensuring a satisfactory storage and/or disposal of surface water from the site, and to reduce the risk of flooding to the proposed development elsewhere and to future users in accordance with Policy 29 in the Central Lancashire Core

6. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

- i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development,

whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

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

7. Prior to the commencement of development hereby approved, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
  - a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on & off-site contamination and ground gases.
  - b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property.

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

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

Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings. On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a Verification Report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.

REASON: To 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

8. 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, but not be restricted to:
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - measures to control the emission of noise during construction
  - details of external lighting to be used during construction
  - a scheme for recycling/disposing of waste resulting from demolition and construction works
  - anticipated delivery times

REASON: To ensure 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

9. Prior to commencement of works on site a Dust Management Plan shall be submitted for written approval to the local planning authority. The Plan shall identify 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 Plan shall include a suitable risk assessment in line with national guidance and once agreed, measures shall be implemented and maintained throughout the duration of the site preparation and construction phases.

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

10. Prior to commencement of any works on site, details of wheel washing facilities and its location shall be submitted to, and agreed in writing by the Local Planning Authority. This shall thereafter be retained for the full period of construction 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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no development of the type described in Classes A-H Part 1 of Schedule 2 of that Order shall be undertaken without the express permission of the local planning authority.

REASON: To retain control over future development in the interest of amenity and the character and appearance of the development and to accord with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in South Ribble Local Plan 2012-2026

12. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

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 reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.

13. Prior to the commencement of construction of the first dwelling 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

14. 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.

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 the Tree Protection Plan which has been agreed by the local planning authority. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant, removal or addition of soil may take place. This includes ground disturbance for utilities. The fencing shall not be moved in part or wholly without the written agreement of the local planning authority. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development.  
REASON: To prevent damage to trees during construction works in accordance with Policy G13 in the South Ribble Local Plan 2012-2026
16. During construction and site clearance, no machinery shall be operated, no processes carried out or deliveries taken at or dispatched from the site outside the following times:  
0800 hrs to 1800 hrs Monday to Friday  
0800 hrs to 1300 hrs Saturday  
No activities shall take place on Sundays, Bank or Public Holidays.  
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
17. Prior to the commencement of development, a ground level survey to include existing ground levels and existing and proposed ground and slab levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with this scheme.  
REASON: To ensure the satisfactory appearance and drainage of the site before commencement of work in accordance with Policy 17 of the Core Strategy
18. Prior to commencement of work on site, details of the landscaping of the site including the retention of existing trees and hedges, or mitigation where trees are removed 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 completion of the development, 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.  
REASON: In the interests of the amenity of the area and to ensure before commencement on site that appropriate landscaping would be provided in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026
19. Should the development not have commenced within two years of the date of this permission, a re-survey be carried out to establish whether bats or other protected species are present at the site shall be undertaken by a suitably qualified person or organisation. In the event of the survey confirming the presence of such species details of measures, including timing, for the protection or relocation of the species shall be submitted to and agreed in writing by the Local Planning Authority and the agreed measures implemented.  
REASON: To ensure the protection of schedule species protected by the Wildlife and Countryside Act 1981 and so as to ensure work is carried out in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026



20. If the presence of bats, barn owls, great crested newts or other protected species is detected or suspected on the development site at any stage before or during development or site preparation, works must not continue until Natural England has been contacted regarding the need for a licence.  
REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026
21. No tree felling, clearance works, demolition work or other works that may affect nesting birds shall take place between March and August inclusive, unless the absence of nesting birds has been confirmed by surveys or inspections.  
REASON: To protect habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy
22. Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of invasive plants, as identified under the Wildlife and Countryside Act 1981 shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of invasive plants during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.  
REASON: The spread of invasive plants is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment recurs
23. Each dwelling hereby approved shall not be brought into use until facilities for the storage of 3 no: wheeled waste bins to the rear of the property have been installed. The approved facilities 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 Local Plan 2012-2026 Policy G17
24. Prior to first occupation of each dwelling hereby approved, one Electric Vehicle Recharge point with appropriate infrastructure shall be provided to that property. These shall be maintained and retained thereafter.  
REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy
25. No property shall be occupied, or be brought into use, until their respective car parking spaces have been surfaced or paved in accordance with a scheme to be approved in writing by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan.  
REASON: To allow for the effective use of the parking areas, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy F1 of the South Ribble Local Plan (2012-2026).
26. The new estate road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any built development takes place within the site.

REASON: - To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy 3 of the Core Strategy.

27. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980. No part of the development shall be occupied until the approved scheme has been implemented in full.

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.

28. The findings of the approved ecological survey (ERAP 2016-July 16) and Reasonable Avoidance Measure Method Statement (Amphibians (ERAP 2016-122: August 2016)) shall be adhered to throughout the demolition and construction period.

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

29. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) (Amendment) (No2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plans 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: - In the interests of highway safety and other highway users in accordance with Policy 3 of the Core Strategy.

30. The development shall not begin until a scheme detailing the boundary treatments of the site has been submitted to and approved in writing by the Local Planning Authority. The occupation of buildings or the commencement of the use shall not occur until the fencing/walling has been erected in accordance with the approved details. Any fencing/walling erected pursuant to this condition shall be retained at all times thereafter unless otherwise agreed with the local planning authority.

REASON: To ensure before work commences on site the provision and retention of adequate screening in the interest of amenity in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

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

REASON: To ensure before work commences on site that the development hereby approved will safeguard the living conditions of any existing and future residents in accordance with Policy 27 in the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

32. Prior to any works on site including demolition, a Traffic Management Plan shall be provided to, and approved in writing by the Local Planning Authority. This shall cover construction vehicles, staff accessing the site and residential dwellings 64 and 66 Fossdale Moss whose parking will be directly affected by the development.

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

33. Prior to first occupation of any dwelling hereby approved, the proposed double garage between Plot 1 and 64 Fossdale Moss shall be completed in full, and the hedgerow to the west of 68 Fossdale Moss (both identified on approved Site Layout Plan 17/50/04P Rev E) shall be replaced by a 1.8m wide service strip and dwarf wall/timber panel boundary fence.  
REASON: To ensure that proposed works to neighbouring properties shall be implemented in full so as to safeguard the living conditions of existing and future residents, and to ensure provision of suitable highway sight lines in accordance with Policy 27 in the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
34. There shall be no burning of waste material or vegetation on site  
REASON: In the interests of the amenity and to safeguard the living conditions of nearby resident in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan Policy G17
35. All habitable rooms to proposed dwellings shall be fitted with standard specification double glazed window units meeting a minimum value of Rw30dB(A), incorporating acoustic trickle ventilation capable of providing the same level of attenuation as the closed window unit when in the open position.  
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
36. Prior to commencement of works on site the location of any site compound and storage yard shall be agreed in writing with the Local Planning Authority.  
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

## **RELEVANT POLICY**

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

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

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

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

- A1 Policy A1 Developer Contributions
- B1 Existing Built-Up Areas
- F1 Car Parking
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

### **Residential Extensions Supplementary Planning Document**

**Note:**

Other application Informative

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

2. Lancashire Constabulary: There have been a large number of reported thefts at construction sites across Lancashire. High value plant, machinery and white goods/boilers are targeted as the dwellings near completion. The site therefore must be secured at the perimeter throughout the construction phase with security fencing and gates, as well as other measures such as monitored CCTV accredited with either National Security Inspectorate or Security Systems & Alarm Inspection Board.

3. Highways Note: Granting of planning permission will require the applicant to enter into an appropriate legal agreement with the County Council as Highways Authority. The Highways Authority hereby reserves the right to provide the highways works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact Lancashire County Council to ascertain the details of such an agreement before works begin on site. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk).

4. United Utilities Note 1: Not all public sewers are shown on the statutory utility records. The applicant should be made aware that the proposed development may fall within the required access strip of a public sewer and make contact with a Building Control body at an early stage. South Ribble Building Control can be contacted on 01772 625420

5. A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. Please contact UU on 0845 7462200 regarding water mains/public sewers or 0870 7510101 to access a fully supported mapping service.

It is the applicant's responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development.

6. United Utilities Note 3: To reduce the volume of surface water drainage from the site we would promote the use of permeable paving on all driveways and other hard standing areas including footpaths and parking areas.

