

## PLANNING COMMITTEE

MONDAY, 21ST SEPTEMBER, 2020, 6.00 PM

ACCESSIBLE THROUGH MS TEAMS AND YOUTUBE

### AGENDA

#### IMPORTANT INFORMATION

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

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

Elected members not on the committee or members of the public will not be permitted access to the Civic Centre but may watch the proceedings via a YouTube livestream by clicking [here](#).

Anyone who wishes to speak on the application contained within this agenda should register by email to [democraticservices@southribble.gov.uk](mailto:democraticservices@southribble.gov.uk) for the attention of Charlotte Lynch by noon on Thursday, 17 September.

All registered speakers will be required to dial into the meeting remotely.

- 1 Welcome and Introduction**
- 2 Apologies for Absence**
- 3 Declarations of Interest**

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

<b>4</b>	<b>Appeal Decisions</b>	
	An update will be provided at the meeting.	
<b>5</b>	<b>07/2020/00365/FUL - Land Between Lyme Road and The Cawsey, Penwortham</b>	(Pages 5 - 28)
	Report of the Director of Planning and Property attached.	
<b>6</b>	<b>07/2020/00373/REM - Land South of 89 Langdale Road, Leyland</b>	(Pages 29 - 52)
	Report of the Director of Planning and Property attached.	
<b>7</b>	<b>07/2020/00606/VAR - Land at Oldfield and Long Meadow, Oldfield, Much Hoole</b>	(Pages 53 - 58)
	Report of the Director of Planning and Property attached.	
<b>8</b>	<b>07/2020/00583/VAR - Land to the rear of 60-64 Fossdale Moss, Moss Side, Leyland</b>	(Pages 59 - 66)
	Report of the Director of Planning and Property attached.	
<b>9</b>	<b>07/2020/00530/FUL - Woodfold Farm, Grange Lane, Hutton</b>	(Pages 67 - 70)
	Report of the Director of Planning and Property attached.	
<b>10</b>	<b>07/2020/00659/FUL - Hurst Grange Park, Penwortham</b>	(Pages 71 - 74)
	Report of the Director of Planning and Property attached.	

Gary Hall  
INTERIM CHIEF EXECUTIVE

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

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

#### Forthcoming Meetings

6.00 pm Thursday, 15 October 2020 - Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

#### Procedure of Debate at Planning Committee

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

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

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

This page is intentionally left blank

# Agenda Item 5

**Application Number** 07/2020/00365/FUL

**Address** Land Between Lyme Road and The Cawsey  
Penwortham  
Lancashire

**Applicant** Morris Homes

**Development** Proposed development for the erection of 12 dwellings with associated infrastructure and landscaping (amended plan and description)

**Officer Recommendation** That members be minded to approve the application with the decision being delegated to the Director of Planning and Property and the Chairman of Planning Committee upon the successful completion of a Section 106 Agreement to secure off-site contributions to Public Open Space

**Officer Name** Mrs Janice Crook

Date application valid 04.05.2020  
Target Determination Date 03.08.2020  
Extension of Time

## Location Plan



## **1. Report Summary**

1.1 The application proposes 12 dwellings on a parcel fronting onto The Cawsey within the large housing allocation Site K. Development of Site K was approved in 2015 and the development is well under way with a number of dwellings now occupied. The development of Site K also provided the section of the Cross Borough Link Road linking The Cawsey and Carrwood Road.

1.2 This current application site is a parcel of land within the site K allocation which was reserved for a Local Centre to provide retail and leisure facilities. No details were submitted at Reserved Matter stage for the Local Centre and the timeframe for submission has now passed, hence this is a full planning application.

1.3 Additionally, there is nothing in Policy D1 to require a Local Centre within Site K. However, it must be recognised that consideration of both the Outline and Reserved Matters applications was with the knowledge that a Local Centre was to be provided.

1.4 Objections have been received from neighbouring residents who have purchased plots on the Site K development who consider they have been misled by the developer and they understood the site was for 'community' use consisting of leisure and retail.

1.5 There are no objections from consultees although County Highways advise the internal road serving plots 4, 5, 6, 7 and 8 is not to an adoptable standard and would need to remain private.

1.6 There is a clear need to base the decision on the balance between the need for the proposed residential dwellings against the originally proposed Local Centre. Whilst it is accepted that there is no requirement in Policy D1 for such a Local Centre, both outline and reserved matters applications for Site K were determined with the proposal for a Local Centre. To now replace this with an additional 12 dwellings could compromise the overall sustainability and alter the overall viability of Site K. However, following the late submission of a Retail Report which has been considered by consultants acting for the Council, the view is that this alone would not provide the Council with sufficient grounds to refuse the additional residential development at the site, and that residents at the former Lostock Hall Gasholder site and surrounding area would still have sufficient choice with the existing defined centres in the area.

1.7 On the basis that there are no real grounds to warrant a refusal of the proposed development of 12 dwelling, the application is recommended for approval subject to a Section 106 Agreement to secure off-site public open space provision to meet relevant policy requirements.

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

2.1 The application relates to the former Gas Works site at Lostock Hall. The wider site is currently under construction with a number of dwellings now occupied. The site subject of this application was included within the outline permission for the wider development and shown to be the local centre on both the outline and reserved matters applications.

2.2 To the west is an area of public open space provided as part of the wider development, together with properties on Pinewood Road; to the south and east are newly constructed properties on Lyme Road, also part of the wider development site and to the north are properties on Firs Drive, including the site's Sales Office.

2.3 The wider development site is bounded to the north by the Old Tram Road, a former railway line now a walking and cycle route into Preston which includes the Preston Junction Nature Reserve, a biological heritage site and forms part of Central Parks; the new stretch of

the Cawsey runs to the west; existing residential development lies to the south-west and the former Gasholders side is to the east.

### **3. Planning History**

- 07/2004/0416 Remediation of land (14.5 ha) Approved 02/06/2004
- 07/2006/1288/OUT Outline Application for redevelopment of site (12.1 HA) for mixed use development including employment (B1, B8) Local Centre (A1, A2, A3, A4, A5) and residential development (C3) and associated access road was withdrawn
- 07/2013/0007/FUL Application for a fixed Road Bridge to provide a link between Carrwood Road and the Cawsey/Leyland Road at Land adjacent to the former Gas Works site at Lostock Hall - Environmental Statement submitted with application Approved 31/05/2013
- 07/2013/0008/ORM Outline application (with all Matters Reserved except for the main point of access) for redevelopment of the site (12.1HA) for Residential Uses (Class C3) and a local centre (A1, A2, A3, A4 A5 and D1 together with delivery of the associated access road and other associated works - Environmental Statement submitted with application Approved 01/04/2014
- 07/2015/0315/REM Reserved matters application for the erection of 281 dwellings with associated infrastructure and landscaping (amended plans) Approved 13/08/2015
- 07/2018/5502/VAR Variation of condition 2 Planning Layout of planning approval 07/2015/0315/REM - substitution of house types to plots 1-20 - new plot numbers 17-20 & 300-315 Approved 14/11/2018
- 07/2018/5502/VAR Variation of condition 2 Planning Layout of planning approval 07/2015/0315/REM - substitution of house types to plots 1-20 - new plot numbers 17-20 & 300-315 Approved 14/11/2018

### **4. Proposal**

4.1 The application has been amended since its first submission and was originally for 13 dwellings. However, due to concerns regarding the spatial separation to existing plots, the application now proposes the erection of 12 dwellings with associated infrastructure and landscaping. The dwellings are all either two-storey or two and a half storey detached dwellings and consist of the following housetypes:

Ely – 3 bed detached with integral garage  
Rufford – 3-bed detached with intergral garage  
2 X Appleton – 4-bed detached with integral garage  
Suffolk – 4-bed detached with integral garage  
Moreton 2 – 4-bed detached with detached single garage  
Warwick – 4-bed detached with detached single garage  
2 X Oxford – 4-bed side aspect detached with detached double garage  
1 x Oxford as above with attached double garage  
Blenheim – 5-bed side aspect detached with detached double garage  
Warwick – 4-bed detached with detached single garage

4.2 Parking is in the form of single and double garages and driveways.

4.3 The site is accessed off Lyme Drive with 4 of the properties fronting onto The Cawsey, 1 side on to the Cawsey and 7 fronting onto Lyme Road

4.4 Landscaping is proposed along the site frontages in the form of tree planting to the front garden areas.

### **5. Supporting Documents**

- Location Plan
- Site Layout Plan
- House type Plans and elevations
- Design and Access Statement
- Preliminary Ecological Appraisal
- Energy Performance Statement
- Landscape Plan
- Materials Plan
- Garage Plans
- Retail Report

## **6. Summary of Publicity**

6.1 Neighbouring residents were notified, a press notice published and site notices posted. Five letters of representation were received, objecting to the proposal on the following grounds:

- Proposal will have bedroom window approx. 10m from kitchen and dining window and will directly overlook garden
- Size and design of proposed dwelling
- Loss of privacy to rear of dwelling and garden
- Noise and disturbance
- Land would be better as a communal area, grassland or park
- Additional housing will further increase traffic generated in the area
- Would result in more crowded appearance along road
- Morris Homes informed us that the land behind house would not have any houses built on it
- Bought house as it would not be overlooking from the back
- Mislead into the sale of the property
- Light restrictions, proposal will block natural sun light to property and garden
- Land was earmarked for community facilities.

6.2 Following submission of an amended layout, neighbouring residents were re-notified with no further letters of representation being received.

## **7. Summary of Consultations**

7.1 **County Highways** have no objections to the proposed development and are of the opinion that the proposals should have a negligible impact on highway safety and capacity within the immediate vicinity of the site.

7.1.2 The proposed layout and access arrangements as shown in the amended drawing N284/P/PL02 Rev D are acceptable. The internal road serving plots 4, 5, 6, and 7 is however not to an adoptable standard and would therefore remain private.

7.1.3 The applicant has submitted a 'Supplementary Retail Report' outlining the justification to develop housing on this site rather than the previously agreed neighbourhood retail centre. From a highways perspective the report is not unreasonable. The difference in traffic generation/movements would be negligible if you take into consideration vehicle movements to the retail from outside the area compared with the vehicle movements out of the adjacent residential if the retail was not there. There are also a number of retail outlets existing and proposed within walking/cycling distance of the site.

7.1.4 County Highways request that a condition is imposed relating to the submission of a Construction Traffic Management Plan (CTMA) prior to commencement of any development. The CTMA should include and specify the provisions to be made for the following:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Vehicle wheel washing facilities;
- Storage of such plant and materials;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties and obstruct the public highway.

7.1.5 This would protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

**7.2 Environmental Health** comment that this application is subject to an outline application and as such many of the conditions they would recommend be attached to a planning permission have already been accounted for at the outline stage, namely contaminated land conditions. As such these conditions must be adhered to ensure the development does not result in unacceptable risk or adversely affect the amenity of future residents or existing properties.

7.2.1 In addition, a number of other conditions are advised. These are in relation to burning of waste material or vegetation on site; that a Dust Management Plan be submitted, that a wheel wash facility be installed and used at the entrance of the site by all vehicles leaving the site, that the location of the site compound and storage yard be agreed prior to commencement of any works, that the hours of construction works be restricted to 08:00 to 18:00 Monday to Friday and 09:00 to 13:00 on Saturdays with no working on Sundays or nationally recognised Bank Holidays, that details of all piling activities be submitted; that no external flooding lighting or security lights be installed, and that all properties are fitted with Electric Vehicle Recharge Points.

**7.3 United Utilities** advised 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. Therefore, they request drainage conditions are attached to any approval in respect of surface water drainage scheme, foul water drainage scheme and a management and maintenance scheme.

**7.4 Greater Manchester Ecology Unit (GMEU)** comment that the site has only very low ecological value and did not comprise part of the ecological mitigation for the wider site. However, Ecological mitigation can be dealt with via condition.

7.4.1 More specifically, GMEU comment on Great Crested Newts and on Contributing to and Enhancing the Natural Environment and require conditions be imposed in respect of these.

**7.5 Strategic Housing** comment that no affordable housing is proposed on-site, however the applicant is clear in their Planning Statement that they intend to provide policy compliant affordable housing provision and is considering providing this off-site on the wider development of 281no. homes. Discussions to secure the affordable housing provision are welcomed and further comments can be provided once the affordable housing position is clear.

**7.6 LCC Area Education Team** seeks to draw attention to impacts associated with the development and propose mitigation for these impacts through a developer contribution. However, they confirm that an education contribution is not required at this stage.

**7.7 Lancashire Fire and Rescue** advise that it should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service

**7.8 Nexus Planning** provided advice on the submitted Retail Report. They concluded that:

- Within the vicinity of the site, there appears to be a good range of retail and leisure facilities;
- The provision of commercial floorspace at the application site would be sustainable and ensure that local residents had amenities within an easy walking distance and reduce the need to travel to Kingsfold or Tardy Gate;
- The site's location is within an acceptable walking distance to a district centre and a number of services;
- We are of the view that, whilst the argument outlined by tfc is incorrect and does not reflect the reality of how many local centres operate, it is fair to question whether there is the market demand in this location for an additional local centre as the area is already well served and day-to-day needs can be met through existing provision accessible in the vicinity of the site.

Overall, Nexus do not consider that this alone would provide the Council with sufficient grounds to restrict additional residential development at the site, and that residents at the former Lostock Hall Gasholder site and surrounding area would still have sufficient choice with the existing defined centres in the area.

## **8. Policy Background**

### **8.1 National Planning Policy Framework**

#### **Chapter 2. Achieving sustainable development**

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).

### **Chapter 8. Promoting healthy and safe communities**

Paragraph 91 advises that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

At paragraph 92, the chapter advised that in order to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

### **Chapter 12. Achieving well-designed places**

At paragraph 124, the NPPF advised that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

At paragraph 127 it requires that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### **Chapter 15. Conserving and enhancing the natural environment**

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

## 8.2 Central Lancashire Core Strategy

**Policy 1: Locating Growth** focuses growth and investment on well located brownfield sites and the Strategic Location of Central Preston, the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble, whilst protecting the character of suburban and rural areas. Some Greenfield development will be required on the fringes of the main urban areas. To promote vibrant local communities and support services, an appropriate scale of growth and investment will be encouraged in identified Local Service Centres, providing it is in keeping with their local character and setting, and at certain other key locations outside the main urban areas.

Growth and investment will be concentrated in:

- (a) The Preston/South Ribble Urban Area comprising:
  - i. The Central Preston Strategic Location and adjacent inner city suburbs, focussing on regeneration opportunities in Inner East Preston, the Tithebarn Regeneration Area and the New Central Business District Area in particular.
  - ii. The northern suburbs of Preston, focussing on Local Centres, with greenfield development within the Cottam Strategic Site and the North West Preston Strategic Location.
  - iii. The settlements south of the River Ribble, comprising:
    - Penwortham, focussing on the regeneration of the District Centre\*, but with some greenfield development at the South of Penwortham and North of Farington Strategic Location.
    - Lostock Hall, focussing on the regeneration of brownfield sites.

## Chapter 9 Economic Prosperity

Paragraph 9.17 advises that the Lostock Hall Gasworks is a site of approximately 12 hectares. The site is centrally located within the urban core of South Ribble and provides a suitable location for mixed-use (residential, commercial and industrial) development, which will bring new employment that is accessible from existing residential areas as well as expanding the local housing options.

### Policy 9: Economic Growth and Employment

Economic growth and employment will be provided for in the following ways:

- (a) The identification of 454 hectares of land for employment development between 2010 and 2026.
- (b) Regional and sub-regional office developments will be located in Preston City Centre including the Central Business District area and the Tithebarn Regeneration Area, with more local office schemes in Chorley and Leyland town centres.

- (c) Other major developments for employment will be located in the Preston/South Ribble urban area, Leyland and Farington, and Chorley Town with regionally significant schemes at:
  - i. Samlesbury
  - ii. Cuerden (Lancashire Central)
  - iii. Buckshaw Village
  - iv. Central Preston
- (d) and sub-regionally significant developments for employment at:
  - i. Botany/Great Knowley
  - ii. Preston East/Millennium City Park
  - iii. Riversway
- (e) Mixed use developments will be encouraged in central and accessible locations including those of sub-regional significance at:
  - i. Moss Side Test Track
  - ii. Lostock Hall Gasworks
 and others identified in the Employment Land Review subject to the mix of uses taking due account of the impact on neighbouring occupiers and the need to maintain and create balanced communities.
- (f) Live/work units will be encouraged.

### **Policy 17: Design of New Buildings**

The design of new buildings will be expected to take account of the character and appearance of the local area, including the following:

- (a) siting, layout, massing, scale, design, materials, building to plot ratio and landscaping.
- (b) safeguarding and enhancing the built and historic environment.
- (c) being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the local area.
- (d) ensuring that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa.
- (e) linking in with surrounding movement patterns and not prejudicing the development of neighbouring land, including the creation of landlocked sites.
- (f) minimising opportunity for crime and maximising natural surveillance.
- (g) providing landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, providing open space, and enhancing the public realm.
- (h) including public art in appropriate circumstances.
- (i) demonstrating, through the Design and Access Statement, the appropriateness of the proposal.
- (j) making provision for the needs of special groups in the community such as the elderly and those with disabilities.
- (k) promoting designs that will be adaptable to climate change, and adopting principles of sustainable construction including Sustainable Drainage Systems (SuDS); and
- (l) achieving Building for Life rating of 'Silver' or 'Gold' for new residential developments.
- (m) ensuring that contaminated land, land stability and other risks associated with coal mining are considered and, where necessary, addressed through appropriate remediation and mitigation measures.

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

**Policy D1: Allocation of Housing Land** allocates sites for residential development. The application site is part of the wider **Site K: Lostock Hall Gasworks, Lostock Hall**: This 12ha site, a former gasworks, is owned by National Grid. It has been cleared of buildings and the on-site contamination has been removed or treated. Contamination issues have now been addressed, so the site is now appropriate for redevelopment. The site is the subject of a current outline planning application for a mixed use scheme to include employment (B1, B8 uses), residential (C3) and local centre uses (A1, A2, A3, A4, A5). An updated planning application is expected to be submitted in 2012. The site will require infrastructure to bring it forward for development with the provision of a new access. As in the South Ribble Local Plan, access is to be taken from a new road from The Cawsey

connecting to Carrwood Road. This new road, the Cross Borough Link Road is the subject of Policy A1. The development will be expected to provide for the construction of this road. The current outline planning application on the site has a resolution to approve subject to a Section 106 agreement which will deliver this road, together with affordable housing and public open space provision.