7. Arborists Note: All tree arisings shall be chipped on site and raked out with no impact upon the watercourse.

# Agenda Item 8

**Application Number** 07/2018/0844/FUL

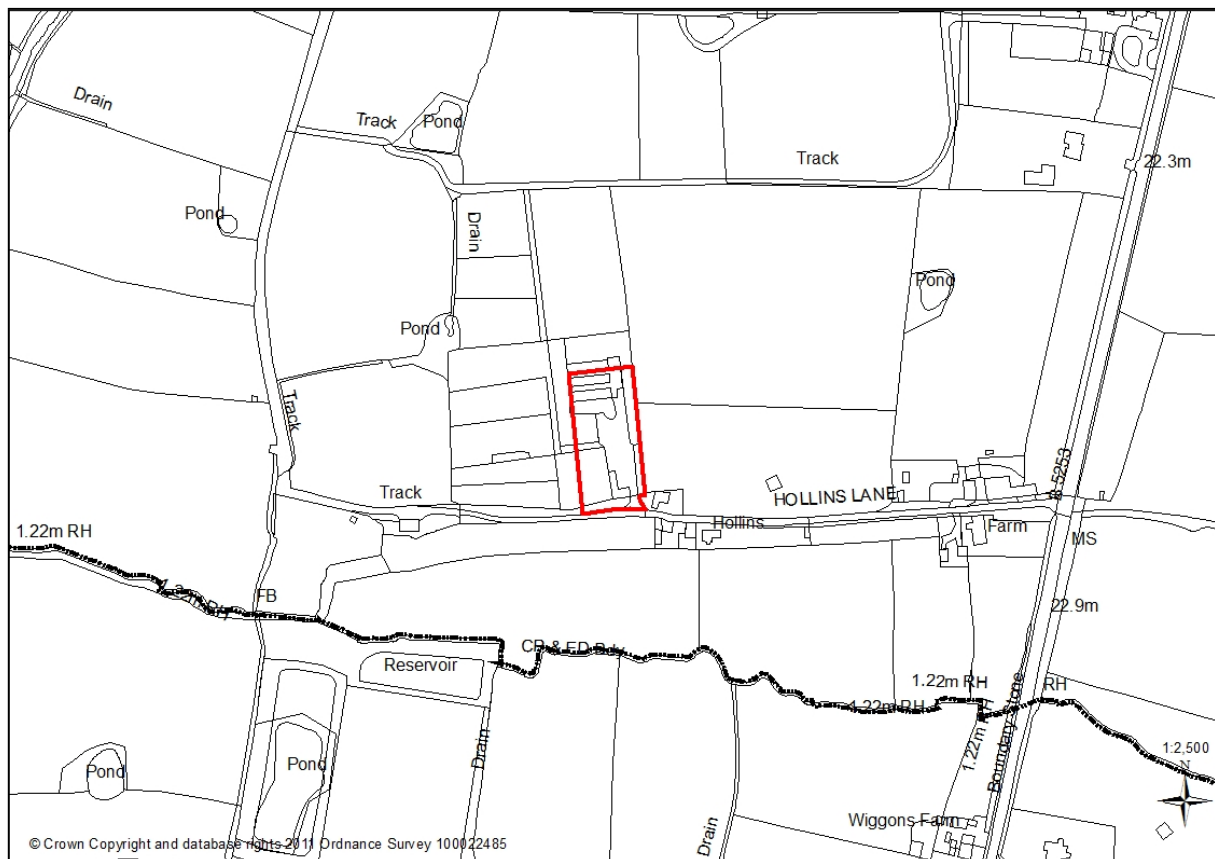
**Address** Oakland Farm  
Hollins Lane  
Leyland  
Preston  
Lancashire  
PR26 8LJ

**Applicant** Mr Lewis Buller

**Development** Erection of 1no. two-storey dwelling with detached garage, erection of domestic stable block together with the erection of a single storey building to be used as a cattery following the demolition of existing buildings

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

Date application valid 09.02.2018  
Target Determination Date 06.04.2018  
Extension of Time 26.04.2018



## **1. REPORT SUMMARY**

1.1 The application relates to a 0.4 hectare area of land to the north of Hollins Lane, a cul-de-sac off Leyland Lane to the south of Leyland. The site comprises of 2 polytunnels, a stable

block comprising of 9 stables, storage structures, storage containers, a sand paddock and extensive area of hardstanding.

1.2 Planning permission is sought for the erection of a two-storey detached dwelling with detached double garage, the erection of a single storey stable block and the erection of a single storey building to be used as a cattery following the demolition of existing buildings on the site.

1.3 Although the application site is located within the Green Belt the site is lawfully in a mixed use of B2 (General Industrial), B8 (Storage and Distribution) and livery/stables. The application site therefore constitutes brownfield land (previously developed) with the wider parcel of land in the applicant's ownership being wholly in an agricultural use and constituting greenfield land (not previously developed).

1.4 Criterion vi) within Paragraph 89 of the NPPF (mirrored in criterion f) of Policy G1 of the South Ribble Local Plan) allows for the development of previously developed sites in the Green Belt in circumstances where the proposed development would not have a greater impact on the openness of the Green Belt. The Central Lancashire Rural Development SPD confirms that up to a 30% increase in replacement development volume is acceptable in the Green Belt.

1.5 The total footprint of built development on the application site that has a volumetric impact on the openness of the Green Belt is 631.1sq m with a total volume of 1854.3cu m. Currently there is little to no landscaped or grassed areas within the site.

1.6 The total footprint of proposed built development is 480.4sq m with a total volume of 2,114.3cu m. The proposed development therefore result in a 7% decrease in the overall footprint of built development (514.3sq m existing / 480.4sq m proposed) and a 14% increase in the overall volume of built development. This is below the up to 30% increase replacement development volume that the Rural Development SPD confirms as acceptable. In this regard, the proposed development is policy compliant.

1.7 Furthermore, whilst the proposed development would result in an increase in built development volume, the proposal would result in the removal of a number of cars and vans (approximately 10) that are used in connection with the businesses that operate within the two polytunnels as well as 2100sq m of hardstanding returned to grass and soft landscaping. Given the visual improvement to the site that the proposed development would result in and the proposed development not having a materially greater impact on the openness of the Green Belt, the proposed development accords with criterion vi) within Paragraph 89 of the NPPF and criterion f) of Policy G1 of the South Ribble Local Plan.

1.8 The design of the proposed buildings draws from the semi-rural character of the area in terms of the external materials to be used (traditional red-facing brick and stone corncicing), external detailing (chimney and dovecot feature on garage) and the proposed layout in a courtyard form. As a result, the proposed buildings on the site are not considered to be out of character with the surrounding area. With the nearest neighbouring residential property 65m from the site, the proposed development will not impact on the amenities of neighbouring properties.

1.9 Subject to the imposition of conditions detailed in this report, there are no objections to the proposed development from County Highways, Environmental Health, Ecology and United Utilities.

1.10 The proposed development accords with Policies 1, 3, 4, 5, 6, 13, 17, 22 and 29 of the Core Strategy together with Policies F1, G1, G13, G14, G16 and G17 of the South Ribble Local Plan (2012-2026). The application is therefore recommended for approval subject to the imposition of conditions.

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

2.1 The application relates to a 0.4 hectare area of land that forms part of a wider 2.1 hectare area of land within the applicant's ownership. The site is located to the north of Hollins Lane, a cul-de-sac off Leyland Lane to the south of Leyland.

2.2 The site comprises of 2 polytunnels, a stable block comprising of 9 stables, storage structures, storage containers, a sand paddock and extensive area of hardstanding. Trees and hedgerows form the southern and eastern boundaries of the site together with a section of the western boundary. Two residential properties are present on Hollins Lane to the east of the site with the surrounding land uses being predominantly agricultural.

2.3 The application site and the surrounding area are designated as Green Belt in the South Ribble Local Plan.

## **3. SITE HISTORY**

3.1 The site has a long and complex planning history, most of which relate to previous owners of the site. The following planning application are relevant to the consideration of this current proposal:

- ② 07/1994/0423 – Planning permission granted for the keeping of horses with associated storage of feed (September 1994)
- ② 07/2000/0507 – Planning permission granted for the erection of 2 polytunnels and 3 storage buildings (October 2000)
- ② 07/2016/0248/FUL – A planning application for the erection of a two-storey detached dwelling with glazed link to stable/workshop building together with the erection of a single storey building to be used as a cattery following the demolition of existing structures was refused as a result of the site not constituting previously developed land (inappropriate development in the Green Belt) and the detrimental, urbanising effect the development would have on the rural area (August 2016)
- ② 07/2017/0019/CLU – An application for a Lawful Development Certificate was refused which attempted to establish the use of the site as a livery stables and mixed use of polytunnels for storage, repair of vehicles and general workshop due to insufficient evidence being provided to demonstrate continuous 10 year usage including an apparent break in usage of one of the polytunnels (May 2017)
- ② 07/2017/2505/FUL – Planning permission granted retrospectively for two of the existing polytunnels to be used the repair and storage of vehicles with the third polytunnel remaining in an agricultural use as it had been demonstrated two of the polytunnels were no longer required for agriculture and the change of use was not having a detrimental impact on any neighbouring property. Additional conditions were imposed restricting hours of use and restrictions on external storage of materials (October 2017)

## **4. PROPOSAL**

4.1 Planning permission is sought for the erection of a two-storey detached dwelling with detached double garage, the erection of a single storey stable block and the erection of a single storey building to be used as a cattery following the demolition of existing buildings on the site.

4.2 The proposed detached two-storey dwelling measures 14.8m (width) x up to 9.7m (depth) x 4-8.6m (height) with a pitched roof. The proposed dwelling comprises of a lounge, office, kitchen, dining room, utility room and WC on the ground floor. On the first floor 4 bedrooms, 2 en-suite bathrooms and a family bathroom are proposed. The proposed

dwelling would be set side-on to the boundary with Hollins Lane adjacent to the proposed double garage. The dwelling would be constructed in brick, with stone corncicing and grey roof tiles.

4.3 The proposed double garage measures 6.1m (width) x 6.1m (depth) x 2.2-4m (height) with a hipped roof and a dove cot feature on the roof. The garage would have the same external detailing as proposed on the dwelling.

4.4 The proposed stable blocks measures 13.1m (width) x 14m (depth) x 2.6-4.9m (height) with a pitched roof and a canopy along the rear elevation. The stable block comprises of 7 stables (one of which the applicant has confirmed would act as a tack room and one of which would be set up as a horse solarium) together with an isolation unit for the cattery. The dwelling would be constructed in brick, with stone corncicing and grey roof tiles.

4.5 The proposed cattery building measures up to 10.4m (width) x 12.6m (depth) x 3.7-5.3m (height) with a pitched roof. The cattery comprises of 14 cubicles (7 of which with outdoor exercising areas), a store, WC and a kitchen. The building would be finished in render with high level metal corrugated cladding and would have a sheet metal roof.

4.6 An area of hardstanding is proposed to retained to serve the dwelling, stable block and cattery in addition to 4 car parking spaces

4.7 In supporting information submitted with the planning application the applicant states:

*“The stables, structures and polytunnels are all located around an area of hardstanding that comprises a mix of tarmac and gravel that encompasses the majority of the site. Lending an unattractive and industrial feel to the site.”*

*“The applicant acquired the site in 2015 and it is currently being used for the stabling of horses. No material change of use has taken place as the existing stables and storage structures are being used for their intended purpose; the polytunnels erected for agricultural purposes are being used for general B2 and B8 uses. The applicant has maintained the buildings on site to the best of his ability, but most are now beyond any further repair and need replacing. The proposed development will comprise of the demolition of 1,142m<sup>2</sup> of former agricultural buildings, stables and other structures, removal of a substantial amount of hardstanding and the erection of 1 no. House, 1 no. Garage, 1 no. Stable Block and 1no. Cattery.*

*An examination of the site’s planning history has revealed that the LPA has had difficulties with the site for a number of years. Structures being erected without planning permission and others retained beyond their permitted time period. The application proposals must be considered against this planning history in addition to relevant local and national planning policy.”*

4.8 In conclusion the submitted Planning Statement affirms:

*“The development will result in a more compact and structured site and any permission can be conditioned so as to ensure that it is developed property and is landscaped effectively, enhancing the visual amenity of the Green Belt.*

4.9 The application is also accompanied by an Ecology Report.

4 .10 Amended plans have been submitted at the request of Officers. The amendments being the relocation of the proposed cattery and stables buildings in order to reduce the visual impact of the proposed development, reduction in areas of hardstanding, reduction in volume of proposed garage and addition of aesthetic detailing, design improvements to stables and a reduction in the roof height of the proposed cattery building.



## **5. REPRESENTATIONS**

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

## **6. CONSULTATION REPLIES**

**County Highways** have raised no objections to the proposal, confirming that adequate off-street parking is shown for the size and type of development.

**Environmental Health** have raised no objections to the proposal subject to the imposition of conditions relating to waste storage details for the cattery and a precautionary condition relating to contaminated land.

**United Utilities** have raised no objections to the proposal recommending a condition relating to the agreement of foul and surface water drainage details.

**Ecology** have raised no objections to the proposal recommending a condition to secure ecological enhancement measures.

## **7. MATERIAL CONSIDERATIONS**

### **Policy Considerations**

#### **7.1 i) NPPF**

7.1.1 Regarding development in the Green Belt, Paragraphs 87-89 state “*As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*”

*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘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.*

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

- i. buildings for agriculture and forestry;*
- ii. 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;*
- iii. 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;*
- iv. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- v. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- vi. 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 purpose of including land within it than the existing development”*

7.1.2 Paragraph 187 of the NPPF states “*Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible*”.

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

7.2.1 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.

7.2.2 Policy 4: Housing Delivery seeks to ensure that sufficient housing land is identified over the 2012-2026 period.

7.2.3 Policy 5 of the Core Strategy covers Housing Density and states:

*"The authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land."*

7.2.4 Policy 6 of the Core Strategy covers Housing Quality and aims at improving the quality of housing. This is assessed in the following sections of the report.

7.2.5 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 Policy G17 in the South Ribble Local Plan.

### **7.3 iii) South Ribble Local Plan (2012-2026)**

7.3.1 Within the Local Plan the site is allocated as Green Belt. The policy relating to development in the Green Belt, Policy G1, confirms that inappropriate development within the Green Belt is, by definition, harmful to the Green Belt with planning permission only to be given if certain criteria are met or unless very special circumstances exist. The list of exceptions is the same as stated previously in Paragraph 89 of the NPPF.

7.3.2 The proposal will be assessed Green Belt policy in the following sections of this report.

7.3.3 Policy G2 encourages the re-use and adaption of existing buildings in the Green Belt. Given the size and construction of the existing buildings on site they are not considered to be suitable for conversion to a dwelling.

### **7.4 iv) Rural Development Supplementary Planning Document**

7.4.1 For new dwellings the Central Lancashire Rural Development SPD confirms that up to a 30% increase in replacement development volume is acceptable in the Green Belt.

### **7.5 CIL**

7.5.1 As the applicant has submitted a self-build exemption claim the development will not be CIL liable.

### **7.6 Green Belt**

7.6.1 Although the application site is located within the Green Belt the site is lawfully in a mixed use of B2 (General Industrial), B8 (Storage and Distribution) and livery/stables. The application site therefore constitutes brownfield land (previously developed) with the wider parcel of land in the applicant's ownership being wholly in an agricultural use and constituting greenfield land (not previously developed).

7.6.2 Criterion vi) within Paragraph 89 of the NPPF (mirrored in criterion f) of Policy G1 of the South Ribble Local Plan 2012-2026) allows for the development of previously developed sites in the Green Belt in circumstances where the proposed development would not have a greater impact on the openness of the Green Belt.

7.6.3 The existing buildings on the site that are to be demolished are as follows:

- 2 Polytunnels (in B2/B8 Use) covering a total area of **381.4sq m (1115.4cu m)**

- ☒ Stable block (9 stables) covering an area of **134sq m (436.1cu m)**
- ☒ Detached store covering a total area of **6.1sq m (13.4cu m)**
- ☒ Storage structures (at site entrance) covering an area of **109.6sq m (289.4cu m)**

7.6.4 In addition to the above buildings the site also comprises of a sand paddock which measures 18m x 33m and an extensive area of hardstanding however these do not have a volumetric impact on the openness of the Green Belt and therefore cannot be considered in the 'trade-off' for proposed built structures.

7.6.5 A further polytunnel (in agricultural use), storage containers and horse trailers are present to the north of the two B2/B8 Use polytunnels. However, given their agricultural use and them being outside of the defined application site they cannot be considered in the 'trade-off' for proposed built structures.

7.6.6 The total footprint of built development on the application site that has a volumetric impact on the openness of the Green Belt is 631.1sq m with a total volume of 1854.3cu m.