**Policy E5: Local Centres** seeks to protect and enhance A1 uses in order to achieve a minimum of 60%. This is to maintain the vitality and viability of the centre. Applications for other local centre uses including A2 Financial and Professional Services, A3 Cafés and Restaurants, A4 Drinking Establishments, and B1 Offices may be appropriate where it does not undermine the sustainability of the shopping area.

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

**Policy G10 Green Infrastructure Provision in Residential Developments** requires all new residential development resulting in a net gain of five dwellings or more will be required to provide sufficient Green Infrastructure to meet the recreational needs of the development,

**Policy G11 Playing Pitch Provision** requires all new residential development resulting in a net gain of five dwellings or more will be required to provide playing pitches in South Ribble, at a standard provision of 1.14 ha per 1000 population. Contributions will also be sought to fund or improve associated facilities (eg changing rooms).

**Policy G14: Unstable or Contaminated Land** has a presumption in favour of the redevelopment of previously developed land. Previously developed land can be unstable and subject to contamination. However, development will be encouraged on unstable or contaminated brownfield land subject to the following:

Applicants will be required to provide evidence of a satisfactory site investigation and show that any proposed remedial works are adequate to deal with any identified hazards; Development should not have an adverse impact on the stability of surrounding areas; Applicants should address the physical capability of the land, the adverse effects of instability on the development, or of adjoining development on unstable land, and the effects on (amongst other things) local amenities and conservation interests of the development and any remedial measures.

**Policy G15: Derelict Land Reclamation** encourages development on derelict land where the reclamation of land is required and appropriate. Schemes on derelict sites should:

- Provide employment and residential land in the urban areas thereby reducing pressure on greenfield sites;
- Maintain and improve the environment and include landscape enhancement measures.

**Policy G16: Biodiversity and Nature Conservation** seeks to protect, conserve and enhance the Boroughs Biological and Ecological Network resources. This policy requires that, where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, planning applications must be accompanied by a survey undertaken by an appropriate qualified professional. Where the benefits for development in social or economic terms is considered to outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or

compensatory habitat creation of an equal or greater area will be required through planning conditions and/or planning obligations.

**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; the proposal would sustain, conserve and where appropriate enhance the significance, appearance, character and setting of a heritage asset itself and the surrounding historic environment. Where a proposed development would lead to substantial harm or loss of significance of a designated heritage asset, planning permission will only be granted where it can be demonstrated that the substantial public benefits of the proposal outweigh the harm or loss to the asset; 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. Material Considerations**

### **9.1 Background**

9.1.1 In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), this planning application is to be determined in accordance with the development plan which consists of the Central Lancashire Core Strategy, the South Ribble Local Plan 2012-2026 and adopted Supplementary Planning Guidance, unless material considerations indicate otherwise. Consideration of the proposal will also have regard to guidance contained within the National Planning Policy Framework (NPPF) and the Development Plan.

Central Lancashire Core Strategy Policy 1 focuses growth and investment on well located brownfield sites. It advises that growth and investment will be concentrated in, among others, Lostock Hall, focussing on the regeneration of brownfield sites. The former Gas Works site was a large brownfield site, previous employment site. Indeed, in the Local Plan 2000, the wider former Gas Works site of which this current site is a parcel of, was allocated as Employment Land.

Chapter 9 of the Core Strategy considers economic prosperity and at paragraph 9.17 advises that the Lostock Hall Gasworks is a site of approximately 12 hectares. The site is centrally located within the urban core of South Ribble and provides a suitable location for mixed-use (residential, commercial and industrial) development, which will bring new employment that is accessible from existing residential areas as well as expanding the local housing options.

Core Strategy Policy 9 sets out the aims for economic growth and employment in the region and at criteria (e) encourages mixed use developments in central and accessible locations and identifies at (ii) Lostock Hall Gasworks and other sites identified in the Employment Land Review subject to the mix of uses taking due account of the impact on neighbouring occupiers and the need to maintain and create balanced communities.

9.1.3 In the current Local Plan, the wider site is allocated under Policy D1: Allocation of Housing Land site for residential development and related infrastructure as Site K. The supporting text advises: *“This 12 ha site, a former gasworks, is owned by National Grid. It has been cleared of buildings and the on-site contamination has been removed or treated. Contamination issues have now been addressed, so the site is now appropriate for redevelopment. The site is the subject of a current outline planning application for a mixed use scheme to include employment (B1, B8 uses), residential (C3) and local centre uses (A1, A2, A3, A4, A5). An updated planning application is expected to be submitted in 2012. The site will require infrastructure to bring it forward for development with the provision of a new access. As in the South Ribble Local Plan (2000), access is to be taken from a new road from The Cawsey connecting to Carrwood Road. This new road, the Cross Borough Link Road is the subject of Policy A1. The development will be expected to provide for the construction of this road. The current outline planning application on the site has a resolution to approve subject to a Section 106 agreement which will deliver this road, together with affordable housing and public open space provision.”*

9.1.4 It must be noted that the reference within this Local Plan text was to planning application 07/2006/1288/OUT for redevelopment of the site for mixed use development including employment (B1, B8) Local Centre (A1, A2, A3, A4, A5) and residential development (C3) and associated access road, which was subsequently withdrawn.

9.1.5 A further outline planning application 07/2013/0008ORM was then submitted in January 2013 and was described as an *‘Outline application (with all Matters Reserved except for the main point of access) for redevelopment of the site (12.1HA) for Residential Uses (Class C3) and a local centre (A1, A2, A3, A4 A5 and D1 together with delivery of the associated access road and other associated works.’*

9.1.6 As part of the Outline submission, a Masterplan SP(90)11B and Parameters plan SP(90)14 were also submitted. This current application site was shown on the Masterplan as an area for the Local Centre with dedicated parking areas and a landscaping area to The Cawsey frontage. It was also shown on the Parameters Plan as Area C with the plan key specifying:

### **C Local Centre**

Gross Area = 0.36 to 0.5 hectare (Subject to detail design)

Minimum Floor Level – 25.0 AOD

Maximum Ridge Height – 40.0 AOD

Maximum Floor Space – 1,400 sqm

9.1.7 On consideration of the outline application, the case officer’s committee report advises *“the applicant has submitted a Parameters Plan which fixes areas of the land for different uses. The Parameters Plan identifies 4 zones of development which are outlined below and includes: ... “Zone C: Local Centre, Gross Area 0.35-0.5 hectares, which is subject to detail design.”*

9.1.8 The report further went on to explain: *“The main areas and zones of the development site are made up of residential dwellings with the local centre situated near the main entrance of the site adjacent to what will be the Cross Borough Link Road.....  
.....It is also considered that the local centre is appropriately located, close to the entrance of the development and highly accessible to both future occupants of the proposed development as well as existing and future occupants of neighbouring residential areas. Furthermore, the Cawsey is dominated by a residential frontage, and it is considered that locating the local centre adjacent to The Cawsey would provide an opportunity for greater variation in the street scene as well as helping future business to attract passing trade. If a similar layout is brought forward at a later stage as part of a reserved matters application, it will be important to ensure that active frontages are created both towards The Cawsey, to*

*prevent the development appearing insular and to improve the street scene on this principle route....”*

9.1.9 The outline application was therefore duly considered and approved in light of what was applied for, including the provision of a local centre. Although a Section 106 Agreement was entered into which secured a number of Developer Contributions for providing off-site playing pitches; the provision of allotments; the monitoring of any Travel Plan associated with the Development; the installation of bus-friendly speed cushions from Leyland Road to the A6; and facilitating improvements to the Carwood Road/A6 roundabout junction, it did not secure the provision of the Local Centre. However, it did reference the Local Centre, restricting its development until the Link Road had been completed, stating at paragraph 4.1.1: *‘No development of a local centre on the Site shall be Commenced until the Link Road has been completed and is open to traffic.’* It is worth noting that although the Link Road was completed some time ago but has only just opened to traffic due to the requirement for additional safety measures such as a Toucan crossing, part of a scheme to improve safety for pedestrians and cyclists.

9.1.10 The outline application was approved with a number of conditions being imposed. Condition 11 required a phasing schedule for the development to be submitted for approval. The schedule was to include details of the order in which each phase of the site was to be developed. The Phasing Schedule N1030/P/PHASE PHASING LAYOUT was submitted as part of discharge of conditions application 07/2016/1301/DIS and shows the site as the area for the retail/leisure use in Phase 6 of the development, the last phase.

9.1.11 The outline approval was following by Reserved Matters application 07/2015/0315/REM for the erection of 281 dwellings with associated infrastructure and landscaping which was approved on 13<sup>th</sup> August 2015. The approved plans annotated the site as *“Area allocated for future recreation and retails units.”* The plan also showed the potential access point for retail area. However, no details were provided for the Local Centre. These facts all demonstrate that there was always the intention was to provide a Local Centre on the application site.

9.1.12 In the submitted Planning Statement with this current application, the applicant advises that *‘Policy D1 is a housing allocation policy, and there is no requirement in the policy to secure the delivery of a local centre. The only reference to a local centre is in the outline planning permission. The period in which reserved matters must be submitted has expired and the unimplemented part of the outline permission can no longer be implemented. There is no policy requirement to deliver a local centre on the application site therefore and no extant planning permission that would enable its delivery to be considered as a material consideration relevant to the determination of this application (ie the local centre cannot be considered as a commitment). This application must therefore only be considered on its merits and against the provisions of Policy D1 of the Local Plan.’*

9.1.13 What the time limit condition states is that *‘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.’*

9.1.14 A reserved matters application was made in 2015 which has commenced and included the site within the red edge and it was annotated as *‘Area allocated for future recreation and retail units’*. The reserved matters submission was made within the specified timeframe of 3 years for the residential development only and it is that element of the development which has been approved and commenced. No application was ever made for reserved matters approval for the local centre element with the result being that this element of the outline permission can no longer be implemented as per Town and Country Planning Act 1990 Section 93 (4) which states: *‘In the case of planning permission (whether outline or*

*other) which has conditions attached to it by or under section 91 or 92 — development carried out after the date by which the conditions require it to be carried out shall be treated as not authorised by the permission; and an application for approval of a reserved matter, if it is made after the date by which the conditions require it to be made, shall be treated as not made in accordance with the terms of the permission.'*

9.1.15 The developer's argument is that, given the above, there is no extant permission for a local centre with the consequence that the outline permission for such a centre is no longer material because it has lapsed.

9.1.16 Although there is scope for an argument whether a lapsed permission necessarily ceases to be material just because it has lapsed but there nevertheless is a clear distinction between a live permission and a lapsed permission and the latter, if material, cannot carry the weight of the former.

9.1.17 Regardless of the fact that the outline permission can no longer be implemented in respect of the Local Centre, it must be recognised that both the outline and reserved matters applications were duly considered in terms of the inclusion of a Local Centre. Whilst the provision of a Local Centre is not a policy requirement within Policy D1, the supporting text does make reference to a Local Centre – *'and local centre uses (A1, A2, A3, A4, A5).'* Therefore, there was the expectation that the Local Centre was required and would be delivered. This is seen as a necessary provision in terms of strong place making and building communities.

9.1.18 S38 (6) of the Planning and Compulsory Purchase Act (2004), requires this planning application is to be determined in accordance with the development plan, unless **material considerations** indicate otherwise.

9.1.19 Due consideration is therefore given to what, if any, material considerations there are which would give weight to the argument in favour of retaining the land for use as a Local Centre. In this respect Paragraph 124 of the NPPF provides guidance on design matters and makes clear that great weight should be given to *'The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*.

9.1.20 Additionally, Paragraph 127 d) of the NPPF recognises the need to *'establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and material to create attractive, welcoming and distinctive places to live, work and visit; and goes on to advise at 127 f) 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standards of amenity for existing and future users...'*

9.1.21 There is a considerable recent residential development in the immediate area, accessed off The Cawsey with Saxon Place, Handshaw Drive, Claytongate Drive just to mention 3 of the 11 recent new residential streets off the southern part of The Cawsey. This amounts to approximately 300 plus residential dwellings. There is also considerable residential development off the Carr Wood Road side of The Cawsey, with approximately 10 residential streets accessed off Carr Wood Road. There are also a large number of residential properties along Leyland Road and the streets off it. All of these residential areas would have the benefit of the use of the Local Centre and have the opportunity to easily access it. The provision of the Local Centre would create an amenity for all those existing residents together with the future residents of the wider site K. Additionally, new residents and purchasers of the dwellings on the wider Site K will have purchased properties in the knowledge that a local centre was proposed to serve the wider area.

9.1.22 The Tardy Gate District Centre is approximately 1.4kilometres (an 18 minute walk) from the site and the Capitol Centre is approximately 2.0 kilometres once The Cawsey is open. Whilst residents of the Site K development and other recent development have the opportunity to use the facilities the District Centre offers, they are likely to access this centre by car rather than foot. This in turn will have a knock on effect on the traffic congestion at the Brownedge Road/Leyland Road junction.

9.1.23 Of particular importance, is the impact on the highway network in the area. Highway movements would have been curtailed away from the Tardy Gate District Centre by the inclusion of a Local Centre and the proposal now to construct 12 dwellings instead of the intended Local Centre will result in the wider site K not being as sustainable without its inclusion.

9.1.24 Paragraph 8 of the NPPF advises that: *'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

***an environmental objective*** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'*

9.1.25 Whilst it is acknowledged that the allocated Housing site known as Site H Venon Carus and Land, Factory Lane, Penwortham, also known as the Penwortham Mills site proposes a convenience store on the opposite side of The Cawsey, just to the north-west of the application site, this is just a proposal at present, indicated on the Site Masterplan submitted as part of the site Scoping Opinion Request 07/2020/00380/SCO. It is not subject to any formal planning application or permission and therefore cannot carry weight as a material consideration as it may never be brought forward.

9.1.26 The applicant submitted a Retail report on 11<sup>th</sup> August 2020 in an attempt to demonstrate that there is no requirement for a Local Centre. The report concludes that the proposals for a Lidl represents a major hurdle for retail development on the application site *"as other food/convenience retailers will not be comfortable trading directly opposite a discount food retailer. The subsequent knock on effect is likely to impact the site significantly as without an anchor to the site it is unlikely that other occupiers will be will willing to commit to the development thus rendering it unfeasible."*

9.1.27 The report goes on to advise on other occupiers who may consider trading opposite a discount retailer, such as B&M Bargains but consider these will not fit the criteria of neighbourhood centre as they will require standalone units.

9.1.28 The report considers that, *"even if the Lidl proposed does not take place, the sites proximity to the established retail and leisure centres of Lostock Hall/ Tardy Gate and The Capitol Centre severely impact it's viability as a successful neighbourhood centre which will attract occupiers. The new link road will compromise this further with readily available access to the wider conurbation."*

9.1.29 As the report recognises, there is no certainty that a Lidl will be provided on the Penwortham Mills site and whilst it is true that there is retail and service provision with the Tardy Gate centre and the Capitol Centre, trips to these centres would undoubtedly be by car due to the distance. Although the report has highlighted the oversupply of food and fast food retail in the locality, which could act as an anchor for any potential scheme, it does not consider the wide range of other service provision such as hairdressers, beauty salon, dentists, pharmacy, vets, sandwich shop/café, village store, etc all of which could well serve the local community.

9.1.30 The retail report was considered by consultants on behalf of the council. They provided a report which included a review of the existing retail provision in the area; accessibility to defined centres; a consideration of the submission and a summary and conclusions

9.1.31 The summary and conclusions found:

- *“Within the vicinity of the site, there does appear to be a relatively good range of retail and leisure facilities. These are considered to be commensurate to serve the day-to-day needs of the wider community. In particular, there are a number of convenience operators which meet the ‘top-up’ shopping functions of residents, both existing and proposed;*
- *The provision of commercial floorspace at the application site would be sustainable and ensure that local residents had amenities within an easy walking distance and reduce the need to travel to Kingsfold or Tardy Gate to meet their day-to-day needs. However, given the analysis above, we do not consider that this would be sufficient grounds to restrict additional residential development at the site, and that residents at the former Lostock Hall Gasholder site and surrounding area would still have sufficient choice with the existing defined centres in the area;*
- *The site’s location within an acceptable walking distance to a district centre and a number of services must also be considered. These are located within an acceptable maximum walking distance from the site, and offer a considerable range of services and facilities that could meet the day-to-day needs of the local community; and*
- *We are of the view that, whilst the argument outlined by tfc is incorrect and does not reflect the reality of how many local centres operate, it is fair to question whether there is the market demand in this location for an additional local centre as the area is already well served and day-to-day needs can be met through existing provision accessible in the vicinity of the site.*

*5.4 As such, whilst the provision of commercial floorspace would be sustainable and ensure that local residents had amenities within an easy walking distance and reduce the need to travel to Kingsfold or Tardy Gate to meet their day-to-day needs.*

*5.5 Overall, we do not consider that this alone would provide the Council with sufficient grounds to restrict additional residential development at the site, and that residents at the former Lostock Hall Gasholder site and surrounding area would still have sufficient choice with the existing defined centres in the area.”*

9.1.32 One other point to note is that the wider site K provided just 10% affordable housing due to issues of viability. A viability assessment submitted at outline stage, took into consideration the priority to deliver the Cross Borough Link Road, mitigation measures that were required to the Local Nature Reserve and other section 106 requirements and demonstrated that the scheme could deliver just 10% affordable housing on site. This viability assessment would have been based on this current application site being for a local centre, not residential and therefore the outcome of the overall viability of the site would have been different had this site been for residential.

9.1.31 The provision of a Local Centre could have contributed positively to place making which would have represented good planning. However, given the view of Nexus on consideration of the submitted Retail Report, that although the provision of commercial floorspace would be sustainable they do not consider that this alone would provide the Council with sufficient grounds to refuse this application as residents of the former Lostock Hall Gasholder site and surrounding area would still have sufficient choice with the existing defined centres in the area.

## **9.2 Residential Amenity**

9.2.1 Properties on the opposite site of The Cawsey on Pinewood Road are partially obscured by mature landscaping. The access road to the proposed properties together with The Cawsey separate the development from these existing properties. The closest is approximately 32m from the proposal and therefore will not be unduly affected by the proposal in terms of residential amenity.

9.2.2 A number of dwellings have been completed on the wider site and are now occupied. Properties on the opposite side of Lyme Road are located between 21m and 24m from the proposed dwelling and therefore the normally required spatial separation is achieved.

9.2.3 The site layout has been amended since originally submitted. The original scheme was for 13 dwellings and it was considered that the relationship between Plot 5 of the proposed development and occupied plots 146 and 147 of the wider development was unacceptable in terms of spatial separation distances and outlook.

9.2.4 The amended scheme now has one detached dwelling with attached double garage to the rear of 146 and 147 at a distance of 15m to the side elevation of the dwelling and 10m to the single storey garage. This now meets the normally required spatial separation distances between the rear facing windows of the existing occupied plots and the side elevation of the proposed dwelling. This is to be an Oxford housetype with no first floor windows in the side elevation facing.

9.2.5 The neighbouring residents have objected to the proposal, commenting that they bought their plots in the knowledge that no property would back onto it as they had been informed by Morris Homes that there would be no dwellings built in that land and therefore consider they have been miss-sold the properties. However, this is not a planning issue but something the residents would need to take up with Morris Homes. What was initially a concern with the originally submitted layout was that, due to the below standard separation distance between the rear facing windows of existing and occupied properties and the side elevation of Plot 5, the scheme would result in a poor outlook for the occupants of plot 146 and particularly 147. However, the amended scheme with the removal of a pair of semi-detached properties replaced by a detached dwelling with attached single storey garage, the scheme is now considered acceptable in terms of residential amenity.

## **9.3 Character and Appearance**

9.3.1 The proposed dwellings are housetypes that have been used on the wider site. The proposed dwellings are red brick with stone cills and brick headers with tiled roofs and fit in with the dwellings opposite and adjacent.

9.3.2 Other existing properties on Pinewood Road on the opposite side of The Cawsey are of a modern style and design build in red brick with tiled roof. Other properties in the wider area are all relatively recent and also of modern style and design. Therefore, it is considered the proposal will have no undue impact on the character and appearance of the area.

## **9.4 Affordable Housing**

9.4.1 Paragraph 6.8 of the submitted Planning Statement recognises that Policy 7 of the Core Strategy sets out that the Central Lancashire authorities aim to achieve a target from

market housing schemes of 30% in the main urban areas and confirms that the applicant intends to provide a policy compliant scheme for affordable housing.

9.4.2 However, at criteria b), Policy 7 also advised that: *“Aside from rural exception sites the minimum site size threshold will be 15 dwellings (0.5 hectares or part thereof) but a lower threshold of 5 dwellings (0.15 hectares or part thereof) is required in rural areas.”*

9.4.3 As this site 0.50 ha is size and is within the urban area and proposes 12 dwellings, there is no policy requirement to provide affordable dwellings.

9.4.4 The Strategic Housing Officer confirmed that the applicant is clear in their Planning Statement that they intend to provide policy compliant affordable housing provision and is considering providing this off-site on the wider development of Site K. The Strategic Housing Officer advised that discussions to secure the affordable housing provision would be welcomed and further comments could be provided once the affordable housing position is clear.

9.4.5 The Planning Statement has caused some confusion by stating that the intention if to provide affordable housing on the wider site. The applicant has now confirmed no affordable housing will be provided. Whilst this is contrary to the submitted Planning Statement, it must be recognised that there is no policy requirement to provide affordable housing for a development of 12 dwellings.

## **9.5 Landscaping and Public Open Space**

9.5.1 A Landscaping plan has been submitted with the application which demonstrates structural planting in the form of trees, small ornamental trees and hedging together with ornamental planting in the form of general shrub beds, specimen plant, climbing plants, lawns and gravel areas.

9.5.2 The submitted Design and Access Statement also advises, as paragraph 5.7 that: *“The hard and soft landscaping is an important element of the proposals – particularly in helping to create a sense of place and emphasise the character areas.....Particular emphasis is placed on the use of native plants and trees so as to help create ecological enhancements and eventually a development that sits comfortably into its surroundings. An extensive tree survey has been produced and the findings have been incorporated into the Development Layout, with good quality trees being accommodated within the scheme and retained where possible. Trees that will have to be removed to accommodate the development will be replaced and a detailed Landscape Plan indicates the proposed replacement tree types and positions”*

9.5.3 Local Plan Policy G10 requires that all new residential development resulting in a net gain of five dwellings or more will be required to provide sufficient Green Infrastructure to meet the recreational needs of the development. Off-site provision will be at the Council's discretion delivered by developer contributions.

9.5.4 No public open space is proposed within this site and the policy requirement is 0.038ha of amenity green space with a commuted sum of £15,360 required for its maintenance unless a private maintenance agreement is in place.

9.5.5 As the development is within 1000m of Central Park, a contribution of £507 per dwelling is required, amounting to £6,084.

9.5.6 Additionally, Policy G11 requires a contribution of £1,507 per dwelling towards playing pitches. This would amount to a sum of £18,084. This would be subject to the identification of a specific project and Parks will therefore be requested to provide details of any projects in the vicinity of the site.

9.5.7 In order to secure the Open Space commuted sums, a Section 106 Agreement would need to be entered into should planning permission be granted.

## **9.8 Ecology**

9.8.1 The application is supported by A Preliminary Ecological Appraisal (PEA) including a desk study and site walkover survey were undertaken on 17th January 2020, including searches using the Multi Agency Geographic Information Centre (MAGIC).

9.8.2 The PEA provides an assessment of potential ecological impacts associated with the development of the land parcel. The development proposals include the construction of 12 residential dwellings which will form part of the larger residential development that surrounds the site and is already under construction (planning reference 07/2015/0315/REM).

9.8.3 The purpose of the survey was to identify, record and map dominant habitats types within the development area and highlight any further species surveys that may be required based on the quality of those habitats and the focus was concentrated on Amphibians; Reptiles; Badger; Bats; Hazel dormouse; Hedgerows; Plant communities; Invasive species; Otter; and Water Vole.

9.8.4 The Appraisal concluded that the proposed development will not result in a detrimental impact upon any designated sites of protected species. No priority habitats are present on site and no habitats of conservation value will be impacted by the development.

9.8.5 A Landscape Structure Plan has also been submitted which indicates a planting scheme to the boundaries of the site in the form of trees fronting onto The Cawsey and trees to the front garden areas of properties fronting Lyme Road.

9.8.6 GMEU advise that the site has only very low ecological value and did not comprise part of the ecological mitigation for the wider site. GMEU also comments on Great Crested Newts and Contributing to and Enhancing the Natural Environment, as follows:

9.8.7 Great Crested Newts - The only protected species issue previously was great crested newts owing to historic records on the site. No individual great crested newts were however found on the site at outline or reserved matters stage. These surveys are now out of date, but a re-assessment of the pond to the west in 2020 concluded no change in circumstances and no likelihood of great crested newts being present. The site is also considered hostile to great crested newts. GMEU accept that a re-assessment is adequate given the long history of surveys and negative results for this pond and the hostile nature of the site. Therefore, no further information or measures are required.

9.8.8 Contributing to and Enhancing the Natural Environment - Section 170 of the NPPF 2019 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The area proposed for development consists of amenity grassland and recently planted trees. The site was not included within the ecological mitigation for the wider site. Therefore, GMEU would expect replacement trees within the garden landscape and require a condition be imposed to secure the details.

## **9.9 Energy Efficiency**

9.9.1 An Energy Statement has been submitted with this application which sets out the measures planned by the developer to achieve CO2 reductions, in line with policy requirements. The Energy Statement sets out how design measures will be incorporated as part of the Development, aligning with the principles of the energy hierarchy i) Fabric first to reduce energy demand and ii) the use of Low-carbon and renewable energy technologies

9.9.2 The document concludes that by incorporating a combination of demand-reduction measures and energy-efficiency measures, the developer will reduce CO2 emissions by 1.61% over the Baseline. The proposed strategy is in line with the approved strategy for the

earlier development at Lostock Hall Gasworks. The total savings of CO<sub>2</sub> is 412 kg per annum representing a 1.61% reduction.

### **9.10 Education**

9.10.1 LCC Area Education Office draw the Council's attention to impacts associated with the development and the requirement for any propose mitigation of these impacts through a developer contribution which would be used in order to provide education places within a reasonable distance of the development for the children expected to live on the development.

9.10.2 They advise that, if an education contribution assessment identified the need for a contribution to be provided, they would, in effect, object to the application, advising that a developer contribution, including indexation would, in most cases, overcome the objection.

9.10.3 However, LCC Area Education Office confirm that an education contribution is not required at this stage, based on the latest information available at the time of their response.

### **9.11 Community Infrastructure Levy**

9.11.1 As the development proposes 12 new dwelling, it will be subject to a CIL charge amount to £162,788.74 to be used for infrastructure projects.

## **10. Conclusion**

10.1 The application site was indicated for the provision of a Local Centre on the Masterplan for Site K and on the approved plans for both the outline and reserved matters applications for Site K, the application site was shown as for the provision of the local centre. The Masterplan and both applications were duly considered in view of the provision of a local centre.

10.2 The proposal for 12 dwellings on the site has been supported by a Retail Report which has been duly considered by consultants on behalf of the Council. They consider that, the provision of commercial floorspace on this site would be sustainable and ensure that local residents had amenities within an easy walking distance and reduce the need to travel to Kingsfold or Tardy Gate to meet their day-to-day needs. However, overall, they do not consider that this alone would provide the Council with sufficient grounds to restrict additional residential development at the site, and that residents at the former Lostock Hall Gasholder site and surrounding area would still have sufficient choice with the existing defined centres in the area.

10.3 Therefore, on balance, it is considered that the proposal for 12 dwellings should be approved and a Section 106 Agreement entered into to ensure off-site public open space is provided.

### **RECOMMENDATION:**

That members be minded to approve the application with the decision being delegated to the Director of Planning and Property and the Chairman of Planning Committee upon the successful completion of a Section 106 Agreement to secure off-site contributions to Public Open Space

### **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg N284/P/PL02 Rev D Planning Layout; N284/P/HTELY/01 Ely Elevations; N284/P/HTELY/02 Ely Floor Plans; N284/P/HTRUF/01 Rufford Elevations; N284/P/HTRUF/02 Rufford Floor Plans; N284/P/HTAPP/01 Appleton Elevations; N284/P/HTAPP/02 Appleton Floor Plans; N284/P/HTBRO/01 Broxton Elevations; N284/P/HTBRO/02 Broxton Floor Plans; N284/P/HTMOR/01 Moreton Elevations; N284/P/HTMOR/02 Moreton Floor Plans; N284/P/HTWAR/01 Warwick Elevations; N284/P/HTWAR/02 Warwick Floor Plans; N284/P/HTSUFF/01 Suffolk Elevations; N284/P/HTSUFF/02 Suffolk Floor Plans; N284/P/HTOXF/01 Oxford Elevations; N284/P/HTOXF/02 Oxford Floor Plans; N284/P/HTBLEN/01 Blenheim Elevations; N284/P/HTBLEN/02 Blenheim Floor Plans; 13/006 REv A Single Detached Garage; N284/P/MP02 Rev ?? Materials Plan; M2489.24 Landscape Structure Plan

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

3. Prior to the commencement of development a Construction Traffic Management Plan (CTMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CTMA shall include and specify the provisions to be made for the following:-
- a) The parking of vehicles of site operatives and visitors;
  - b) Loading and unloading of plant and materials used in the construction of the development;
  - c) Vehicle wheel washing facilities;
  - d) Storage of such plant and materials;
  - e) Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
  - f) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties and obstruct the public highway.

Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

4. A wheel wash shall be installed and used at the entrance of the site by all vehicles leaving the site to prevent the transfer of debris onto the public highway, during site preparation and construction phases of the development. Prior to the commencement of any works on site details of the wheel wash and its location shall be submitted to the local planning authority for written approval.

REASON: In the interests of highway safety and other highway users in accordance with Policy 3 in the Central Lancashire Core Strategy and in the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy.

NOTE TO APPLICANT: The details to be provided to discharge this condition shall as a minimum include:

- Location,
- Type of wheel wash
- Water source
- Prevention and treatment of water run off
- Management of the use of the wheel wash
- If road sweepers are to be used - the company providing the road sweeper, response times, criteria to be followed for calling the road sweeper.

5. 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

6. During the site preparation and construction of the development no machinery, plant or powered tools shall be operated no process carried out and no deliveries taken at or dispatched from the site outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at any time 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

7. Prior to the commencement of any works on site, details of all piling activities shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to 09:30-17:00 Monday to Friday with no activity Saturday, Sunday or nationally recognised Bank Holidays.

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

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

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

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

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

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

9. No external flooding lighting or security lights shall be installed at the permitted development without first obtaining written permission from the local planning authority.

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

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

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

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

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

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution, in accordance with Policy 29 in the Central Lancashire Core Strategy.

11. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
  - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and
  - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, in accordance with Policy 29 in the Central Lancashire Core Strategy
12. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy 29 in the Central Lancashire Core Strategy.
13. Electric vehicle recharge points shall be provided to every property, prior to first occupation. This shall consist of as a minimum a 7Kwh 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.
14. The Approved Landscape Structure Plan M2489.24 shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

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

## **RELEVANT POLICY**

### **National Planning Policy Framework**

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

Policy 1 Locating Growth

Policy 9 Economic Growth and Employment

Policy 17 Design of New Buildings

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

D1 Allocations of housing land

- E5 Local Centres
- F1 Car Parking
- G14 Unstable or Contaminated Land
- G15 Derelict Land Reclamation
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

**Informative Note:**

1. It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.

# Agenda Item 6

**Application Number** 07/2020/00373/REM

**Address** Land South Of 89 Langdale Road  
Langdale Road  
Leyland  
Lancashire

**Applicant** Lanley Homes Ltd

**Agent** Mr Nathan Tonge  
Farington House  
Stanifield Business Park  
Stanifield Lane  
Farington  
Leyland  
PR25 4UA

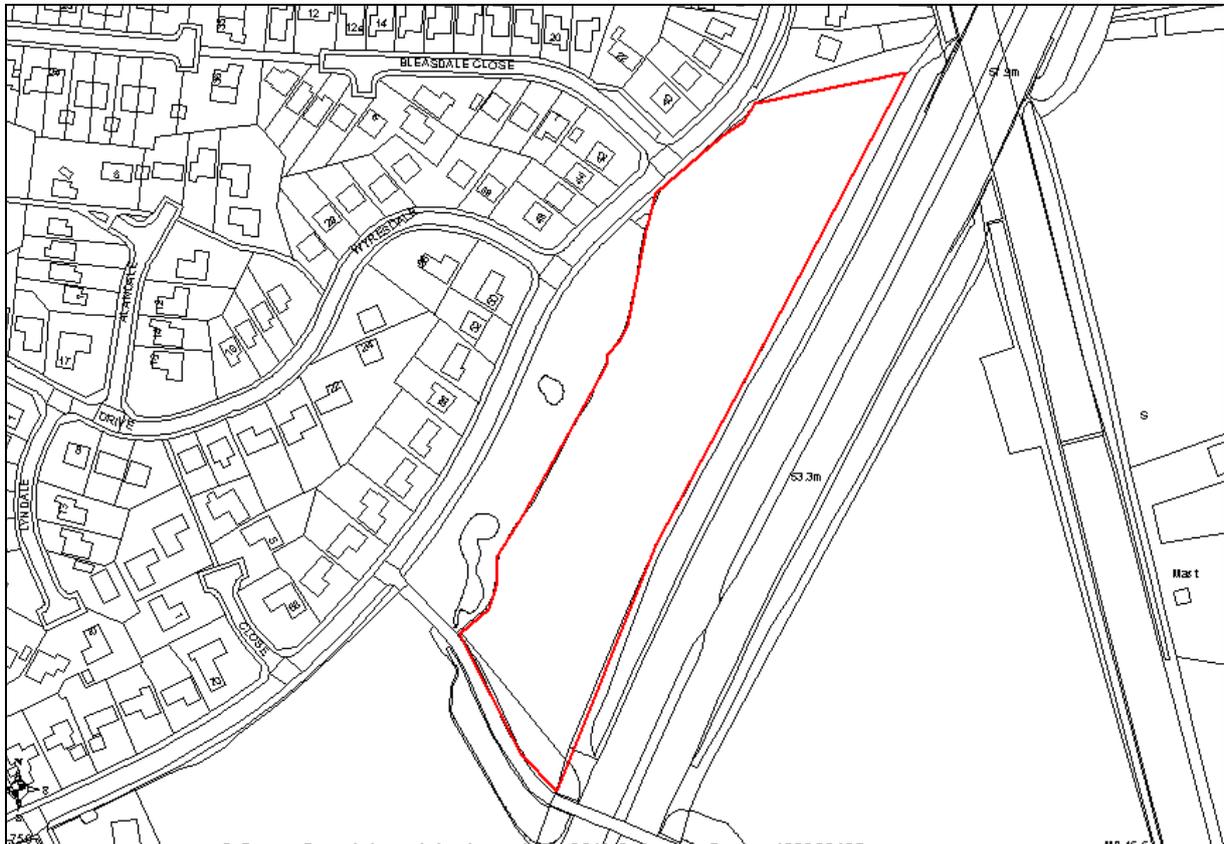
**Development** Reserved matters application (namely layout, scale, appearance and landscaping) pursuant to outline permission 07/2018/0334/OUT for erection of 14 dwellings and associated landscaping and infrastructure.

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

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

Date application valid 01.05.2020  
Target Determination Date 31.07.2020  
Extension of Time 30.09.2020

## Location Plan



## **1. Report Summary**

1.1 This application seeks the approval of Reserved Matters for the layout, scale, appearance and landscaping following outline planning approval which granted the principle of development of the site for 14 dwellings with the means of access

1.2 A Section 106 Agreement was entered into at the outline stage 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 agreement also included an off-site affordable housing contribution. It was considered that off-site affordable housing was more appropriate given the location of the site and the limited number of dwellings proposed.

1.3 A number of conditions were imposed on the outline approval with two of them requiring the submission of details at Reserved Matters stage. These are condition 3 requiring a drainage scheme and drainage management; and condition 19 requiring a tree survey. Other conditions imposed are subject to a separate discharge of conditions application.