7.6.7 Currently there is little to no landscaped or grassed areas within the site.

7.6.8 The proposed development comprising of the following:

- ☒ A detached two-storey dwelling covering an area of **134.6sq m (840cu m)**
- ☒ A detached double garage covering an area of **37.3sq m (126.5cu m)**
- ☒ A detached stable block/workshop covering an area of **183.4sq m (597.4cu m)**
- ☒ A detached cattery building covering an area of **125.1sq m (550.4cu m)**

7.6.9 The total footprint of proposed built development is 480.4sq m with a total volume of 2,114.3cu m.

7.6.10 The proposed development therefore result in a 7% decrease in the overall footprint of built development (514.3sq m existing / 480.4sq m proposed) and a 14% increase in the overall volume of built development. Whilst the proposal is for a mixed used site, the resulting total increase in overall volume is below the 'up to 30%' increase replacement development volume that the Rural Development SPD confirms as acceptable for new dwellings. In this regard, the proposed development is policy compliant.

7.6.11 Furthermore, whilst the proposed development would result in an increase in built development volume, the proposal would result in the removal of a number of cars and vans (approximately 10) that are used in connection with the businesses that operate within the two polytunnels as well as 2100sq m of hardstanding returned to grass and soft landscaping.

7.6.12 Given the visual improvement to the site that the proposed development would result in and the proposed development not having a materially greater impact on the openness of the Green Belt, the proposed development accords with criterion vi) within Paragraph 89 of the NPPF and criterion f) of Policy G1 of the South Ribble Local Plan 2012-2026.

## **7.7 Character / Appearance**

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

7.7.2 In consideration of the above, the local distinctiveness and character of the local area have been assessed. The surrounding area is semi-rural with sporadic residential development. The design of the proposed buildings draws from the semi-rural character of the area in terms of the external materials to be used (traditional red-facing brick and stone corning), external detailing (chimney and dovecot feature on garage) and the proposed

layout in a courtyard form. As a result, the proposed buildings on the site are not considered to be out of character with the surrounding area. The proposed development is not considered to result in the overdevelopment of the site.

7.7.3 The proposed scheme would also allow 2100sq m of hardstanding to be returned to grass and soft landscaping, resulting in a significantly greener site.

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

### **7.8 Relationship to Neighbours**

7.8.1 A splayed distance of 65m would be present from the front elevation of the proposed dwelling to the front elevation of the nearest residential property at Hollins Cottage. This distance exceeds the minimum spatial separation standards and, as such, the proposed inter-relationships are considered to be acceptable and are not considered to result in undue overlooking / loss of privacy or overdominance / overshadowing. There are no properties immediately to the west, east or north of the application site.

7.8.2 A minimum distance of 105m would be present from the proposed single storey cattery building to the same nearest residential property. This distance exceeds the minimum spatial separation standards and, as such, the proposed inter-relationships are considered to be acceptable and are not considered to result in undue overlooking / loss of privacy or overdominance / overshadowing.

### **7.9 Highway Issues**

7.9.1 The proposed use of the site as a single residential property with associated domestic stables and a cattery means that it would not be a significant traffic generator. Customers of the cattery will only likely visit the site to either drop-off or pick-up their cat/s. The proposed development would also remove existing businesses from the site and the associated traffic. County Highways have fully assessed the proposal and have raised no objections, confirming that the development should have a negligible impact on highway safety and highway capacity.

7.9.2 The proposed off-street parking for the dwelling and the cattery accords with the car parking standards contained within Appendix 4 of the South Ribble Local Plan. County Highways are satisfied with the proposed number of parking spaces and the vehicle manoeuvring areas proposed within the site.

### **7.10 Noise / Disturbance**

7.10.1 With a minimum distance of 105m from the cattery to the nearest neighbouring property and the applicant to reside on-site, Environmental Health have raised no objections to the proposed development.

### **7.11 Ecology**

7.11.1 The Ecology Report submitted with the planning application concluded that there was no evidence of roosting bats within any of the buildings on the site and that the site provides unfavourable terrestrial habitat great crested newts. The Council's appointed Ecology consultants have fully assessed the proposal and have raised no objections to the development subject to the imposition of a condition relating to the securing of ecological enhancement measures, namely roosting potential for bats, nesting bird protection, protection of Amphibian species and landscape planting.

## **8. CONCLUSION**

8.1 The proposed erection of a two-storey detached dwelling with detached double garage, the erection of a single storey stable block and the erection of a single storey building to be used as a cattery following the demolition of existing buildings on the site is considered to be acceptable. The site, which comprises of a 2 polytunnels, a stable block comprising of 9

stables, storage structures, storage containers, a sand paddock and extensive area of hardstanding, constitutes a previously developed site. The proposal would provide significant visual improvements and would not having a materially greater impact on the openness of the Green Belt. There are no objections from County Highways, Environmental Health or Ecology to the proposal subject to the imposition of recommended conditions. The proposed development accords with Policies 1, 3, 4, 5, 6, 13, 17, 22 and 29 of the Core Strategy together with Policies F1, G1, G13, G14, G16 and G17 of the South Ribble Local Plan (2012-2026). The application is therefore recommended for approval subject to the imposition of conditions.

**RECOMMENDATION:**

Approval with Conditions.

**RECOMMENDED CONDITIONS:**

1. That the development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans ref 'Location Plan', 1545-PSP01A (Proposed Site Plan), 1545-PR05A (Proposed Stables), 1545-PR04B (Proposed Cattery Building), 1545-PR01A (Proposed Garage Plans), 18-001 (Proposed House Plans) and 18-002 (Proposed House Elevations).

REASON: To ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G1 of the South Ribble Local Plan (2012-2026).

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

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

4. Each dwelling is required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

REASON: Policy 27 of the Adopted 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. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.

5. 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 Adopted 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. However 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

6. 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 Adopted 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. However 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.

7. Prior to the commencement of development, a ground level survey to include existing ground levels and existing and proposed ground and slab levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with this scheme.

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

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

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

9. 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 completion of the development, 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

10. In regards to the construction of the buildings hereby approved, no machinery shall be operated; no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times:

0800 hrs to 1800 hrs Monday to Friday  
0800 hrs to 1300 hrs Saturday

No activities shall take place on Sundays, Bank or Public Holidays.

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy.

11. 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: To prevent stones and mud being carried onto the public highway to the detriment highway safety and other highway users in accordance with Policy G17 in the South Ribble Local Plan 2012-2026

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) no development of the type described in Classes A, B and E of Part 1 of Schedule 2 of that Order shall be undertaken without the express permission of the Local Planning Authority

REASON: To enable the Local Planning Authority to retain control over the use of the land and to prevent future damage to trees in accordance with Policy 17 in the Central Lancashire Core Strategy.

13. Prior to the first occupation of the dwelling, an electric vehicle charging point shall be provided which shall be retained for that purpose 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) (Amendment) (No2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, the garage and stables shown on the approved plans 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: - In the interests of highway safety and other highway users in accordance with Policy 3 of the Core Strategy.

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

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

16. That all trees (and other habitats including hedgerows) being retained in or adjacent to the application site shall be adequately protected for the duration of the development, including the erection of protective fencing, in accordance with BS5837, 2012 "Trees in Relation to Design, Demolition and Construction - Recommendations". No tree shall be wilfully damaged or destroyed, uprooted, felled lopped or topped during that period without the written consent of the local planning authority. Any tree removed without such consent or dying or being severely damaged or becoming diseased during that period shall be replaced with trees of such size and species as may be agreed with the local planning authority.

REASON: To prevent damage to trees during construction works in accordance with Policy 17 in the Central Lancashire Core Strategy.

17. The development shall proceed in full accordance with the recommendations detailed in Section 5 of the submitted Ecology Survey and Assessment (ref. 2016-109), including:
- o The provision of habitats for roosting bats
  - o Protection of nesting birds
  - o Protection of Amphibian species
  - o Sensitive lighting

The scheme shall be fully implemented prior to the first use/occupation of any building hereby approved and permanently maintained thereafter.

REASON: To protect habitats of wildlife, in accordance with Policy G16 in the South Ribble Local Plan (2012-2026) and Policy 22 of the Core Strategy.

18. 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, Policies G14 and G17 in the South Ribble Development Plan Document, and the National Planning Policy Framework.

19. Notwithstanding the provision of the Town and County Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of the cattery building hereby approved shall be restricted to the use applied for unless the prior consent of the Local Planning Authority is obtained.

RE: To enable to the Local Planning Authority to retain control over the impact of the development on residential amenity and/or highway safety in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan (2012-2026).