1.4 The details of the drainage scheme have yet to be resolved with the LLFA who have not responded to the amended plans at the time of compiling this report. Any comments received will be reported either verbally at planning committee or on the update sheet. However, the scheme is in line with what Highways England require to ensure the integrity of the M6 motorway.

1.5 There are a number of matters to be resolved. However, these can be done through the discharge of conditions process and therefore the application is recommended for approval subject to the imposition of conditions.

## **2. 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 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 does not form part of the application site boundary although it is within the same ownership.

## **3. Planning History**

3.1 During the course of pre-application discussions, prior to the submission of the outline application, 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.

3.2 Outline application 07/2018/0334/OUT 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 was approved 16 May 2019.

3.3 07/2020/00474/DIS Submission of details of conditions 3 (Surface water drainage) 5 (Sustainable drainage) 8 (Dust management plan) 9 (Site compound/storage yard) 12 (Piling) 13 (Desk study) 18 (Invasive plants method statement) 20 (Tree protection plan) 22 (Highway improvement works) pursuant to planning permission 07/2018/0334/OUT dated 16/05/19. Condition 8 has been partially approved but can only be fully discharged on completion of the development; conditions 9, 12 18, 20, 22 have all been discharged; and conditions 3, 5 and 12 are currently pending.

#### **4. Proposal**

4.1 This Reserved Matters application seeks approval of the layout, scale, appearance and landscaping of the proposed development of 14 detached dwellings, as follows:

- Plot 1 – Lytham housetype, a 2-storey, 4-bed dwelling with detached single garage
- Plot 2 – Croston plus housetype, a 2 ½ - storey with accommodation in the roof space, 4-bed with playroom and study and detached double garage
- Plot 3 – Eccleston plus housetype, a 2 ½ -storey, with accommodation in roof space with 4-beds, hobbies room and playroom and dressing room with attached double garage with accommodation over.
- Plot 4 – Worden Plus 2-storey with accommodation in roof space with 4 bedrooms and a playroom and study with integral double garage
- Plot 5 – Fairhaven Plus, a 2 ½ storey with accommodation in roof space with 4 bedrooms playroom and study with detached single garage
- Plot 6 – Lytham Plus housetype, a 2 ½ storey with accommodation in roof space and rear dormer, 4 bedrooms, hobbies and playroom with detached single garage
- Plot 7 – Eccleston plus housetype, a 2 ½ -storey, with accommodation in roof space with 4-beds, hobbies room and playroom and dressing room with detached single garage
- Plot 8 – Fairhaven Plus housetype, a 2 ½ storey with accommodation in roof space, 4-bedrooms with playroom and study and a detached single garage.
- Plot 9 – Croston Plus housetype, a 2 ½ storey with 4-bedrooms, a playroom and study and detached single garage
- Plot 10 – Worden Plus housetype, 2 ½ storey with accommodation in the roof space, 4-bedrooms with study and playroom and an integral double garage
- Plot 11 – Lytham plus housetype, a 2 ½ storey with rear dormer and accommodation in the roof space. 4- bedrooms with playroom and hobbies room and detached single garage
- Plot 12 – Croston Plus housetype, 2 ½ storey with accommodation in the roof space, 4-bedrooms with study and playroom and a detached single garage
- Plot 13 – Fairhaven plus housetype, 2 ½ storey with accommodation in the roof space, 4-bedrooms, study and playroom and a detached single garage
- Plot 14 – Worden Plus housetype, 2 ½ storey with accommodation in the roof space, 4-bedrooms with study, playroom and integral double garage

4.2 All dwellings are provided with a minimum of three in-plot parking spaces in the form of private driveways or garages. The proposed dwellings and detached garages are to be constructed in a combination of red coloured brick and white render, with grey slate roof tiles.

4.3 An area of amenity open space is proposed to the northern part of the site, close to the access point off Langdale Road. Tree and fauna planting is proposed within this area, together with the erection of a feature stone wall at the site entrance.

## 5. **Submitted Supporting Plans and Documents**

- Proposed Site Layout 18-084-PO1 Rev A
- Acoustic Barrier General Arrangement and Detail 2019-166-007
- Housetype Plans: Plot 1 Lytham 18/084/P02; Plot 2 Croston Plus 18/084/P03 Rev A; Plot 3 Eccleston Plus 18/084/P04 Rev A; Plot 4 Worden Plus 18/084/P05; Plot 5 Fairhaven Plus 18/084/P06; Plot 6 Lytham Plus 18/084/P07; Plot 7 Eccleston Plus 18/084/P08; Plot 8 Fairhaven Plus 18/084/P09; Plot 9 Croston Plus 18/084/P10 Rev A; Plot 10 Worden Plus 18/084/P11; Plot 11 Lytham Plus 18/084/P12; Plot 12 Croston Plus 18/084/P13 Rev A; Plot 13 Fairhaven Plus 18/084/P14; Plot 14 Worden Plus 18/084/P15
- Single Garage 18/084/G01 and Double Garage 18/084/G02
- Landscape Proposals Plans 6212.01 Rev C and 6212.02 Rev C
- Landscape Management Plan MD/6212/LMP REV B /MAR20
- Planning Statement dated April 2020
- Noise Assessment 101448-4 dated 7th April 2020
- Habitat Management Plan (no reference)
- Invasive Species Management and Habitat Plan dated 24th March 2020
- Updated Ecological Survey and Assessment 2017-336 dated November 2017
- Flood Risk Assessment and Drainage Strategy D2094-FRA-01 dated 16th January 2018
- Geoenvironmental Appraisal 30209/1 Dated November 2019
- Hazardous Gas Risk Assessment 30209/GRA/aja/016
- Supplementary Ground Investigation–Proposed Earth Bund and Acoustic Fence 1235 Rev 0
- Arboricultural Impact Assessment and Method Statement 20/AIA/SRIBBLE/03 Rev B
- Financial Viability Update dated April 2020
- CIL Forms

### 5.1 Additional plans/documents submitted 20 August 2020:

- Geoenvironmental Assessment
- Greenfield runoff plan
- Proposed surface water model results
- Proposed surface water model volumes
- Proposed pond layout and details
- Proposed impermeable areas plan
- Proposed exceedance routes plan
- Existing pond details
- CCTV survey
- Langdale Road Plan
- Manhole details
- Plan
- Existing culvert route
- Proposed drainage layout plan
- Proposed drainage details plan
- Swale and acoustic mound drainage details

## 6. **Summary of Publicity**

6.1 Neighbouring properties were notified, a site notice posted in the vicinity of the site and a press notice published in the local newspaper. One letter of representation was received, objecting to the proposal on the following grounds:

- Another access road coming onto Langdale Road

- Langdale Road is an extremely busy road
- Buses accessing Runshaw College plus students' cars coming and going
- Langdale Road uses as a cut through road

## 7. **Summary of Consultations**

7.1 **County Highways** base their comments on all the information provided by the applicant to date. The principle of development and access were approved as part of the outline planning application 07/2018/0334/OUT. The internal road layout and proposed level of parking (driveways and garages) as shown on drawing 2019-166-006 B is acceptable and therefore County Highways have no objections.

7.2 **Highways England** initially raised concerns relating to the security of the site in relation to the motorway and to the form and construction of the proposed earth bund and acoustic fence. They advised that there were some aspects on which further information was required in order to form a view on the proposals and therefore this application should not be determined until this information is provided and reviewed.

7.3 Correspondence and discussions between the applicant and HE then took place. As a result, additional plans and details were submitted. Highways England were reconsulted and confirmed that their concerns on tree protection and the site compound had been addressed but that details were required on the drainage system to be used together with details of the maintenance regime to be used.

7.4 Following the submission of further details and clarification by the applicant's drainage consultants and further discussions, Highways England reached agreement with the developer and confirmed that they had no objection subject to the condition that works are executed in accordance with the revised drawings and statement letter concerning the positioning of the boundary fence. This can be secure by conditions as recommended by Highways England.

7.5 **Environmental Health** recommend a number of conditions are imposed to ensure the development is carried out in accordance with details outlined in the Invasive species management and habitat management plan by ALM Consult and the Hazardous Gas Risk Assessment Report by ALM Consult.

7.6 Environmental Health initially advised that, in respect of conditions 6 and 7 imposed on the outline permission, the details provided within this Reserved Matters application would not satisfy the requirements of those conditions and therefore further details are required. The applicant was made aware of these comments and provided additional details.

7.7 Environmental Health reviewed these details and confirmed that the development should be carried out in accordance the standards and mitigation measures outlined in the Noise Assessment Report by Miller Goodall dated 7th April 2020, Ref 101448-4. A condition can be imposed to ensure these measures are carried out and the inclusion of such a condition would serve to replace Condition 7 of the outline permission.

7.8 In terms of condition 6, Environmental Health consider it would be necessary for the developer to submit the management and maintenance plan, as per the wording of the condition, before it can be considered to have been satisfied. The condition required a maintenance management plan be submitted prior to first occupation of the properties and therefore does not need to be addressed as part of this Reserved Matters application. However, details were included on the plan dwg 2019-166-007A entitled 'Proposed Acoustic Barrier General Arrangement and Details of Mound and Fence' which was further considered by Environmental Health who confirmed that, further to the provision of the plan detailing the maintenance and management of the acoustic fence they have no objection providing that the acoustic barrier is fully completed and maintained throughout the life of the development.

7.9 **United Utilities** advise that they reviewed the submitted Drainage Layout Drawing, prepared by Graham Schofield Associates, Ref: 2019-166-001, Rev: C, Dated: 14.04.2020 and confirmed the plans are acceptable in principle. However, whilst the drainage layout plan is acceptable in planning terms, it would not be considered for adoption due to a number of reasons, including that the drainage is located within gardens, rather than the highway and the site wide drainage appears to be accepting overland flow which United Utilities will not accept into public sewer networks. UU also advise that, without effective management and maintenance, sustainable drainage systems can fail or become ineffective. They therefore recommend a condition is imposed requiring the submission of a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. However, a condition was imposed on the outline approval requiring that 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. The condition included a number of matters which the management and maintenance plan needs to include and is currently being dealt with as part of discharge of conditions application 07/2020/00474/DIS and therefore it is not considered necessary to re-impose this condition.

7.10 **Local Lead Flood Authority (LLFA)** initially objected to the proposals, commenting that the site lies within Flood Zone 1 defined by the Planning Practice Guidance as having a low probability of flooding. However, the proposed scale of development may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed. The lack of detailed information in relation to surface water drainage means the LLFA cannot assess whether the development proposal meets the requirements of the NPPF or PPG in principle. The LLFA provided details of what would be required to overcome their objection and this was passed to the applicant's agent for action.

7.11 Further plans and details were then submitted and the applicant's drainage consultants GSA clarified certain points. The LLFA were re-consulted but had not responded at the time this report was compiled and any comments received will be reported verbally to planning committee or on the update sheet issued ahead of the meeting.

7.12 **Environment Agency** did not respond to the consultation request.

7.13 **Strategic Housing** comment that the affordable housing provision was agreed at outline stage and is to be provided by way of off-site financial contribution. This Reserved Matters application maintains the proposals for off-site contribution. A financial contribution will support and enable the delivery of affordable housing at alternative location(s) across the borough.

7.14 **Greater Manchester Ecology Units (GMEU)** advised that the most important features of ecological value on the site are the small areas of woodland at the eastern and western site boundaries. These areas will be retained, but the trees and woodland will need to be protected and maintained in future. Although some management proposals for the woodland have been proposed in both the habitat management plan and the proposals for controlling invasive plant species, these proposals are rather limited.

7.15 GMEU note the proposal to restore the ponds within the woodland as SUDs features. Although SUDs ponds can function as valuable habitats this will require sensitive design and management of the ponds. Therefore, GMEU recommend a condition to secure details of the creation, function and management of these ponds. However, the applicant has confirmed they are not looking to reinstate the ponds as they are already there and that is where surface water already runs off to. There is a culvert at both ends of the woods, so there is nothing particularly to design as it will just be a SUDS system through the woods as it already is.

7.16 They also consider that the woodland could benefit from the introduction of woodland flora and the landscape plan should be amended to include this. However, the applicant does not consider this is appropriate given that additional flora in the woodland was not requested by GMEU when they responded to the outline application. Therefore, there was no relevant condition requiring for this to be included. Moreover, they are already providing significant additional trees to the POS and replacement of some trees in the woodland as per the arboriculture impact assessment. Therefore, it is considered inappropriate now to require such measures.

7.17 In respect of the measures proposed for the control of Himalayan balsam on the site, GMEU has no objections to the proposals providing they are implemented in full as part of the development.

7.18 Finally, details of the proposal to erect bat and bird boxes on the site are required and can be secured by a condition.

7.19 **Arboriculturist** comments that, on the western side of the site are mature protected trees which will have a significant impact on the amount of available light throughout the year. The future growth of these trees will only exacerbate this situation and may lead to unjustifiable requests for pruning works to protected trees. Additionally, any boundary fencing should be constructed using sleeves to house the concrete to prevent seepage into the surrounding area. Therefore, the Arboriculturist requires a condition be imposed in order to minimise damage to tree roots and prevent seepage into the soil. Conditions are also required to ensure the erection of protective fencing in accordance with drawing 03 of 20/AIA/SRIBBLE/03 (Rev B) April 2020 prior to development commencement; to ensure signage is provided; that any permission for access into the RPA should be agreed in writing with the local authority prior to entry; that existing ground levels should be retained within the RPA and excavated by hand; that all newly planted trees should have a replacement condition attached for replanting on a like for like basis for a minimum of five years and that no machinery, tools and equipment should be stored within the RPA of any trees on site.

7.20 **Keppie Massie** the Council's advisors on viability assessments, have advised that, based on their testing, they consider that the development can support an affordable housing contribution of £103,832. This is only a marginally greater sum than the value that is already detailed within the relevant S106 Agreement Affordable Housing sum of £103,750.

7.21 It is on the basis of the above that the sum that is already contained within the S106 Agreement at £103,750 is reasonable, and they agree with the Applicant's FVA that considers that there is limited scope to increase the proposed affordable housing contribution based on the current scheme proposals that have been submitted as part of the Reserved Matters Application. This is discussed in more detail in the Viability section of this report.

7.22 Following the submission of amended plans/housetypes, the CIL contribution, based on the floor area of the dwellings, was amended and Keppie Massie re-ran the figures based on the new floor area. Any further comments will be reported either verbally at planning committee or on an update sheet.

7.23 **Police Architectural Liaison Officer** did not response to the consultation request.

## 8. Policy Background

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

- **Policy 1: Locating Growth** concentrates growth and investment in specified areas, including the key service centre of Leyland/Farington.

- **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 Documents

- 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. Material Considerations**

### **9.1 Site Access**

9.1.1 The Outline permission 07/2018/0334/OUT established the principle of residential development for this site together with the means of access. The 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.

9.1.2 At outline stage, County Highways commented that the available sight lines from the access onto Langdale Road were acceptable and fully achievable over the existing adopted highway and within the applicant's control. However, they did raise the matter of the existing bus stop located adjacent to the proposed access which has the potential to have a negative impact on the available sightlines of vehicles exiting the site. County Highways therefore requested that the bus stop be relocated away from the proposed junction as part of a Section 278 agreement. This was subject to Condition 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"*

9.1.3 As part of this Reserved Matters submission, a Section 278 Works Layout Plan has been provided. This shows the new location of the lighting column. However, County Highways have advised that condition 22 of the outline approval should be subject of a discharge of conditions application, with the details regarding the access and off-site highway improvements to be submitted then. Discharge of conditions application 07/2020/00474/DIS includes condition 22 of the outline approval and County Highways have confirmed the documents submitted are acceptable to discharge condition 22 although the proposed works within the adopted highway will need technical agreement and be undertaken as part of a section 278 agreement of the Highways Act.

9.1.4 A letter of objection has been received raising the issue that this will introduce another access road coming onto Langdale Road which is an extremely busy road, particularly with buses and student vehicles accessing Runshaw College. They also comment that Langdale Road is used as a cut through road for delivery vehicles. However, as indicated above, the access was part of the outline determination and County Highways as Highway Authority, have no issues with this additional access.

### **9.2 Internal Road Layout**

9.2.1 The submitted Planning Statement advises that the proposed carriageway has a width of 5.5m and 2m footpath and this is demonstrated on the submitted plans. The layout includes a turning head at the southern end of the site. As demonstrated on the submitted swept path analysis, the turning head will allow for the turning of vehicles such as a twin axle refuse vehicle. County Highways comment that the internal road layout as shown on drawing 2019-166-006 B is acceptable and have no objections.

### **9.3 Strategic Road Network Impact**

9.3.1 Highways England are appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such they work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

9.3.2 The application site is immediately adjacent to the M6 motorway and Highways England's concern relates to the security of the development site in relation to the motorway and the form and construction of the proposed earth bund and acoustic fence. At outline stage, they advised on 8 points which were included as informative notes on the outline decision notice. These were:

- 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.*

9.3.3 With regards to this Reserved Matters application, Highways England initially advised that this application should not be determined until at least 29<sup>th</sup> July 2020 as there were some aspects that they required further information on before they could provide a view on this application. These are set out below:

- Design detail of the noise attenuation bund and fence
- Clarification of the solution to be employed to appropriately transfer the wind load from the fence into the embankment

- Assessment of the potential settlement on the motorway embankment once the dimensions of the bund and its proximity to our embankment are known.
- Details of the drainage system to be used in order to ensure that surface water runoff from the embankment is managed without affecting the stability of the adjacent motorway embankment.
- Clarification as to how the roots of the trees on the motorway embankment would be protected during construction of the shallow swale drain along the outer line of the existing trees on the M6 verge.
- Details of the maintenance regime to be used for the swale to ensure they continue to perform as expected without any impact on Highways England's assets
- Details of the additional fencing required to provide security between the development and the motorway

9.3.4 The applicant was informed of Highways England requirements and following correspondence and discussions between the applicant and HE then took place. As a result, a Supplementary Ground Investigation report for the proposed earth bund and a plan of the acoustic fence were submitted together with revisions to the Arboricultural Impact Assessment which shows Heras root protection fencing all the way down the motorway side as well as the woodland side, and a revised site compound plan and updated CEMP which now refers to the trees and arboriculture report and the relevant plan in that report, which also shows the motorway trees fenced.

9.3.5 HE were then reconsulted and confirmed that their concerns on tree protection and the site compound had been addressed. However, they still had concerns regarding the drainage of the earth bund slope facing the motorway, commenting that: *'Whilst the applicant has proposed to omit the swale drain along this section of the bund in order to protect the roots of the adjacent trees, HE considers this is likely to result in the water not being able to drain away due to the presence of clay in the underlying ground.'* Highways England therefore formally recommended that the holding period be extended until the 25th September 2020.

9.3.6 Following this, the following plans and reports were submitted:

- Geoenvironmental Assessment
- Greenfield runoff plan
- Proposed surface water model results
- Proposed surface water model volumes
- Proposed pond layout and details
- Proposed impermeable areas plan
- Proposed exceedance routes plan
- Existing pond details
- CCTV survey
- Langdale Road Plan
- Manhole details
- Plan
- Existing culvert route
- Proposed drainage layout plan
- Proposed drainage details plan
- Swale and acoustic mound drainage details

9.3.7 The applicant's drainage consultants GSA also clarified that they have:

- Compiled a set of Hydraulic Model Calculations for drainage scheme outline previously with the reprofiled pond, which have been simulated as requested for 1 in 1

- year, 1 in 2 year, 1 in 30 year and 1 in 100 year + 40% Climate Change, included volumes in the pipes and available in the pond as requested.
- Provided a report from the HR Wallingford Greenfield Runoff Estimation tool for the greenfield runoff calculations
  - Produced additional drawings for the Proposed Pond Details, this includes a long section and cross sections for the proposals along with construction details indicating top water levels for 1 in 30 year and 1 in 100 year + 40% Climate Change and a volume analysis. Also provided is a drawing indicating the volume of the existing ponds, again with long and cross sections. Also included is a drawing indicating the line of the existing culvert which discharges to Shaw Brook with photographs of the existing headwall in the pond and the outfall in Shaw Brook. Drain Alerts survey information is also included for completeness.
  - As previously noted, a drainage model is produced demonstrating that for the 1 in 100 year + 40% Climate Change there is a small amount of exceedance to the surface which is acceptable, however, an exceedance route drawing to demonstrate where this would flow to within the site is also provided.
  - Provided construction details for the drainage and details for the swale and the acoustic mound as requested.

9.3.8 Following further discussions with the applicant regarding the drainage of the earth bund slope facing the motorway, Highways England confirm they had reached agreement with the developer and have no objection to this reserved matters application subject to the condition that works are executed in accordance with the revised drawings and statement letter concerning the positioning of the boundary fence. This can be controlled by conditions, as recommended by Highways England, as follows:

- 1) *The design and management of the earth bund and associated drainage is carried out in accordance with Drawing 2019-166-014 Rev. B (Proposed Drainage Details), Drawing 2016-166-013 Rev A (Acoustic Mound and M6 Embankment Drainage Details) and Drawing 2019-166-001 Rev F (Drainage Layout) and the Management and Maintenance Plan Issue 3.*
- 2) *The layout of the permanent site boundary fencing is done in accordance with Drawing 18-084-P01A Rev A with a minimum 1 metre set-back from the motorway boundary.*

#### 9.4 Flood Risk and Drainage

9.4.1 Condition 3 of the Outline approval required the submission of a surface water drainage strategy as part of the reserved matters application. This condition was requested by LLFA and stated:

*'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. Surface water drainage scheme which as a minimum shall include:*

*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;*

*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;*

*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);*

- *Flood water exceedance routes, both on and off site;*
- *A timetable for implementation, including phasing where applicable;*
- *Site investigation and test results to confirm infiltrations rates;*
- *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.*

9.4.2 The submitted Geoenvironmental Report concludes that soakaways will not be a practical drainage solution for surface water run-off at the site. Accordingly, surface water will instead discharge to a culvert located at the southern extent of the woodland area. The submitted supporting drainage scheme (2019-166-001-B) illustrates a SuDS approach which comprises techniques including a swale extending along most of the eastern boundary and utilises the attenuation volumes available in two existing ponds located in the woodland to the west of the site. The proposals also include the reprofiling of land between the two ponds for additional attenuation.

9.4.3 The Planning Statement also advises that the proposed surface water drainage scheme will comply with hierarchy of surface water drainage options set out in PPG and, with regards to foul, the drainage layout shows a proposed foul connection to the existing public sewer, which has been approved in principle by United Utilities.

9.4.4 United Utilities reviewed the submitted Drainage Layout Drawing, prepared by Graham Schofield Associates, Ref: 2019-166-001, Rev: C, Dated: 14.04.2020, and advised that, whilst the drainage layout plan is acceptable for planning purposes, it would not be considered for adoption due to a number of reasons including that the drainage is located within gardens, rather than the highway and the site wide drainage appears to be accepting overland flow which United Utilities will not accept into public sewer networks.

9.4.5 Additionally, UU advised that, without effective management and maintenance, sustainable drainage systems can fail or become ineffective and therefore recommend a condition be imposed requiring the submission of a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. However, it must be recognised that such a condition was imposed on the Outline approval as Condition 5 and which is current subject to a discharge of conditions application.

9.4.6 The LLFA initially objected to the proposals, commenting that the application lies within Flood Zone 1 defined by the Planning Practice Guidance as having a low probability of flooding. However, the proposed scale of development may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed. The lack of the following detailed information in relation to surface water drainage means the LLFA cannot assess whether the development proposal meets the requirements of the NPPF or PPG in principle:

- The drainage design and layout have been changed so parts of the drainage strategy will have to be revised accordingly.
- All the surface water discharges to a culvert on the southern boundary of the development. Evidence will be required to prove that this culvert discharges to an open watercourse which then discharges into Shaw Brook.

- Intrusive ground investigation report including borehole logs.
- Proposed site plan showing exceedance routes and identification of catchment areas.
- The un-controlled surface water outfall on the pond banking at the northern end is not acceptable. The outfall should be on the edge of the pond.
- According to the surface water layout drawing the surface water from the lower pond overtops and flows across land to the inlet of a culvert. Both the method of discharge to the culvert and the fact that it is un-restricted are not acceptable. The surface water discharge must not exceed the greenfield run off rate.

9.4.7 Therefore, the LLFA requested detailed design drawings, including;

- Drainage details drawing.
- Cross section drawings of existing and re-profiled ponds with 1 in 1 year, 1 in 30 year and 1 in 100 year + climate change water levels.
- Detailed cross section drawings of filter drain and swale.
- Details of attenuation pond inlet and outlet, including cross section drawings.
- Attenuation design and breakdown of attenuation volume in pipes, manholes and attenuation pond.
- Sustainable drainage system flow calculations (PDF files showing the input and the output data for flow calculations) and storm simulation plan are required for :
  - 1 in 1 year;
  - 1 in 2 year;
  - 1 in 30 year; and
  - 1 in 100 year + climate change
 Greenfield run off calculations are also required.

9.4.8 The LLFA consider their objection can be overcome by the submission of revised drainage strategy, discharge location verification, ground investigation report, exceedance route drawings, catchment area drawing, attenuation pond revisions, detailed construction drawings and attenuation and drainage system flow calculations.

9.4.9 The LLFA also advise that details of the highway drainage have not been included so it is not possible to make any comments. The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on and the highway drainage proposals should be made as soon as possible.

9.4.10 Following submission of further plans and details to address these issues and those raised by Highways England, the LLFA were reconsulted. The plans and documents are listed below:

- Drainage Layout plan 2019 - 166 - 001 Rev F
- Geoenvironmental Assessment
- Greenfield runoff plan
- Proposed surface water model results
- Proposed surface water model volumes
- Proposed pond layout and details
- Proposed impermeable areas plan
- Proposed exceedance routes plan
- Existing pond details
- CCTV survey
- Langdale Road Plan
- Manhole details
- Plan
- Existing culvert route
- Proposed drainage layout plan
- Proposed drainage details plan
- Swale and acoustic mound drainage details

9.4.11 The Surface Water Management and Maintenance Plan 2019.166 Dated June 2020 by Graham Schofield was updated to Issue 2 dated 18 August 2020 and the drainage consultants GSA have clarified that they have:

- Complied a set of Hydraulic Model Calculations for drainage scheme outline previously with the reprofiled pond, which have been simulated as requested for 1 in 1 year, 1 in 2 year, 1 in 30 year and 1 in 100 year + 40% Climate Change, included volumes in the pipes and available in the pond as requested.
- Provided a report from the HR Wallingford Greenfield Runoff Estimation tool for the greenfield runoff calculations
- Produced additional drawings for the Proposed Pond Details, this includes a long section and cross sections for the proposals along with construction details indicating top water levels for 1 in 30 year and 1 in 100 year + 40% Climate Change and a volume analysis. Also provided is a drawing indicating the volume of the existing ponds, again with long and cross sections. Also included is a drawing indicating the line of the existing culvert which discharges to Shaw Brook with photographs of the existing headwall in the pond and the outfall in Shaw Brook. Drain Alerts survey information is also included for completeness.
- As previously noted, a drainage model is produced demonstrating that for the 1 in 100 year + 40% Climate Change there is a small amount of exceedance to the surface which is acceptable, however, an exceedance route drawing to demonstrate where this would flow to within the site is also provided.
- Provided construction details for the drainage and details for the swale and the acoustic mound as requested.

9.4.12 Although the LLFA had not responded at the time of compiling this report, the details have satisfied Highways England's concerns. Any comments received from the LLFA will be reported to planning committee either verbally at the meeting or by way of an updated sheet.

## **9.5 Noise**

9.5.1 Section 9 of the Noise Assessment Report submitted with the outline application provided details of noise mitigation measures and condition 7 secured the development be carried out in accordance with those mitigation measures. Further details are provided in the Noise Assessment Report submitted with this RM application (ref. 101488-4).

9.5.2 The proposed mitigation measures include a 3.0m high bund with a 2.5m high acoustic barrier on top, extending the entire eastern boundary of the site with the M6 motorway together with acoustic barriers between the proposed dwellings, comprising 1.8 metre high continuous fences between all gaps between the housing and garages. The exception is the west facing rear garden boundary of plot 14, which is designed to be a 2m high acoustic barrier. All acoustic fencing will be constructed of close-boarded overlapped timber panelling.

9.5.3 Environmental Health have considered the proposals and advise, in respect of Condition 7 of the outline approval 07/2018/0334/OUT, that they would not considered the requirements of Condition 7 to have been met and the condition should remain in place until the properties have been constructed and the developer can provide evidence that the properties have been constructed to the agreed standard. Evidence of this standard should include orders / receipts for materials and photographic evidence.

9.5.4 They also advise the noise assessment by Miller Goodall acoustics and air quality, dated 7th April 2020, report number 101448-4, states: *'This technical note serves to discharge the above planning condition and outline the methodology for determining requirements for façade mitigation and external noise to meet the internal and external living space criteria as a result of changes to the original scheme approved in May 2019. This report provides suitable mitigation measures to ensure the discharge of the above planning*

*condition. The information provided within this report provides sufficient evidence to discharge the planning condition.'*

9.5.5 Condition 7 stated: *'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'.*

9.5.6 Environmental Health state that this noise assessment report includes the agreed acoustic standards for the properties. These standards have already been agreed and should remain a condition of the planning consent for this development. If the developer now wishes to apply different acoustic standards, then further information will be required by Environmental Health in order for them to fully consider this request. The additional information required would be:

- A full explanation as to why the predicted internal noise levels within the original noise impact assessment and those given in the latest noise impact assessment differ
- A full explanation as to why the proposed glazing and ventilation options have been amended, with calculations directly comparing the two options to provide evidence of no adverse results if such changes were agreed to.

9.5.7 As per items 5.4.6 and 5.4.7 of the noise assessment by Miller Goodall acoustics and air quality (dated 7<sup>th</sup> April 2020, report number 101448-4) details of all alternative ventilation systems to be installed, the locations of the ventilation systems, and predicted noise levels.

9.5.8 In respect of Condition 6 of the outline permission 07/2018/0334/OUT, Environmental Health service would also object to its discharge at this time. The noise assessment by Miller Goodall acoustics states: *'This technical note serves to discharge the above planning condition and outline the methodology for determining requirements for façade mitigation and external noise to meet the internal and external living space criteria as a result of changes to the original scheme approved in May 2019. This report provides suitable mitigation measures to ensure the discharge of the above planning condition. The information provided within this report provides sufficient evidence to discharge the planning condition.'*

9.5.9 Condition 6 stated: *'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>. Closeboarded 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.'*

9.5.10 Environmental Health consider that, in order to agree to the discharge of Condition 6 it will be necessary for the developer to supply a management maintenance plan, as per the wording of condition 6 set out above. However, it must be noted that the maintenance and management plan is only required prior to first occupation of any property and therefore this is not a requirement of this Reserved Matters permission and the condition imposed on the outline approval remains.

9.5.11 Environmental Health's comments were passed to the applicant to address the requirements of conditions 6 and 7 through the discharge of conditions application process.

## **9.6 Residential Amenity**

9.6.1 Existing residential properties opposite the application site are detached, 2-storey properties, with off-road parking and integral garages. First floor bedroom windows face toward the application site which is located approximately 25m from the front elevation of these existing properties. There is a mature wooded area which runs along the majority of

the site's frontage. Effectively, 44 to 62 Langdale Road will have no real view of the proposal due to the wooded area. Although it is noted the trees are not evergreen, the view during the Winter months will be partially obscured due to the depth of the tree belt.

9.6.2 Numbers 36 to 42 Langdale Road face the more open part of the site. Plot 1 will have its side elevation facing towards 42 Langdale Road at a distance of approximately 27m. This is the Lytham housetype with a blank elevation with chimney stack facing 42. Therefore, there will be no overlooking/loss of privacy to 42.

9.6.3 To the northern end of the site is a much more open area with access gate into the site. The proposed access is to be located opposite to the access to Bleasdale Close with the area to its north being left open as the site's amenity open space. Numbers 36, 38 and 40 Langdale Road will face this open space and therefore there will be no impact on their residential amenity in terms of overlooking/loss of privacy with the view from these properties remaining largely as per the current situation.

## **9.7 Character and Appearance**

9.7.1 The wider surrounding area is characterised by 1970's two-storey detached and semi-detached dwellings and bungalows set on a largely open plan estate. The immediate area is characterised by two-storey detached properties set. Those properties opposite the application site to its northern end are all detached with integral garages and generally of a uniform appearance. They are constructed in brick with some having stonework features.

9.7.2 Opposite the central and southern parts of the site are larger more spacious detached dwellings, of varying designs. Many have been extended or have garage conversion. They are brick built with many having a part render finish.

9.7.3 The application proposes substantial two and half storey scale detached dwellings and one 2-storey detached dwelling. There are 7 different house types proposed, which include a variety of features, including differing ridge heights and gable and hipped roofs. All have front gable features, either central or to one side of the main elevation. Although this is a feature not largely found in the existing properties opposite, the site is screened from the wider view by the mature wooded area fronting onto Langdale Road and therefore they will not be viewed in the same context.

9.7.4 The roof space in each of the proposed dwellings is utilised for bedroom, playroom or hobby room space. The use of rooflight will provide light for the majority of the housetypes although the Lytham housetype to plots 6 and 11 has a rear dormer feature.

9.7.5 The application proposals retain a parcel of amenity open space fronting onto Langdale Road to the northern end of the site. This together with the wooded area result in the site have very little impact on the character and appearance of the area.

## **9.8 Parking**

9.8.1 All of the proposed dwellings will have a minimum of 3 parking spaces in the form of private driveways and garages. Those garages which provide the third parking space comply with the Lancashire County Council recommendations for the internal dimensions of garages to be a minimum of 6m x 3m. This level of car parking provision accords with the adopted parking standards.

9.8.2 County Highways confirm the proposed level of parking (driveways and garages) as shown on drawing 2019-166-006 B is acceptable and therefore County Highways have no objections.

## **9.9 Landscaping**

9.9.1 Landscaping Proposals in the form of two plans 6212.01 Rev C and 6212.02 Rev C together with a Landscape Management Plan have been submitted which include details of

the hard and soft landscaping for the site, including the area of amenity open space. The proposals include a stone wall gateway feature with bulb and ornamental shrub planting. A number of new trees will be planted along the boundaries of the open space and part of the area will be given over to wildflower planting.

9.9.2 The Acoustic Bund will be formed with a seeded topsoil finish along the side of the site. A 2.5m high timber acoustic fence will sit atop the bund.

## 9.10 Ecology

9.10.1 A Habitat Management Plan, Invasive Species Management Plan and Updated Ecological Survey and Assessment report have all been submitted in support of the application and have been considered by Greater Manchester Ecology Unit.

9.10.2 GMEU advise that the most important features of ecological value on the site are the small areas of woodland at the eastern and western site boundaries. These areas will be retained, but the trees and woodland will need to be protected and maintained in future. GMEU support the comments of the arboriculture officer on important measures that need to be taken to protect the trees during any ground clearance and construction works. In respect of management, although some management proposals for the woodland have been proposed, in both the habitat management plan and the proposals for controlling invasive plant species, these proposals are rather limited. In particular, the proposal to restore the ponds within the woodland as SUDs features. Although SUDs ponds can function as valuable habitats this will require sensitive design and management of the ponds. GMEU therefore recommend that a condition be imposed requiring the submission of details of the creation, function and management of these ponds.

9.10.3 Additionally, GMEU comment that the measures proposed for the control of Himalayan balsam on the site should be implemented in full and that proposals to erect bat and bird boxes on the site are required. The best place to erect these boxes would be in the western woodland along Langdale Road.