20. The cattery building hereby approved shall not be open to customers outside the hours of 0800 hrs to 1800 hrs Monday to Saturday and 1000 hrs to 1600 hrs on Sunday, Bank or Public Holidays unless otherwise agreed in writing with the Local Planning Authority.

RE: In the interests of the amenity of nearby residential properties in accordance with Policy 17 in the Central Lancashire Core Strategy.

21. The off-street parking arrangements details on approved 'Proposed Site Plan' ref. 1545-PSP01A shall be made available to customers at all times whilst the cattery is open to customers and during waste collections.

REASON: To ensure the provision and retention of adequate on-site parking in the interests of residential amenity and highways safety as required by Policy F1 and Policy G17 in the South Ribble Local Plan (2012-2026).

22. The cattery building hereby approved shall not be brought into use until a strategy for the storage of refuse and waste materials have been submitted to and approved by the Local Planning Authority. The development should operate in accordance with the approved strategy 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).

23. Prior to the construction of the stables hereby approved a scheme for the collection, containment and removal of animal effluent shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be constructed and completed, in accordance with approved plans and shall be put into practice and adhered to thereafter.

REASON: In the interests of amenity of neighbouring residents and to prevent pollution of the water environment in accordance with Policies 17 and 29 of the Core Strategy.

24. The application site shall be maintained clear of vermin for the duration of the approved use. All equine animal feed that is stored on site shall be contained in rodent proof receptacles.

REASON: To safeguard and protect the environmental and the living conditions of nearby residents in accordance with Policy 17 of the Core Strategy.

25. That notwithstanding the Provision of the Town and Country Planning (Use Classes) Order 1987 Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of the stables shall be restricted to domestic use as applied for unless the prior consent of the Local Planning Authority is obtained. Commercial livery, commercial use of the land and buildings or other such use is prohibited.

REASON: So that the Local Planning Authority can retain control over the impact of the development on residential amenity and/or highway safety in accordance with Policy 17 of the Core Strategy and Policy G17 of the South Ribble Local Plan (2012-2026).

26. That full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of the amenity of neighbouring residential properties so as to accord with Policy 17 of the Core Strategy and Policy G17 of the South Ribble Local Plan (2012-2026).

#### **RELEVANT POLICY**

- 1 Locating Growth (Core Strategy Policy)**
- 3 Travel (Core Strategy Policy)**
- 4 Housing Delivery (Core Strategy Policy)**
- 5 Housing Density (Core Strategy Policy)**
- 6 Housing Quality (Core Strategy Policy)**
- 13 Rural Economy (Core Strategy Policy)**
- 17 Design of New Buildings (Core Strategy Policy)**
- 22 Biodiversity and Geodiversity (Core Strategy Policy)**
- 29 Water Management (Core Strategy Policy)**

#### **POLF1 Car Parking**

- POLG1 Green Belt**
- POLG13 Trees, Woodlands and Development**
- POLG14 Unstable or Contaminated Land**
- POLG16 Biodiversity and Nature Conservation**
- POLG17 Design Criteria for New Development**

# Agenda Item 9

**Application Number** 07/2018/0979/FUL

**Address** 8B Centurion Court  
Farington  
Leyland  
Lancashire  
PR25 3UQ

**Applicant** Kevin Morris

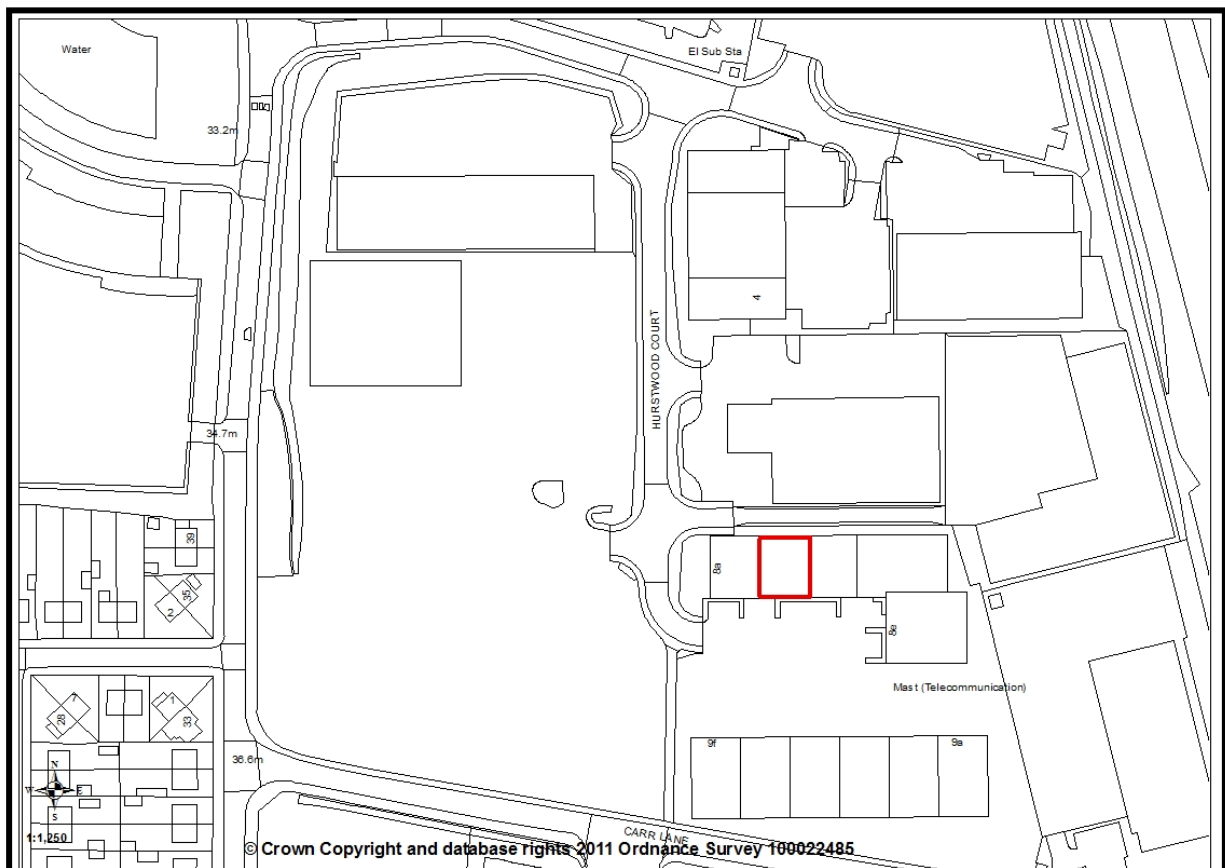
**Development** Change of use from Class B1/B2/B8 (Business/General industry and storage) to Class D2 (Leisure) - Gym

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

**Officer Name** **Mrs Janice Crook**

Date application valid 21.02.2018  
Target Determination Date 18.04.2018  
Extension of Time 27.04.2018

## Location Plan



## 1. Report Summary

- 1.1. This application falls for determination by planning committee as the applicant is related to two members of staff.
- 1.2. The application proposes the change of use of an existing industrial unit within the B Use Classes to a gym within the D2 Leisure Use Class. Policy E2 in the South Ribble Local

plan seeks to protect employment premises for employment uses and Core Strategy Policy 10 sets out a number of criteria that change of use applications must meet if a change of use is required. It is considered that, in broad terms, the aims of these two policies are met and with the inclusion of a condition to ensure that the premises returns to B1, B2, B8 Uses should the proposed gym not be successful, then there will be no loss of employment premises in the long terms. The application is therefore recommended for approval subject to the imposition of conditions.

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

2.1 The application relates to a purpose built industrial unit located on Centurion Court, part of the Carr Lane Employment Area in Farington. The unit is within a row of similar units with adjacent uses being a family martial arts centre, Frank Brierley Power Tools and Jump UK Gymnastics and Trampoline Center. A parking court is to the front with further industrial units opposite.

## **3. Planning History**

3.1 There is no planning history relating to this particular unit.

## **4. Proposal**

4.1 The unit was last used for industrial storage and the application proposes the change of use of the unit from Use Classes B1, B2 and B8 to a D2 Leisure use. The applicant proposes to open a gym facility for strength and conditioning facility for strongman/woman training, bodybuilding and fitness regimes. The facility will employ 1 full time and 3 part time employees.

## **5. Summary of Publicity**

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

## **6. Summary of Consultations**

6.1 **Environmental Health** have no comments to make on this application.

6.2 **County Highways** have no objections and are of the opinion that the development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site. They also consider that adequate parking is provided for the type and size of development as the expected peak period for the gym use would not be the same peak periods for the existing adjacent commercial buildings.

6.3 **Economic Development** comment that the proposed change of use to a gym will only deliver 2 FTE jobs, which is a low density for a unit of this size. However, it is understood that the plans are to attract additional, indirect, jobs through personal trainers using the facilities. There are concerns about the loss of B1/B2/B8 space in this location, but recognise the potential of this business. Therefore they have no objection provided the unit returns to its original uses if and when the gym ceases occupation.

## **7. Policy Considerations**

### **7.1 Central Lancashire Core Strategy**

The application site is within the Carr Lane Employment Area where **Policy 10: Employment Premises and Sites** has a set of criteria that proposes for uses other than B use class employment will need to address. These are as follows:

- (a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;
- (b) the provision and need for the proposed use;
- (c) the relative suitability of the site for employment and for the alternative use;
- (d) the location of the site and its relationship to other uses;
- (e) whether the ability to accommodate smaller scale requirements would be compromised;
- (f) there would be a net improvement in amenity.

## 7.2 Central Lancashire Supplementary Planning Documents

The Controlling Re-Use of Employment Premises SPD develops Policy 10 by setting out the balanced criteria based approach under which all proposals for re-use of employment premises will be assessed.

7.3 **Policy E2: Protection of Employment Areas and Sites** protects land for employment uses including business, general industrial or storage and distribution within Use Classes B1, B2 and B8.

7.4 **Policy G17: Design Criteria for New Development** permits new development, including extensions and free standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene; does not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in **Policy F1**, unless there are other material considerations which justify the reduction such as proximity to a public car park.

## 8. Material Considerations

8.1 The application seeks to change use of Unit 8B Centurion Court which has been used for industrial storage to a gym facility. The applicant has provided a supporting statement which sets out how the proposal addresses criteria a) to f) in Core Strategy Policy 10, as follows:

- *“Changing from industrial storage to a leisure use would not have a reduction on the type, quality or employment land supply.*
- *Even though public and community uses are best suited in town, district and local centres, as supported by the NPPF, the location is perfect for this proposal and other locations have been exhausted going through council properties and private properties using various estate agents and having looked at site within Leyland town centre.*
- *The change of use would fit in perfectly with surrounding businesses and would contribute to employment*
- *The location would also mean that there would be no impact on residential area, ie, noise, increase parking*
- *The need for the use of local businesses would also be of beneficial advantages, ie clothing printed, stock bought in.*
- *Giving a place for a friendly and safe environment for members to come and train no matter what stage they are at or ability.”*

8.2 In consideration of the policy requirements and criteria a) to f):

**(a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;**

It is considered that, with the inclusion of a suitably worded planning condition requiring that any permission granted is for the use applied for only and should this use cease, the premises return to B1, B2 B8 use. Therefore there would be no reduction in employment land in the longer-term.

**(b) the provision and need for the proposed use;**

The applicant has indicated that the nature of the strength and conditioning gym meets a number of the Council's and Government's guidelines in order to promote health and well-being and provide alternative forms of exercise. The applicant has identified a need for the proposed use is in order to develop the health of residents of the Leyland area.

**(c) the relative suitability of the site for employment and for the alternative use;**

The applicant considers the building would be an ideal for the business as it is a modern industrial unit of steel portal frame construction and reinforced concrete floor. It is just minutes away from 3 motorways and is just 5 minutes from Leyland Town Centre. Units already on the site include a Martial Arts centre, Gymnastics Centre which sit side by side with commercial businesses such as Leyland van hire, Removax security solutions. The site is a well-established industrial estate with other leisure business already trading on it. Parking is not an issue with ample communal parking and peak times for the proposed use being out of hours.

**(d) the location of the site and its relationship to other uses;**

The unit is within a block of similar units within the Centurion Court complex which is set to the southern part of the Carr Lane Employment Area. The applicant considers the building would be an ideal fit for the business model as it is only 5 minutes from Leyland town centre and close to 3 motorways. Parking is not an issue with ample communal parking and peak times for the proposed use being out of hours. Additionally, two neighbouring units are already within the D2 Leisure Use Class and therefore it is considered there will be no conflict with existing uses.

**(e) whether the ability to accommodate smaller scale requirements would be compromised;**

There are no alterations proposed to the unit and therefore the ability for the unit to accommodate smaller scale uses if necessary in the future is not compromised. Should the use as a gym facility be unsuccessful, there is nothing to prevent the unit from reverting back to employment use and, if necessary, can be subdivided to meet particular needs.

**(f) there would be a net improvement in amenity.**

The unit is currently vacant. However, it has only be unoccupied since February this year and it is considered to be preferable to have the unit occupied rather than remain vacant, it has not been marketed for its intended use as an industrial unit for a suitable length of time. It is considered that the very fact that the unit is occupied would result in an improvement in the amenity of the area.

8.3 In consideration of the loss of this unit from B1/B2/B8 use to a leisure use within the D2 Use Class, Economic Development have commented that demand for commercial sites and premises is high in South Ribble. The recent Central Lancashire Employment Land and Property Study identified 93% occupancy of industrial units overall. The Study was commissioned to assess the demand for commercial premises and the required supply of property in South Ribble to deliver economic growth.

8.4 The proposed change of use to a gym will only deliver 2 FTE jobs, which is a low density for a 2,885 square foot (268 square metre) unit. However, Economic Development understand that this project also plans to attract additional, indirect, jobs through personal trainers using the facilities. Additionally, this business has accessed business support to help them grow a sustainable operation.

8.5 Economic Development have concerns about the loss of B1/B2/B8 space in this location, but recognise the potential of this business using the space. Therefore they have no objection provided the unit returns to its original use when the gym ceases occupation.

9. **Conclusion**

9.1 For the reasons outlined above, it is considered that the proposed change of use from employment to D2 leisure use accords with the criteria set out in Policy 10 of the Core Strategy. The application is therefore recommended for approval with the inclusion of a suitably worded condition to ensure that the unit reverts back to uses within the B Use Class should the proposed use cease to operate in the future to safeguard the unit for employment uses.

10. **Recommendation**

10.1 Approval with Conditions.

11. **Recommended Conditions**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The use hereby permitted shall be restricted to the use as a gym facility as applied for. Should the use of the building as a gym facility cease, the building shall be returned to its previous use within the B Use Classes contained in The Town and Country Planning (Use Classes) Order 1987 (as amended) within 3 months unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order that the Local Planning Authority can retain control over the future use of the building, in accordance with Policy E2 in the South Ribble Local Plan 2012-2026

12. **Relevant Policy**

**Central Lancashire Core Strategy**

Policy 10: Employment Premises and Sites

**South Ribble Local Plan**

E2: Protection of Employment Areas and Sites

G17: Design Criteria for New Development

**Supplementary Planning Document**

Employment Premises

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**Application Number** 07/2018/0635/FUL & 0636/LBC  
07/2018/0637/FUL & 0638/LBC