9.10.4 In response to the comments by GMEU, the applicant requested that they remove their comments relating to additional flora in the woodland and the ponds, as follows:

*“Regarding additional flora in the woodland: as highlighted on attached, this was not requested by GMEU when they responded to the previous outline application. Therefore, there was no relevant condition requiring for this to be included. Moreover, we are already providing significant additional trees etc to the POS and replacement of some trees in the woodland as per the arboriculture impact assessment.*

*Regarding the ponds: We are not looking to reinstate these; they are already there and that is where surface water already runs off to. There is a culvert at both ends of the woods, so there is nothing particularly to design as it will just be a SUDS system through the woods as it already is.*

9.10.5 However, it remains GMEU’s view that these measures should be included. The Ecologist considered that it is not clear that the drainage into and through the woods will be ‘as it already is’, since construction of the development will inevitably alter drainage patterns and surface water flows. Additionally, the Surface Water Management and Maintenance Plan submitted in relation to Condition Discharge application 07/2020/00474/DIS relies on the improvement and management of the ponds for the SUDS system to function effectively. The Ecologist considers that: *“Since works will be taking place on the drainage system in the woodland anyway, it is not considered unreasonable to ask that the drainage features are made as wildlife friendly as possible.”*

9.10.6 Regarding the introduction of native flora into the woodland, the Habitat Management Plan includes the objective to ‘Create and Maintain a Native Planting Scheme’. Works to

remove dangerous trees and improve the drainage system in the woodland will inevitably cause ingress into the woodland which is likely to require remediation. The Ecologist considers it is not an unreasonable request to introduce additional woodland flora as this would require a minimal cost compared with the costs of the development.

9.10.7 The applicant reiterated that the conditions are unnecessary, advising that the GMEU response to the approved outline application made no request for any biodiversity enhancement in respect of the proposed sustainable drainage system. Neither was a request made to made for any additional flora to be planted on within the woodland area. Furthermore, condition 5, attached to the outline application, makes no reference for the requirement of the SUDs management and maintenance plan to provide any ecological function. There is also no condition that required any planting within the woodland area.

9.10.8 It must be accepted that as no enhancements were requested at outline stage which is effectively the planning permission and no conditions were imposed it would be unreasonable now to impose such conditions and they would not past the 6 tests for imposing conditions.

### 9.11 Trees

9.11.1 The Council's Arboriculturist has advised that on the western side of the site are mature protected trees which will have a significant impact on the amount of available light throughout the year. The future growth of these trees will only exacerbate this situation and may lead to unjustifiable pruning requests for work to protected trees. The Arboriculturist requires a number of conditions be imposed in respect of tree protection measures, and is quite specific is what is required, advising:

*“Protective fencing should be erected in accordance with the submitted drawing 03 of 20/AIA/SRIBBLE/03 (Rev B) April 2020 prior to development commencement and remain in-situ throughout the development. The fencing will consist of a scaffold framework in accordance with Figure 2 of BS 5837 – 2012 comprising a metal framework. Vertical tubes will be spaced at a maximum interval of 3m. Onto this, weldmesh panels shall be securely fixed with scaffold clamps. Weldmesh panels on rubber or concrete feet should not be used. The site manager or other suitably qualified appointed person will be responsible for inspecting the protective fencing daily; any damage to the fencing or breaches of the fenced area should be rectified immediately. The fencing will remain in place until completion of all site works and then only removed when all site traffic is removed from site.*

9.11.2 The Arboriculturist also advises a number of conditions are require to protect the woodland, including that signage is erected stating: *“Protected Trees – Exclusion Zone;* that permission for access into the RPA should be agreed in writing; that existing ground levels should be retained within the RPA and excavated by hand; that all newly planted trees be replaced on a like for like basis for a minimum of five years; and that no machinery, tools and equipment should be stored within the RPA

9.11.3 In respect of the requested conditions from the Arboriculturist, the applicant considers it is unnecessary to seek and agree permission for access into the RPA as the other requested conditions for working and protecting the RPAs are sufficient. The Arboriculturist has agreed to this.

### 9.12 Community Infrastructure Levy

9.12.1 The proposed development will have a total floor area of 3172.77 sq m and therefore a CIL liability of £294,290.28.

### 9.13 Viability

9.13.1 The outline approval 07/2018/0334/OUT was the subject of a S106 Agreement which secured financial contributions for off-site Affordable housing contribution; off-site equipped play and off-site playing pitch.

9.13.2 The S106 Agreement included a Viability Review Mechanism to provide for a revised viability appraisal, prior to submission of the final Reserved Matters application. The Viability Review was to be undertaken on the same basis as the existing Viability Assessment. It also allowed the Council to have a period of 28 days in which to confirm whether it accepts the findings of the Viability Review

9.13.3 The Financial Viability Update was submitted as part of this Reserved Matters application, not prior to it and no confirmation was provided by the Council to the developer. However, the Financial Viability Update concludes that it is demonstrated that this RM scheme will generate a lower developer profit than that accepted at the outline stage and as such there is no justification to increase the £103,750 affordable housing contribution set out in the S106 Agreement.

9.13.4 The viability appraisal update has been considered by the Council's advisors, Keppie Massie. They advise that they consider that there is very limited scope to increase the S106 contribution. Whilst it is noted that the Reserved Matters application includes significantly more accommodation, it is noted that build costs have increased within the intervening period since they last looked at the viability of the site around 2 years ago. On the basis of the testing that is contained within their report, they consider that the residual sum that is provided and which is available towards an Affordable Housing payment amounts to £103,832. This is only a marginally greater sum than the value that is already detailed within the relevant S106 Agreement Affordable Housing sum of £103,750 and therefore recommend that the sum of £103,750 is sought from the developers.

9.13.5 This is considered acceptable, particularly given that the difference is marginal and that the time for challenging the offer has passed, despite the fact that the developer did not serve the revised appraisal at the correct time.

## **10. Conclusion**

10.1 This Reserved Matters application seeks the approval of the layout, scale, appearance and landscaping of the proposed development of 14 detached dwellings. Although there are some matters still to be resolved, this can be done through the discharge of conditions process and therefore the application is recommended for approval subject to the imposition of conditions and in recognition that conditions imposed on the outline approved remain valid.

### **RECOMMENDATION:**

Approval with conditions.

### **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 permission herein.  
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 Dwg 18/084/P01 Rev A Site Layout; 18/084/P02 Plot 1 Lytham; 18/084/P03 Rev A Plot 2 Croston Plus; 18/084/P04 Rev A Plot 3 Eccleston Plus; 18/084/P05 Plot 4 Worden Plus; 18/084/P06 Plot 5 Fairhaven Plus; 18/084/P07

Plot 6 Lytham Plus; 18/084/P08 Plot 7 Eccleston Plus; 18/084/P09 Plot 8 Fairhaven Plus; 18/084/P10 Rev A Plot 9 Croston Plus; 18/084/P11 Plot 10 Worden Plus; 18/084/P12 PLOT 11 Lytham Plus; 18/084/P13 Rev A Plot 12 Croston Plus; 18/084/P14 Plot 13 Fairhaven Plus; 18/084/P15 Plot 14 Worden Plus; 18/084/G01 Single Garage; 18/084/G02 Double/Twin Garage; 2019-166-007 Acoustic Barrier; 2019-166-006 B Adoption Pink Plan;

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

3. Protective fencing should be erected in accordance with drawing 03 of 20/AIA/SRIBBLE/03 (Rev B) April 2020 prior to development commencement and remain in-situ throughout the development. The fencing will consist of a scaffold framework in accordance with Figure 2 of BS 5837 - 2012 comprising a metal framework. Vertical tubes will be spaced at a maximum interval of 3m. Onto this, weldmesh panels shall be securely fixed with scaffold clamps. Weldmesh panels on rubber or concrete feet should not be used. The site manager or other suitably qualified appointed person will be responsible for inspecting the protective fencing daily; any damage to the fencing or breaches of the fenced area should be rectified immediately. The fencing will remain in place until completion of all site works and then only removed when all site traffic is removed from site. No machinery, tools and equipment shall be stored within the RPA of any trees on site at any time.  
Reason: To minimise soil compaction and seepage into the soil to protect trees from damage during construction in accordance with BS 5837 2012 and Policy G13 in the South Ribble Local Plan
4. Boundary fencing should be constructed using sleeves to house the concrete to prevent seepage into the surrounding area.  
Reason: To minimise damage to tree roots and prevent seepage into the soil
5. Existing ground levels should be retained within the RPA and excavated by hand. Any exposed roots should be immediately wrapped to prevent desiccation. Wrapping should be removed prior to backfilling. Roots smaller than 25mm diameter should be pruned with a suitable sharp tool. Roots over 25mm diameter should only be removed following consultation with an arboricultural consultant. Prior to backfilling roots should be surrounded with topsoil or sharp-sand or inert granular fill before the soil is replaced  
Reason: To ensure damage to tree roots is minimised during development and that the development does not impact the future vitality of trees in proximity to the development.
6. That all planting, seeding or turfing comprised in the approved details of the Landscaping Plans 6212.01 Rev C and 6212.02 Rev C shall be carried out in accordance with BS4428 1989. With stock complying to the specification of BS3936-1 1992. The planting shall be implemented in the first planting and seeding seasons following the commencement of the development or such extension of this time as may be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die or are removed or become significantly damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of the amenity and appearance of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G13 in the South Ribble Local Plan 2012-2026
7. Clearly legible weatherproof signage, stating "Protected Trees - Exclusion Zone" shall be attached to the fencing 1.5m from the ground, facing out of the Tree Protection Zone located at regular intervals along the fence line.

Reason: To inform all contractors of their responsibilities in accordance to the relevant guidance and to safeguard protected trees in accordance with Policy G13 in the South Ribble Local Plan

8. The development shall proceed in accordance with the invasive species method statement outlined in the Invasive species management and habitat management plan by ALM Consult dated 24th March 2020, by Rachel Hacking Ecology  
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
9. The development shall be carried out in accordance with the mitigation measures outlined in the Hazardous Gas Risk Assessment Report by ALM Consult dated 4th February 2020, Ref 30209/GRA/aja/016  
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.
10. The development shall be carried out full in accordance with the standards and mitigation measures outlined in the Noise Assessment Report by Miller Goodall dated 7th April 2020, Ref 101448-4.  
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.
11. The design and management of the earth bund and associated drainage is carried out in accordance with Drawing 2019-166-014 Rev. B (Proposed Drainage Details), Drawing 2016-166-013 Rev A (Acoustic Mound and M6 Embankment Drainage Details) and Drawing 2019-166-001 Rev F (Drainage Layout) and the Management and Maintenance Plan Issue 3.  
REASON: In the interest of ensuring the integrity of the M6 motorway
12. The layout of the permanent site boundary fencing is done in accordance with Drawing 18-084-P01A Rev A with a minimum 1 metre set-back from the motorway boundary.  
REASON: In the interest of ensuring the integrity of the M6 motorway

## **RELEVANT POLICY**

### **Central Lancashire Core Strategy**

- 1 Locating Growth
- 4 Housing Delivery
- 5 Housing Density
- 7 Affordable and Special Needs Housing

### **South Ribble Local Plan**

- B1 Existing Built-Up Areas
- G7 Green Infrastructure Existing Provision
- G8 Green Infrastructure and Networks Future Provision
- G10 Green Infrastructure Provision in Residential Developments
- G11 Playing Pitch Provision
- G13 Trees, Woodlands and Development
- G17 Design Criteria for New Development

### **Supplementary Planning Documents**

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

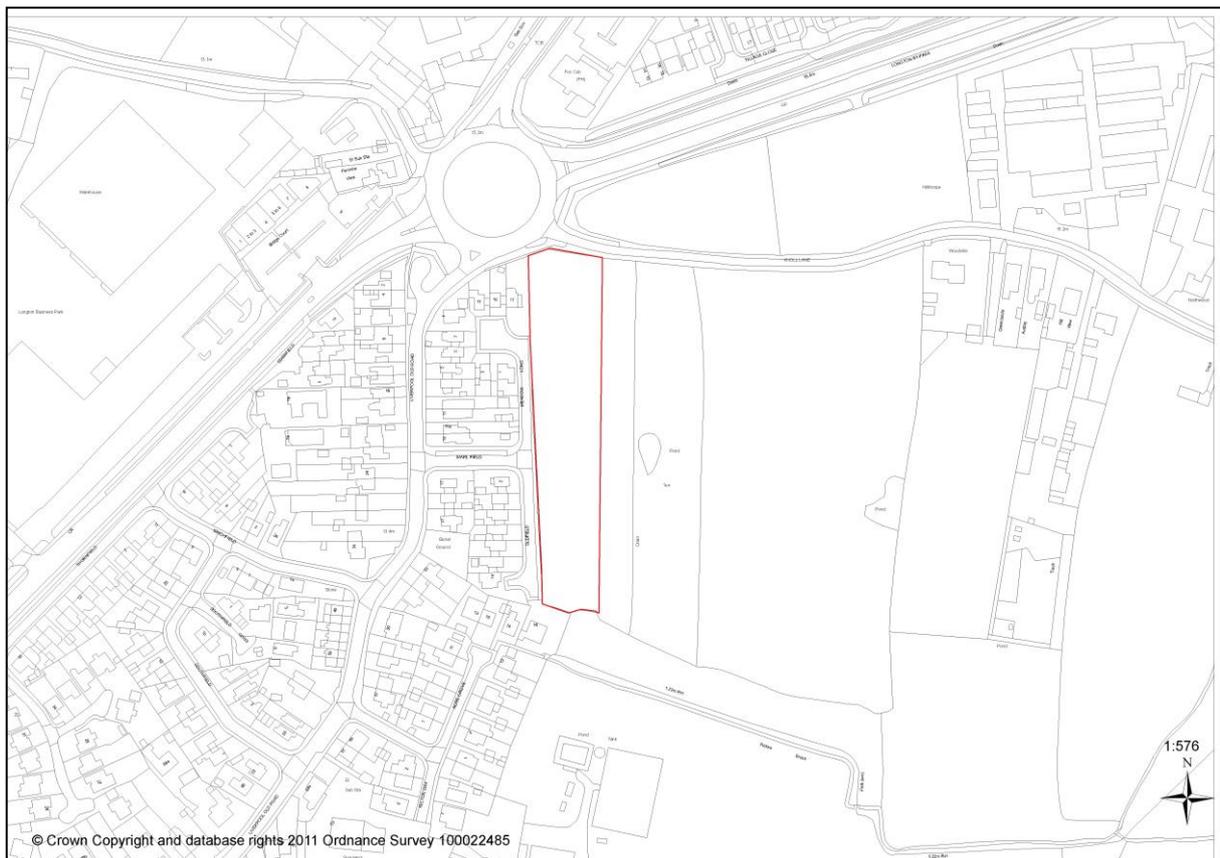
**Informative Note:**

1. Any non-facilitation works to protected trees should be applied for as standard as protected trees require an application form for works

This page is intentionally left blank

# Agenda Item 7

<b>Application Number</b>	07/2020/00606/VAR
<b>Address</b>	Land at Oldfield and Long Meadow Oldfield Much Hoole
<b>Applicant</b>	Applethwaite Ltd
<b>Agent</b>	Mr David Devine
<b>Development</b>	Variation of Condition 21 imposed on planning approval 07/2020/0027/FUL for erection of 14 no: adaptable, accessible bungalows for over 55 age group.
<b>Officer Recommendation</b>	<b>Refusal</b>
<b>Officer Name</b>	<b>Mrs Debbie Roberts</b>
Date application valid	24.07.2020
Target Determination Date	23.10.2020
Extension of Time	None



## **1. Report Summary**

1.1. The site in question is a strip of land (30m x 200m) located at the edge of a larger piece of open land facing Oldfield and Long Meadow, Much Hoole (residential).

1.2. Approval was granted for erection of 14 no: bungalows and associated works for use by the over 55 age group. The scheme is a linear development accessed from Oldfield/Long Meadow via existing highway and in design terms would reflect the wider streetscene. A track was proposed between plots 8 and 9 to allow access for farm vehicles into the field beyond. A field gate access is also present on Knoll Lane to the north-east of neighbouring properties and was suggested by the developer as a temporary construction access; this was confirmed as acceptable by the Highways Authority.

1.3. The site is undeveloped and allocated by the South Ribble Local Plan as a site for village development (Policy B2). Land beyond is designated as Green Belt

1.4. The application seeks permission to vary a condition imposed on approval 07/2020/00277/FUL (approved by Committee July 2020). This condition required construction vehicles to use the Knoll Lane field gate only, but the applicant now seeks to vary this to allow vehicles where necessary to use Marlfield and the proposed farm access between plots 8 & 9 as a secondary access for delivery traffic and site personnel vehicles. The temporary site compound which includes a two-storey office and cabin, toilet block, storage unit and generator would sit behind these plots in the field beyond but does not require planning permission (see Para 4.8 below)

1.5. Overall, and giving due weight to the following commentary the proposal to vary the condition is not felt acceptable and is recommended for refusal

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

2.1. The application refers to a narrow strip of land accessed off Oldfield and Long Meadow, Much Hoole. The site is 30m wide x 200m long running in a slightly sloping, north to south direction and bordered by mature hedgerow and a number of sporadically placed trees.

2.2. To the west is residential development on Oldfield and Long Meadow, and in the east and south are deep tracts of open, Green Belt land. Immediately north is Knoll Lane; field gate access is also possible from here. The site itself is designated by Policy B2 (Village Development) of the South Ribble Local Plan.

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

3.1. There are six planning applications on the history of this site:

☐ 07/1976/0254 – erection of 18 semi-detached dwellings. Refused June 1976

☐ 07/2020/00277/FUL – erection of 14 dwellings and associated works. Approved July 2020 as discharged by 07/2020/00578/DIS, 579/DIS (Part discharged), 00611/DIS and 00636/DIS and amended by 07/2020/00609/NMA to reverse / 'hand' three house types plots

## **4. Proposal**

4.1. Condition 21 of the July 2020 approval stated that

*'Construction traffic shall access into the site only from Knoll Lane prior to, during and post construction and not at any time from Oldfield or Long Meadow.*

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

4.2. This condition required construction vehicles to use the Knoll Lane field gate only, but the applicant now seeks to vary this to use Marfield and the proposed farm access between plots 8 & 9 as a secondary access for delivery traffic and site personnel vehicles. The temporary site compound which would be accessed from Marfield includes a two-storey office and cabin, toilet block, storage unit and generator would sit behind these plots in the field beyond.

4.3. The application submitted for this change states that *'Construction traffic shall access into the site from Knoll Lane and when the need arises from Marfield prior to, during and post construction. No construction traffic to access the site along the length of Oldfield or Long Meadow save for access from Marfield into the site at the designated entrance'*.

4.4. The applicant offers further clarification by stating that on reflection and having reviewed the logistics of accessing the site it has become apparent that while they can access and build 90% of the site using Knoll Lane as the principle access point, in doing so it does preclude commencement and construction of Plot 1 until all the other properties have been completed. This has a significant impact on the logical sequence of build and will undoubtedly have financial implications as Plot 1 would effectively be built as a standalone plot.



4.5. The above extract shows the intended route into site through the existing field gate off Knoll Lane and the red arrows indicate the intended route into the development. Unfortunately, there is insufficient room to construct Plot 1 and still provide a safe usable route into the site to build the properties in an orderly sequence, hence the request to vary the condition.

4.6. If members are minded to approve the proposal, the condition is recommended for variation to

*'Construction traffic shall access into the site from the approved primary construction access off Knoll Lane prior to, during and post construction Access through Marfield shall be restricted to use as a secondary access only for delivery traffic where use of Knoll Lane is not possible, and to vehicles/site personnel requiring access into the site compound to the rear of Plots 8 and 9 (as identified by approved plan C034-CTM-01-A (Applethwaite). Construction and site personnel vehicles shall not at any time access the site from proposed plot driveways off Oldfield or Long Meadow.*

*REASON: In the interests of highway safety and other highway users, and the amenity of neighbouring residents in accordance with Policy G17 in the South Ribble Local Plan 2012-2026'*

4.7. One alternative which has been discussed with the Councils Arborist is to remove the retained tree adjacent Plot 1 thereby allowing access from Knoll Lane into the site with little impact on the ability to build Plot 1. The Arborist supports this proposal subject to replacement with a substantial specimen, but this would require a second variation of condition application. Rather than amend the application before you the applicant has chosen to submit a second application which will be determined separately in due course.

4.8. N.B. The compound shown on the accompanying Proposed Construction Traffic and Site Logistics Plan (C034-CTM-01/A) is outside of the sites approved 'red edge' and was not part of the original approval. Notwithstanding this however, Schedule 2, Part 4, Class A of the Town & Country Planning General Permitted Development Order 2015 allows for the provision of buildings, moveable structures, plant or machinery required temporarily in connection with, and for the duration of operations being carried out on land, or on land adjoining that land without planning permission. The same class requires reinstatement of the adjacent land as soon as reasonably practicable once development has completed. As such planning permission for the adjacent compound is not required.

## **5. Representations**

### **5.1. Summary of Publicity**

5.1.1. A site notice has been posted and 60 neighbouring properties have been consulted. Representation has been received from eleven residents whose comments are summarised as follows.

#### *Highways/Access*

- ☒ Allowing construction vehicles to use Marfield will impact on highways safety in the area
- ☒ Area is restricted speed limit
- ☒ Too close to Liverpool Old Road for construction traffic

#### *Other*

- ☒ Loss of residential amenity
- ☒ Conditions attached to the original proposal were to protect residents – this is an attempt to bypass that protection and cut costs
- ☒ 'Should on occasion the need arise' is too arbitrary and could lead to Marfield becoming the main site entrance
- ☒ Flawed original submission – access will have been known in advance
- ☒ Respondent queries Councils integrity
- ☒ Damage to drains on Marfield

5.1.2. A number of comments have been made which relate to the original proposal and not this variation, or are not material planning considerations. As such they have not been taken into account

- ☒ 4 respondents object to using Knoll Lane as access – this scheme relates to Marlfield not Knoll Lane
- ☒ Loss of Ash Tree on Marlfield
- ☒ Flooding
- ☒ Intrusion into the countryside
- ☒ Lost property value
- ☒ Loss of view
- ☒ Carbon emissions from 14 houses and health problems

## 6. Summary of Responses

**Lancashire County Council Highways** is of the opinion that the variation as shown within the submitted 'Construction Traffic Management and Site Logistics plan' and outlined within the application form would not have a severe impact. LCC consider highways safety and capacity

**The Councils Ecologist and Environmental Health** have no further comments to make

## 7. Material Considerations

### 7.1. Site Allocation Policy

7.1.1. The site is designated by Policy B2 of the South Ribble Local Plan as a Village Development site, but as the proposal does not seek to alter the premise of approved development on this site B2 is not pertinent

7.1.2. Local Plan Policies G13 (Trees, Woodland and Development), G17 (Design of New Buildings) and Core Strategy Policy 17 (Design) are however relevant; as is the National Planning Policy Framework.

7.1.3. NPPF Para 127 (f) states that developments should create places which are safe, inclusive and accessible and which promote health and well being '*with a high standard of amenity for existing and future users*' whilst 170(e) amongst other things prevents new and existing development from being adversely affected by noise pollution.

7.1.4. Policy 17 (c&d) expects development to be '*sympathetic to surrounding land users and occupiers and avoid demonstrable harm to the local area*'; whilst '*ensuring that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa*'. G17 supports this at Para's 10.89 and 10.90 noting that '*the level and type of traffic associated with the proposals will be examined to assess the likely impact on the character and amenity of the area*' and that '*Noise can have a detrimental effect on the quality of the environment ... The Council will only permit development that does not cause an unacceptable degree of disturbance*'.

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

7.2.1. The proposal and accompanying documentation have been reviewed by LCC Highways who has no objection. LCC assess the scheme in terms of highways safety and capacity, and as an adopted highway there is no doubt that Marlfield could accommodate construction and other traffic temporarily. LCC do not however consider the proposal from a highway's amenity perspective, and in this case despite being a wide enough carriageway, the layout of Marlfield, Oldfield and Long Meadow are such that it is in very close proximity to

adjacent residential properties. It is Officers opinion therefore that traffic to and from the site and welfare area would unacceptably impact on the amenity and quality of life of residents.

## 8. Conclusion

8.1. It is acknowledged that approved development on this site will cause some disruption, and although generally construction is considered a temporary nuisance and permission rarely refused on that basis, any permission granted – including this one – is subject to conditions which protect the amenity of neighbouring residents to the best of the Councils ability. For this reason the Knoll Lane construction access proposed by the developer allowed development to continue yet maintained as best a clean, undisturbed access from Marlfield as this type of scheme would allow for. By subsequently varying the condition to then allow construction to use Marlfield – at a distance of only 6m from the side elevations of 2 Oldfield and 15 & 17 Liverpool Old Road the amenity of neighbouring residents which objectors to the approved scheme sought to protect is unacceptably put at risk, and for this reason the variation of condition is recommended for refusal for the following reason

*By virtue of the increased noise, activity and general disturbance associated with the proposed secondary construction/personnel access, the proposed variation of condition to allow construction traffic to use Marlfield would be detrimental to the living conditions and residential amenity of neighbouring residential properties and is contrary to Local Plan Policy G17, Core Strategy Policy 17 and the National Planning Policy Framework.*

8.2. Should Members decide to approve this variation, where an application to vary conditions is granted, the effect is the issue of a new planning permission, sitting alongside rather than as an amendment to the original permission, which remains intact and un-amended. All earlier conditions which have not been discharged would therefore be carried forward.

### **RECOMMENDATION:**

Refusal.

### **REASONS FOR REFUSAL:**

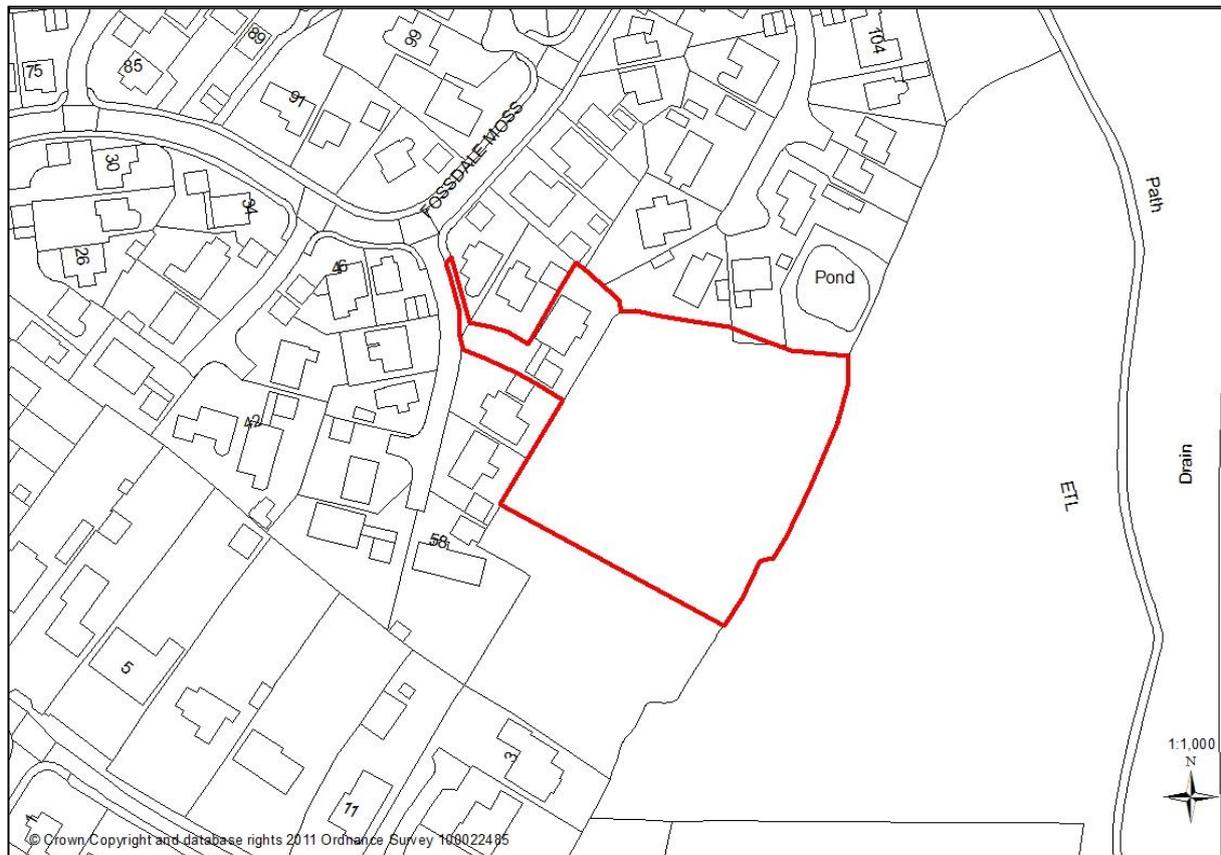
1. By virtue of the increased noise, activity and general disturbance associated with the proposed secondary construction/personnel access, the proposed variation of condition to allow construction traffic to use Marlfield would be detrimental to the living conditions and residential amenity of neighbouring residential properties and is contrary to Local Plan Policy G17, Core Strategy Policy 17 and the National Planning Policy Framework.

### **RELEVANT POLICY**

NPPF National Planning Policy Framework  
17 Design of New Buildings (Core Strategy Policy)  
G17 Design Criteria for New Development

# Agenda Item 8

<b>Application Number</b>	07/2020/00583/VAR
<b>Address</b>	Land To The Rear Of 60 - 64 Fossdale Moss Moss Side, Leyland
<b>Applicant</b>	Five Star Development Homes Ltd
<b>Agent</b>	Geoffrey Clark 14 St Clements Road Wigan WN1 2RU United Kingdom
<b>Development</b>	Variation of conditions 2 (Plans) of planning application 07/2018/0856/FUL
<b>Officer Recommendation</b>	<b>Approval with Conditions</b>
<b>Officer Name</b>	<b>Mrs Debbie Roberts</b>
Date application valid	17.07.2020
Target Determination Date	11.09.2020
Extension of Time	21.09.2020



## **1. Introduction**

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

## **2. Report Summary**

2.1. The Fossdale Moss site is a partially developed tract of land located off Fossdale Moss, Leyland; a predominantly residential area designated by Policy B1 of the South Ribble Local Plan as Existing Built up Area. It is surrounded on all sides by residential properties (west and north) and tracts of open land (east and south)

2.2. Abutting the northern boundary are rear gardens to 92 and 94 Fossdale Moss and a large pond. Immediately west are no's 58-64 (evens) Fossdale Moss, and no's 50, 62-68 (evens) face the new access way. South is Gillyflower Court – separated by a small field, and to the east is Council owned land. Mature trees and a narrow watercourse denote the eastern boundary

2.3. The proposal seeks to vary a condition imposed by the Planning Inspectorate following approval for 6 dwellings with associated works. Site access which has already commenced is between no's 64-68 (north) and 62 Fossdale Moss. The proposed variation of Condition 2 as detailed below accords with 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

2.4. Where an application to vary conditions is granted, the effect is the issue of a new planning permission, sitting alongside rather than as an amendment to the original permission, which remains intact and un-amended. For this reason, all earlier conditions which have not been discharged would be carried forward.

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

3.1. The Fossdale Moss site is a partially constructed residential development located off Fossdale Moss, Leyland; a predominantly residential area designated by Policy B1 of the South Ribble Local Plan as Existing Built up Area. It is surrounded on all sides by residential properties (west and north) and tracts of open land (east and south)

3.2. Abutting the northern boundary are rear gardens to 92 and 94 Fossdale Moss and a large pond. Immediately west are no's 58-64 (evens) Fossdale Moss, and no's 50, 62-68 (evens) face the new access way. South is Gillyflower Court – separated by a small field, and to the east is Council owned land. Mature trees and a narrow watercourse denote the eastern boundary

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

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

4.2. Application 07/2016/0299/FUL (12 dwellings, garages & associated works following demolition of garage at 64 Fossdale) - refused September 2016 and dismissed at appeal (Ref APP/F2360/W/17/3171469)

4.3. Application 07/2017/0960/FUL - an almost identical scheme but with wider access way. This application was submitted prior to determination of the above appeal but was subject to such minor changes that the proposal was refused. Appeal also dismissed (APP/F2360/W/17/3191760)

4.3. Application 07/2018/0856/FUL (6 dwellings & associated works) - refused April 2018 but allowed on appeal subject to conditions (APP/F2360/W/18/3204794). Conditions have been discharged so far by 07/2018/9679/DIS and 2019/4482/DIS.

4.4. Application 07/2019/9135/VAR for alterations to site layout and site compound - approved Nov 2019

## 5. **Proposal**

5.1. This application seeks to vary condition 2 of the approved scheme to allow for material changes as the site has progressed

5.2. Condition 2 of the Inspectorate's decision states:

*'The development hereby permitted shall be carried out in accordance with the following approved plans:*

*FM 10.01P Rev C; FM18.02P Rev E; FM18.03P Rev D; FM18.04P Rev D; **FM18.05P Rev E;** FM18.06P Rev C Garages; SDL1278/3; 17/50/04P Rev E;*

*Ecological Assessment/Bat Survey (ERAP: 2016-122, July 2016);*

*Ecological Reasonable Avoidance Measures Statement - Amphibians (ERAP 2016-122, August 2016;*

*Noise Impact Assessment (Ref: I&BPB6033R001F01 v 1, 20 February 2017);*

*Design and Access Statement (Ref: JDC/Leyland/18/Feb 18);*

*Technical Note (Ref: PB6033/21.2.17);*

*Tree and Arboricultural Impact Assessment (Ref: QATM0005 16: 23.6.16)'*

The proposal is to vary condition 2 to revise the house type on Plot 6, and to relocate Plot 5 by 2m south-west to allow the structures to remain outside of a sewer easement area. Plot 6 will replicate the property already approved for Plot 5.

The relationship between Plot 6 and no: 62 Fossdale Moss remains unchanged; relationships within the site are also considered acceptable, and the Plot 5 relocation will not impinge further on the highway

In light of these changes Condition 2 is therefore proposed to read:

*'The development hereby permitted shall be carried out in accordance with the following approved plans:*

*FM 10.01P Rev C; FM18.02P Rev E; FM18.03P Rev D; FM18.04P Rev D; **SSD/Plot 6/01P Rev C** FM18.05P Rev E; SDL1278/3; **15.50.10 Rev E;***

*Ecological Assessment/Bat Survey (ERAP: 2016-122, July 2016);*

*Ecological Reasonable Avoidance Measures Statement - Amphibians (ERAP 2016-122, August 2016;*

*Noise Impact Assessment (Ref: I&BPB6033R001F01 v 1, 20 February 2017);*

*Design and Access Statement (Ref: JDC/Leyland/18/Feb 18);*

*Technical Note (Ref: PB6033/21.2.17);*

*Tree and Arboricultural Impact Assessment (Ref: QATM0005 16: 23.6.16)'*

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

This condition thereafter would become Condition 1

## 6 **Representations**

6.1 Summary of Publicity

6.1.1 A site notice was posted, and 22 neighbouring properties consulted. A second two-week period of consultation was also undertaken following minor amendments; late representation will be made verbally at committee. Ward Councillors Mrs and Michael Green have also been notified. Written representation has been made by one resident

- ☐ Objection to house type change on plot 6.
- ☐ Revised plan will allow access into land beyond the site from Gillyflower Court
- ☐ Refers to Cllr McClelland who promised the site would 'return to nature'

Please note the last 2 comments DO NOT refer to the site in question

## 7 **Summary of Responses**

7.1 **LCC Highways** requested minor changes to parking on Plot 6. These have been made and are now acceptable subject to a condition to prevent obstruction within the visibility splays

7.2 **Environmental Health** have no objection and **United Utilities** have been consulted but have not commented. Their former consultation responses however remain relevant and unaffected

## 8 **Material Considerations**

### 8.1 Site Allocation

8.1.1 The site is designated under Policies B1 (Existing Built Up Area) of the South Ribble Local Plan 2012-2026 with its presumption towards redevelopment which meets 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.

### 8.2 Policy Background

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

#### 8.2.1 *National Planning Policy Framework*

8.2.1.1 The NPPF at Para 14: favours sustainable development, and supports sustainable economic growth to deliver, amongst other things homes.

8.2.1.2 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 development of 'windfall' sites.

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

#### 8.2.2 *Central Lancashire Core Strategy*

8.2.2.1 Policies 4, 5 and 17: Housing Delivery, Density and Design aim to secure densities of development in keeping with local areas, and manages the delivery of new housing which takes account of the character and appearance of the area.

#### 8.2.3 *South Ribble Local Plan*

8.2.3.1 In addition to site allocation policy B1 the following is also pertinent:

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

8.2.4 *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.

### 8.3 Impact of Development on Local Environment

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 Inter-relationships between proposed amended plots and adjacent new and existing properties comply with this guidance. Plot 6 would remain at the same separation distance to no: 62 and impact by virtue of overlooking, loss of privacy or overshadowing is not expected.