**Address** Worden Park  
Leyland  
Lancashire  
PR5 2DJ

**Applicant** Mr Andrew Richardson  
South Ribble Borough Council

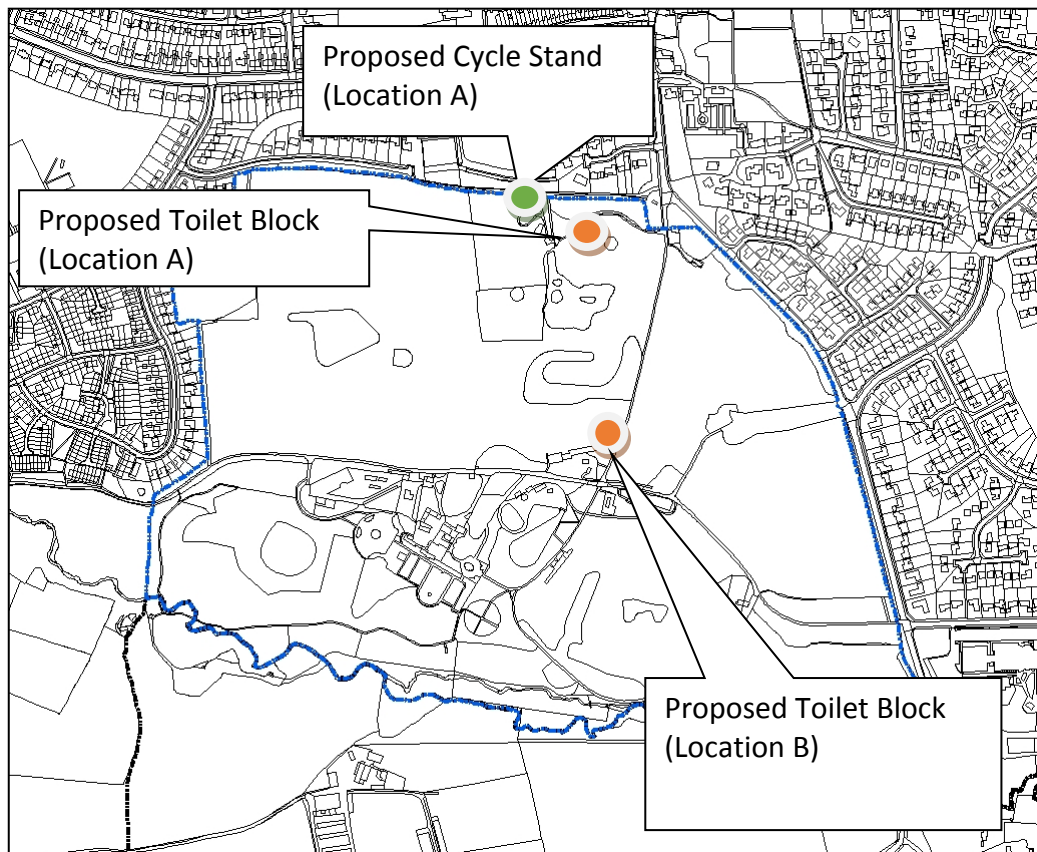
**Development** Erection of two toilet blocks with associated hardstanding following demolition of existing toilet block, and cycle stand within Worden Park

**Officer Recommendation** **Approval with Conditions (0635/FUL and 0637/FUL)**  
**Grant of Listed Building Consent (0636/LBC & 0638/LBC)**

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

Date application valid 01.02.2018  
Target Determination Date 29.03.2018  
Extension of Time 30.04.2018

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## **1. Introduction**

1.1. These applications are being presented to Committee because the proposal seeks permission for works by the Borough Council's Neighbourhoods Services Team.

## **2. Report Summary**

2.1. Four almost identical applications for planning permission and listed building consent seek permission to replace two toilet blocks with two new, coin operated ones at location A (adjacent to the play area) and location B (to the north of the crossroads at the parks centre), with new cycle stand (location A)

2.2. Policy, material consideration and justification for each are the same, but for ease of reading and time management purposes the four applications will be presented as one. Please note however that four independent decisions would be made.

2.3. Proposed changes are appropriate in both material and design, will sit well within the context of both protected and useable public space, and accord well to adopted national and local policy. National guidance requires the protection of designated heritage facilities but in a sustainable way which allows such assets to be used in a purposeful manner.

2.4. At the time of writing this report representation has not been made; the opinions of statutory consultees however have been taken into account and conditions recommended where appropriate. Late representation will be reported at Committee

2.5. It is recommended that all four applications should be approved subject to the imposition of conditions – planning permission approved (07/2018/0635/FUL and 07/2018/0637/FUL), and listed building consent granted (07/2018/0636/LBC and 07/2018/0638/LBC).

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

3.1. Worden Park enjoys a Grade II listed status and is registered on England's Schedule of Historic Parks and Gardens. The entire site spans 60ha, is bound to the south and south west by agricultural land and to the north and east by mixed use/residential buildings.

3.2. The applications refer to an existing toilet block and small area of open land to the north-east of the children's play area, and a similar block to the south of the Model Railway / north of 'The Avenue' Both sections of the park are well screened by mature planting but easily accessible and offer natural surveillance.

## **4. Site History**

4.1. There are over 60 planning applications on the history of Worden Park; the majority of which relate to works elsewhere within the park or predate 1997. None are relevant to this proposal

## **5. Proposal**

### **5.1. Description of works**

5.1.1. *Location A* – these applications propose demolition of an existing toilet block, replacement with a cycle stand and erection of a new, coin operated toilet building with hardstanding on land to the south-east.

5.1.2. The oak clad toilet block would be 5.4m wide x 3.1m deep, with a hipped sedum roof measuring no more than 3.4m in height; eaves would stand at 2.5m from ground level. Doors

and rainwater goods would be painted in Anthracite Grey, and internally the unit would house one male, one female and one accessible toilet.

5.1.3. 7 no: 'Penny Farthing' style cycle stands with space for 14 cycles would be installed in the space vacated by the demolished toilet block; these would each be 1.2m high x 1.2m wide.

5.1.4. *Location B* – An identical toilet block is proposed to the north of The Avenue.

5.1.5. Drainage and electricity would utilise existing connections, and a small area of hardstanding installed to the front of each toilet unit.

5.1.6. Trees adjacent to both locations would be protected during construction – a condition to secure the same is recommended.

## 6. Summary of Supporting Documents

6.1 Scaled drawings/location plan are accompanied by Heritage Design & Access Statements

## 7. Representations

### 7.1. Summary of Publicity

7.1.1. A site notice and a newspaper advertisement has been posted but representation has not been received.

## 8. Summary of Responses

8.1. **Lancashire Constabulary** have no objection but offer security advice which has been passed to the applicant.

8.2. **Lancashire Gardens Trust** have not commented but this is not unusual and representation is rarely made

8.3 **Historic England** did not wish to be consulted on this occasion.

8.4 **Leyland Historical Society** has no objections to the proposal

8.4.1 **South Ribble Environmental Health** have no objections

8.4.2 **South Ribble Arborist** has no objection but makes a series of precautionary comments which have been added as informative notes.

## 9 Material Considerations

### 9.3 Policy Background

9.3.1 South Ribble Local Plan Policy G7 (Green Infrastructure) allows development within allocated areas where alternative provisions are similar or better in nature, and where change will not detrimentally affect the amenity value of the site. In addition Policy G9 (Worden Park) notes that "*Worden park requires major investment... to increase its use and develop further recreational and leisure uses within it*". This scheme upgrades the toilets and immediate environment in both locations, whilst offering additional cycle storage facilities at Location A – each in close proximity to the parks existing built development rather than in more open parts of the park.

**9.3.2** Core Strategy Policy 16 (Heritage Assets) – proposed changes will have a favourable rather than adverse effect on the park, and will offer positive benefits to users of the facility. They will not alter the character of the park but will enable its full and continued use. Materials used are subtle in visual appearance but substantial in terms of longevity and heavy duty use.

**9.3.3** Final development is expected to be sensitively undertaken to sustain the core business of the site whilst retaining elements of that which we aim to preserve.

#### **9.4 Relationship to Neighbours**

**9.4.1** The closest properties are 65m from Location A and 350m from Location B. It is considered that changes will benefit in physical and visual terms, rather than be to the detriment of neighbouring residents. Properties closest to Location A are screened by mature woodland

#### **9.5 Highways and Parking Considerations**

**9.5.1** No issues expected.

### **10 CONCLUSION**

**10.1.** Proposed changes are appropriate in both material and design, will sit well within the context of both protected but useable public space and accord well to adopted national and local policy

#### **RECOMMENDATION:**

Approval with Conditions.

#### **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the submitted approved plans South Ribble Dwgs WPT2018/01-002A (Site A), WPT2018/01-002B (Site B) and Healthmatic Plans MODUD-01 to 10 Rev 02  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the Partial Version Site Allocations Development Plan Document
3. Within 6 months of completion of each toilet block hereby approved, the existing toilet block identified at that location shall be removed, and the land restored to its former condition unless otherwise agreed in writing with the local planning authority.  
REASON: To prevent overdevelopment of the site and to enable the Local Planning Authority to retain control over the use of the land.

#### **RELEVANT POLICY**

NPPF National Planning Policy Framework  
Core Strategy Policy 16 Heritage Assets  
South Ribble Local Plan Policy G7 Green Infrastructure Existing Provision  
South Ribble Local Plan Policy G9 Worden Park

**Note:**

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is £97. The forms can be found on South Ribble Borough Council's website [www.southribble.gov.uk](http://www.southribble.gov.uk)
2. Arboriculturists Note: All materials, vehicle storage and manoeuvring shall be kept within the Site 'B' boundary indicated on drawing WPT/2018/01/002B Jan 2018
3. Ecology Note: The applicant should note that under the terms of the Wildlife and Countryside Act 1981, and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species. The work hereby granted does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species.

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REPORT TO	ON
Planning Committee	25 <sup>th</sup> April 2018



TITLE	REPORT OF
Planning Service End of Year Performance Report 2017/18	Director of Planning and Property

**1. PURPOSE OF THE REPORT**

- 1.1 To update Planning Committee on the performance of the Planning Service for the year 2017-2018

**2. RECOMMENDATIONS**

- 2.1 That Planning Committee note the performance of the Planning team for 2017/18.

**3. CORPORATE PRIORITIES**

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	X
Health and Wellbeing	
Place	X

Projects relating to People in the Corporate Plan:

People	
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**4. BACKGROUND TO THE REPORT**

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

**5. DETAIL**

***Development Management***

- 5.1 The Development Management function of the Planning Service focuses on the processing and deliberation of planning applications, advertisement and listed building consents. It also deals with planning enforcement matters and representing the Councils position at planning appeals. Key performance targets are identified by central government regarding the speed of

processing planning applications. For major developments the target is that these will be processed within 13 weeks of validation or less (16 weeks for developments requiring an Environmental Impact Assessment). For other developments this target is that they will be processed within 8 weeks of validation. The tables below summarise the performance to date.

**Table 1 Number of Applications Received**

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
<b>Number of applications received</b>	<b>641</b>	<b>687</b>	233	201	166	170	<b>770</b>

- 5.2 As shown in table 1 the number of applications received at the year-end is much higher than either of the two previous two years. Aligned to this is not just the volume of the work but also the complexity with a number of major or contentious schemes being considered such as Cuerden, Test Track and Brindle Road.

**Table 2 Major Applications Performance**

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
<b>Number of applications decided upon</b>	<b>21</b>	<b>32</b>	11	13	10	8	<b>42</b>
<b>Number of applications decided within 13 weeks or agreed time extension</b>	<b>18</b>	<b>29</b>	7	12	10	6	<b>35</b>
<b>Percentage within 13 weeks</b>	<b>85.71%</b>	<b>90.63%</b>	63.64%	92.31%	100%	75%	<b>83.3%</b>

- 5.3 Performance with regard to major applications continues to be strong. At the year end 83% of major applications were dealt with within the 13 week target. This is below the performance of the previous two years and is a sign of the increasing complexity of the major schemes, and the ongoing demands on the service. That said it is important to note that for 7 of the 12 months for the previous year 100% of major applications were determined within 13 weeks which is in itself exceptional. This performance is comparable to the national average of 82%.

**Table 3 Minor and Other Applications Performance**

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
<b>Number of applications decided upon</b>	<b>376</b>	<b>535</b>	125	144	152	124	<b>570</b>
<b>Number of applications decided within 8 weeks or agreed time extension</b>	<b>359</b>	<b>519</b>	115	140	132	122	<b>545</b>
<b>Percentage within 8 weeks</b>	<b>95.27%</b>	<b>97.01%</b>	92.00%	97.22%	86.84%	98.39%	<b>93.39</b>

- 5.4 Performance on minor applications is even stronger with just over 93%% of applications begin dealt with within 8 weeks at the end of year. This is slightly down on the previous two years performance. As with the major applications for 7 of the 12 months 100% of applications were dealt with within 8 weeks. This is exceptionally high performance compared to the national average of 78% and places South Ribble in the top five of local shire planning authorities nationally and the top performer of shire authorities in the North West.



**Table 4 Percentage of Applications Made Online**

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
Percentage of applications received	54.7%	57%	63%	58%	69%	66%	63%

- 5.5 Applicants and agents are encouraged to submit planning applications online. Online submissions are more efficient and if valid tend to be registered sooner. The end of year shows a marked increase on the previous year's performance with 63% of applications being submitted online.

**Table 5 Percentage of Appeals Allowed Against Refusal**

	2015/16 Total	2016/17 Total	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 Total
Number of appeals decided	5	6	4	2	2	4	12
Number of appeals allowed against refusal	2	3	1	1	0	3	5
Percentage of appeals allowed against refusal (a lower percentage = good performance)	40%	50%	25%	50%	100%	75%	42%

- 5.6 The number of appeals in South Ribble is generally very low. There have only been 12 appeals received of which 5 were allowed on appeal. The performance figures therefore need to be seen in the context of the low numbers of appeals in South Ribble which is an indication in itself that the right planning decisions are being made.

### ***Planning Policy***

- 5.7 Key activities during the year 2017/18:

- Penwortham Neighbourhood Plan adopted March 2017
- Employment and Skills Supplementary Planning Document adopted September 2017
- Central Lancashire Local Plan Review commenced with funding of £250k from Central Government
- Strategic Housing Market Assessment study completed in 2017
- Employment Land Needs and Supply Study completed in 2017
- Retail and Town Centre Uses Study completed in 2017
- Test Track Masterplan Adopted September 2017
- City Deal key role in bringing sites forward and monitoring development
- Preparation of and consultation on the Local List of Buildings for Penwortham and Leyland
- Procured and commenced work on Open Space Sports and Recreation Assessment
- City Deal Monitoring – all deadlines met for reporting of information.
- Preparation of Annual Monitoring Report and associated survey work
- Continued input into Master planning work – Test Track and Pickerings Farm
- Input into the Preston City Transport Plan
- Annual update brownfield register
- Twice yearly monitoring of Housing completions and annual uptake of Employment Land and town centre surveys - Preparation of Annual Monitoring Report, SHLAA/Housing Land Employment Land and Retail Position Statement
- Input into Central Lancashire Cycling and Walking Delivery Plan

- Preparation and consultation on Green Belt Infill SPD
- Monitoring of all S106 Agreements and streamlining the process.
- Commencement of the review of all South Ribble Local Plan policies
- Production/circulation of two planning policy newsletters

### **Planning Enforcement**

5.8 Planning Enforcement continues to be very busy with a number of ongoing cases. In the year 2017/18 278 new cases were received and 222 were closed down. The current workload as at the time of writing the report is summarised below

**Table 6 Current Enforcement Cases**

High Priority	Lower Priority	Total	Awaiting Magistrates Court	Awaiting Service of Notice From Legal
15	37	52	3	1

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

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

5.9 In terms of the spread of enforcement cases the largest area of investigation is with regard to untidy land. Because of the amount of evidence required for such investigations such as historical records these do take up significant time. This is followed by the monitoring of development sites, (house builders), for reported breaches of conditions, these complaints are persistent and take a lot of time following up. One case has been appealed after the service of a Planning Enforcement Notice, a hearing is scheduled for August 2018.

**Table 7 Breakdown of Enforcement Cases**

Breaches of Planning Control	Total
Change of Use of Land/Building/Business from Home	5
S.215 Untidy Land/House	7
High Hedge	4
Development Site Monitoring for Reported Breaches of Condition	12
Advertisement Regs.	7
PD or Requires PP	17

5.10 Given the high volume of work an additional Enforcement Officer role has been recruited and commenced work in January 2018.

### **Conclusion**

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

## **6. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION**

6.1 All planning applications and key planning policy documents involve widescale Member, Public and Stakeholder consultations in accordance with the adopted Statement of Community Involvement.

## **7. FINANCIAL IMPLICATIONS**

7.1 There are no financial implications resulting from this report.

## 8. LEGAL IMPLICATIONS

8.1 The Council are required to comply with statutory deadlines in respect of determining planning applications. The details in respect of the performance of the planning department is provided to Department of Communities and Local Government (DCLG), which publishes a league table of results for all planning authorities. This is to enable Council's to improve services and provide certainty to local residents.

8.2 The Council are also required to ensure that all planning applications are determined in accordance with the Town and Country Planning Act 1990, as amended

## 9. COMMENTS OF THE STATUTORY FINANCE OFFICER

9.1 There are no financial implications resulting from this report.

## 10. COMMENTS OF THE MONITORING OFFICER

10.1 Please see the comments in Section 8 of the report above

## 11. OTHER IMPLICATIONS:

▶ <b>HR &amp; Organisational Development</b>	None
▶ <b>ICT / Technology</b>	None
▶ <b>Property &amp; Asset Management</b>	None
▶ <b>Risk</b>	None
▶ <b>Equality &amp; Diversity</b>	None

## 12. BACKGROUND DOCUMENTS

12.1 There are no background papers to this report)

## 13. APPENDICES

13.1 There are no appendices to this report

Jonathan Noad  
Director of Planning and Property

Report Author:	Telephone:	Date:
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