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

9.4.2 New and amended development should relate well to neighbouring buildings and the extended locality, with high quality design and layout 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.

9.4.3 Amended Plots will echo the sites overall height and design, whilst respecting the relatively modern style of Fossdale Moss itself. Roof heights are similar to those approved on Gillyflower Court in the south.

9.4.4 The proposed development retains the same levels of parking space approved by the Planning Inspectorate and does not change the road layout in any way.

## 10. Conclusion

10.1. Having regard to the above commentary, it is considered that Condition 2 of approval 07/2018/0856/FUL should be varied subject to the imposition of conditions.

### **RECOMMENDATION:**

Approval with Conditions.

### **RECOMMENDED CONDITIONS:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:  
FM 10.01P Rev C; FM18.02P Rev E; FM18.03P Rev D; FM18.04P Rev D; SSD/Plot 6/01P Rev C FM18.05P Rev E; SDL1278/3; 15.50.10 Rev E;  
Ecological Assessment/Bat Survey (ERAP: 2016-122, July 2016);  
Ecological Reasonable Avoidance Measures Statement - Amphibians (ERAP 2016-122, August 2016);  
Noise Impact Assessment (Ref: I&BPB6033R001F01 v 1, 20 February 2017);  
Design and Access Statement (Ref: JDC/Leyland/18/Feb 18);  
Technical Note (Ref: PB6033/21.2.17);  
Tree and Arboricultural Impact Assessment (Ref: QATM0005 16: 23.6.16)'

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

2. No part of the development hereby approved shall be occupied until the scheme approved with the Highways Authority as part of the approved Section 278 agreement has been implemented in full.  
REASON: REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable, and to enable all traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Policy G17 in the South Ribble Local Plan 2012-2026..
3. That the new estate road shall be constructed in accordance with the LCC specification for Constuction of Estate Roads to at least base course level before any built development takes place witin the site  
REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable and to enable all traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026..
4. 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 a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. The development thereafter shall be completed in accordance with the approved details. No dwelling hereby permitted 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 Ascent 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 is can be assured that the design meets the required dwelling emission rate
5. Prior to first occupation of each dwelling hereby permitted, 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
6. Before the development hereby permitted is first occupied the double garage between Plot 1 and 64 Fossdale Moss shall be built and made available for use.  
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
7. None of the dwellings hereby permitted shall be occupied until works for the disposal of sewage shall have been provided on the site to serve the development hereby

permitted, in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

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

8. No dwelling hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Before any details are submitted to the Local Planning Authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
  - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii) include a timetable for its implementation; and,
  - iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.REASON: 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
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) all of the 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.  
REASON: - In the interests of highway safety and other highway users in accordance with Policy 3 of the Core Strategy.
10. There shall be no burning of waste material or vegetation on site.  
REASON: 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
11. 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: REASON: To protect habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy
12. 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

13. 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
14. Development shall be completed in accordance with the approved construction management plan and supplementary site compound layout Sketch 6 Version L (received Sept 2019): Francis Haigh Associates'  
REASON: To protect the amenity of neighbouring residents in accordance with Policies G17 and B1 of the South Ribble Local Plan
15. The land within the visibility splays shown within drawing 15.50.10 rev E shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.  
REASON: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Policy G17 in the South Ribble Local Plan 2012-2026

### **RELEVANT POLICY**

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

#### **B1 Existing Built-Up Areas**

#### **G17 Design Criteria for New Development**

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

# Agenda Item 9

**Application Number** 07/2020/00530/FUL

**Address** Woodfold Farm  
Grange Lane  
Hutton  
Preston  
Lancashire  
PR4 5JE

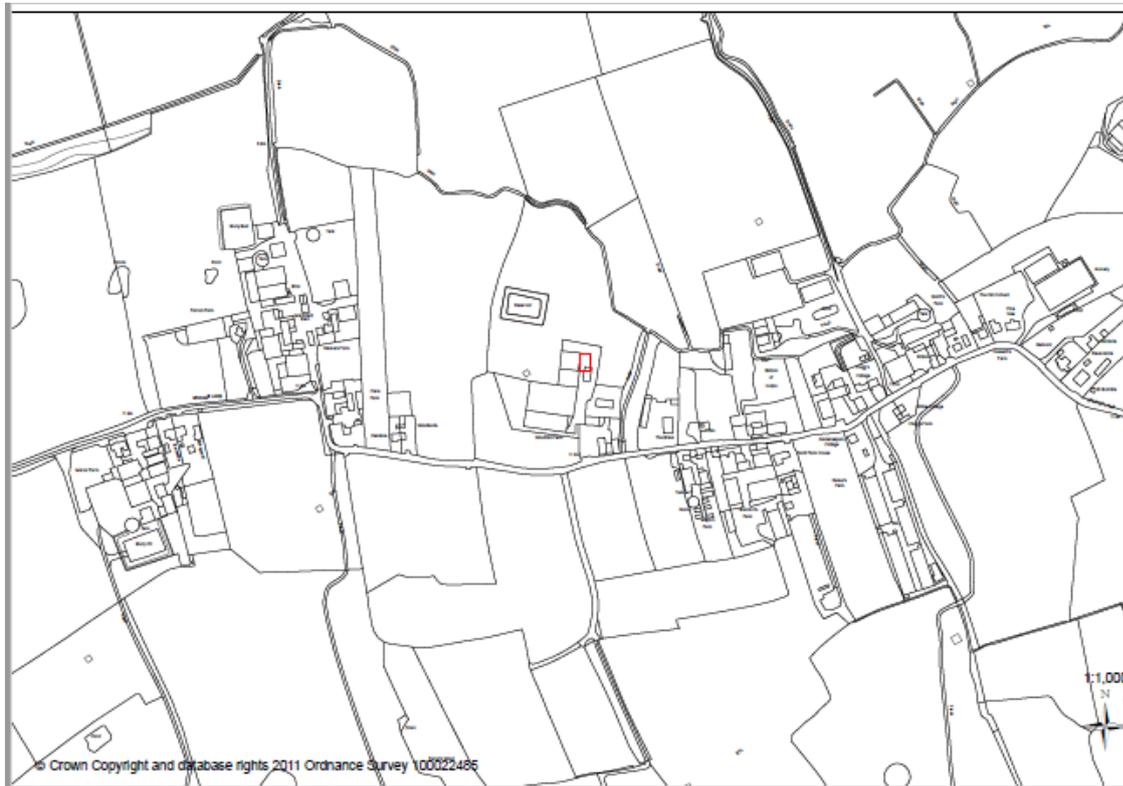
**Applicant** Mr Critchley

**Agent** Mr Luke Banks  
P Wilson & Company  
Burlington House  
10-11 Ribblesdale Place  
Winckley Square  
Preston  
PR1 3NA

**Development** Erection of roof over existing muck midden and livestock area

**Officer Recommendation** **Approval with Conditions**  
**Officer Name** **Mrs Linda Ashcroft**

Date application valid 02.07.2020  
Target Determination Date 27.08.2020  
Extension of Time 29.09.2020



## **1. Introduction**

- 1.1 This application is being brought before the Planning Committee as the applicant is related to a member of staff.

## **2. Report Summary**

- 2.1 This application seeks planning permission to provide a roof over an existing muck midden which is situated within a cluster of farm buildings.
- 2.2 The provision of the roof will provide protection for the contents of the midden, whilst also providing a means of collecting clean surface rainwater and disposing of it efficiently through gutters and downpipes into the farm drains and existing ditches.
- 2.3 It is considered the proposed development complies with Policy 13 in the Central Lancashire Core Strategy and Policies G1 and G17 in the Local Plan and therefore recommended for approval.

## **3. Site History**

- 3.1 07/2013/0919/FUL - Erection of a pair of semi-detached dwellings following demolition of existing farmhouse. Approved
- 3.1.2 07/2014/0564/DIS - Application to discharge conditions 2 6 7 and 9 of planning permission 07/2013/0919/FUL. Discharged
- 3.1.3 07/2016/0225/FUL - Erection of agricultural building to provide a covered cattle area and general agricultural use. Approved.
- 3.1.4 07/2017/1683/FUL - Erection of agricultural building (1383 sq m) and construction of slurry lagoon. Approved

## **4. Proposal**

- 4.1 Planning permission is sought to provide a roof over an existing muck midden measuring 4.3m to the eaves and a ridge height of 5.9m. The roof will be constructed from fibre cement roof sheets supported by steel stanchions. Existing concrete block walls will remain with the south, north and east elevations being enclosed with 'Yorkshire' vertical timber boarding with gaps from the top of the concrete panel walls to the eaves which will aid ventilation, allowing the heat produced from the muck to filter out.
- 4.1.2 The building will continue to be used to store the bedded muck that is taken from the livestock building and will allow it to rot down before it is applied to the land as a natural fertiliser.
- 4.1.3 The provision of the roof will provide protection for the contents of the midden, whilst also providing a means of collecting clean surface rainwater and disposing of it efficiently through gutters and downpipes into the farm drains and existing ditches.

## **5. Representations**

- 5.1 Summary of Publicity
- 5.1.2 Three neighbouring properties have been notified and a site notice posted.

5.1.3 No neighbour representations have been received.

## **6. Consultation Responses**

6.1 On this occasion no consultations have been carried out.

## **7. Material Considerations**

### **7.1 Policy Considerations**

7.1.2 The site is within an area of land designated as Green Belt in the South Ribble Local Plan. The policy relating to development in the green belt, Policy G1, states: *“As set out in the NPPF, planning permission will not be given for the construction of new buildings unless there are very special circumstances.”* One of the exceptions to this is:

*a) buildings for agriculture and forestry;*

7.1.3 The proposal is to roof over an existing muck midden within an existing cluster of farm buildings. There will be no greater impact on the openness of the green belt due to the existing buildings providing visual screening. The roof is proposed at the same eaves and ridge height as the existing adjacent agricultural buildings.

7.2 **Policy 13 (Rural Economy)** of the Central Lancashire Core Strategy sets out a number of specific ways in which the local planning authorities may help to achieve economic and social improvement in rural areas. The policy concludes by stating:

*“In all cases, proposals will be required to show good siting and design in order to conserve and where possible enhance the character and quality of the landscape without undermining the purposes of the Green Belt, the functioning of the Green Infrastructure and the functioning of the ecological frameworks. Development should also be of an appropriate scale and be located where the environment and infrastructure can accommodate the impacts of expansion”.*

7.2.1 Siting, design and external appearance are all major factors when determining rural development applications within the Green Belt. The height of the roof proposed is the same as the adjoining livestock building and therefore will have no greater impact on the openness of the Green Belt. The materials used to construct the roof will involve the erection of steel portal stanchions with fibre cement roof cladding. The wall sections above the existing concrete block walls will be Yorkshire boarded (vertical timber boards with gaps) to the eaves. The design of the building will be in keeping with buildings on the farm itself and the agricultural nature of the locality.

7.3 **Policy G17 (Design Criteria for New Development)** permits development which 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, or use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect.

### **7.4 Character and Appearance**

7.4.1 The base of the structure is an existing muck midden which lies adjacent a cluster of agricultural livestock buildings with the farmhouse situated some 12m south east of the site area and some 70m south of the highway, Grange Lane. The design and

scale of the building is considered to be in keeping with the agricultural use of the site.

## **7.5 Relationship to Neighbours**

- 7.5.1 The nearest adjacent residential property is The Briars which is set some 83 south east of the site area. Due to the scale, siting and existing use of the site it is considered the proposal will not unduly impact upon the amenities of the occupiers of this dwelling.

## **7.6 Highway Issues**

- 7.6.1 The use of the building will be in association with the existing use of the site and therefore will not materially alter traffic to and from the site.

## **8. Conclusion**

- 8.1 The proposal is considered to be acceptable in principle and, given its siting, will not have an adverse impact on the character and appearance of the area or the openness of the Green Belt. Sufficient distance will remain to neighbouring properties to prevent the proposal from having an undue impact on the amenities of residential properties. The proposed development complies with Policy 13 in the Central Lancashire Core Strategy and Policies G1 and G17 in the Local Plan and therefore recommended for approval, subject to the imposition of conditions.

## **RECOMMENDATION:**

Approval with Conditions.

## **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development, hereby permitted, shall be carried out in accordance with the submitted approved drawings: 1:1250 site plan and 1:100 'proposed roof over muck midden' elevation plan dated 23/06/2020.  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development.

## **RELEVANT POLICY**

<b>13</b>	<b>Rural Economy</b>
<b>POLG1</b>	<b>Green Belt</b>
<b>POLG17</b>	<b>Design Criteria for New Development</b>

## **Note:**

**Application Number** 07/2020/00659/FUL

**Address** Hurst Grange Park  
Hill Road  
Penwortham  
Preston  
Lancashire  
PR1 9XH

**Applicant** South Ribble Borough Council

**Development** Installation of tower climbing unit with overall height of up to 7m in the playground

**Officer Recommendation** **Approval with Conditions**  
**Officer Name** **Mrs Linda Ashcroft**

Date application valid 14.08.2020

Target Determination Date 09.10.2020

Extension of Time



## 1. Introduction

1.1 This application is being brought before the Planning Committee as the Council is the applicant.

## 2. Report Summary

- 2.1 This application seeks permission for the installation of a tower climbing frame with an overall maximum height of 7m within the playground area.
- 2.2 It is intended to refurbish the playground within the existing fenced area with a range of new equipment for toddlers and juniors. As part of the proposal a tower with associated slide(s) is intended for installation with an overall height of up to 7m.
- 2.3 The development will be on a design and build basis with experienced play equipment suppliers invited to submit designs for the site's refurbishment and therefore the location of the proposed tower will vary within the site boundary depending on the design of each supplier.

### 3. **Site History**

- 3.1 There is no planning history relating to the fenced playground area within Hurst Grange Park.

### 4. **Proposal**

- 4.1 Planning permission is sought for the installation of a tower climbing frame with an overall maximum height of 7m.
- 4.2 It is intended to refurbish the playground within the existing fenced area with a range of new equipment for toddlers (2-6 years of age) and juniors (7-12 years of age). As part of the proposal a tower with associated slide(s) is intended for installation with an overall height of up to 7m.
- 4.3 The development will be on a design and build basis with experienced play equipment suppliers invited to submit designs for the site's refurbishment. Therefore the location of the proposed tower will vary within the site boundary depending on the design of each supplier.
- 4.4 Details submitted indicate a climbing frame which has an overall height of 6.5m and will be suggested for inclusion within the new playground. However, as a design and build contract, suppliers may suggest a similar alternative product. Any alternative item will be restricted to a maximum overall height of 7m. The highest deck level within such a tower would be expected to be a maximum of 5.5m with the enclosing walls and roof structure providing the additional height above.
- 4.5 The works have been designed to avoid any impact on the woodland to the east or south of the playground and will be limited to the fenced playground area. Protection will be provided to the large oak tree adjacent to the site throughout the works.
- 4.6 Impact on the immediate or wider ecological value of the park's landscape is considered to be minimal as a result of the works to refurbish the existing playground area. By containing the construction operations wholly within the existing footprint of the playground and ensuring the scheme does not impact on the woodland areas beyond, replacement to the existing surface and equipment should not give rise to any significant negative impacts to ecology of the area.

### 5. **Representations**

#### 5.1 **Summary of Publicity**

- 5.1.1 Ten neighbours were notified and two site notices have been posted.

## 5.2 Letters of Objection

- 5.2.1 At the time of writing the report, one representation has been received advising that if the climbing frame is positioned centrally or on the western edge of the park this would obstruct view of the park and would therefore raise objection.

## 6. Summary of Consultation Responses

- 6.1 On this occasion no consultations have been carried out.

## 7. Material Considerations

### 7.1 **Policy Considerations**

- 7.1.2 The site is within an area of land designated as Green Belt in the South Ribble Local Plan. The policy relating to development in the green belt, Policy G1, states: *“As set out in the NPPF, planning permission will not be given for the construction of new buildings unless there are very special circumstances.”* One of the exceptions to this is:

*b) provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.*

- 7.1.3 The climbing frame will be set within an enclosed play area consisting of a grassed area and playground equipment consisting of swings, sand pit, toddler climbing frame and a 6m high space net.
- 7.1.4 There are two mature trees set within the play area with a woodland area to the south and east of the site.
- 7.1.5 Due to the existing use of the site, it is considered that the provision of a tower climbing frame up to a maximum height of 7m will not impact upon the openness of the green belt.

- 7.2 **Policy G17 (Design Criteria for New Development)** permits development which 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, or use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect.

### 7.2.1 **Character and Appearance**

- 7.2.2 The proposed climbing frame will be set within an existing play ground area situated within Hurst Grange Park. Due to the scale and siting of the proposal it is considered this will not detract from the character and appearance of the park.

### 7.3 **Relationship to Neighbours**

- 7.3.1 There are residential properties set to the east, south and west of the play area. The nearest dwelling is No. 6 Hurst Park which is set some 22m to the south east; No. 1 Hurst Park is set some 29m to the south. The play area is screened from these properties by a woodland.
- 7.3.2 The dwelling to the west is No. 23 Hurst Park which is set some 35m from the play area; there are a number of semi mature trees to the eastern boundary of this property.

7.3.3 Due to the scale and siting of the proposed climbing frame, it is considered this will not have a detrimental impact upon the residential amenity of the occupiers of nearby dwellings.

## 8. **Conclusion**

8.1 The proposed siting of a tower climbing frame up to 7m high is considered to be acceptable in principle and, given its siting, will not have an adverse impact on the character and appearance of the area or the openness of the green Belt. There will be sufficient distance and boundary treatments to the nearby residential properties to prevent the proposal from having an undue impact on the amenities of the occupiers of these dwellings.

8.2 The proposed development complies with Policies G1 and G17 in the Local Plan and therefore recommended for approval, subject to the imposition of conditions.

## **RECOMMENDATION:**

Approval with Conditions.

## **RECOMMENDED CONDITIONS:**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. No work shall be commenced until satisfactory details of the design and siting of the tower climbing frame has been submitted to and approved by the Local Planning Authority.  
REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.
3. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg HGP2020/08-001.  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

## **RELEVANT POLICY**

- |               |   |
|---------------|---|
| <b>17</b>     | <b>Design of New Buildings (Core Strategy Policy)</b> |
| <b>POLG1</b>  | <b>Green Belt</b>                                     |
| <b>POLG17</b> | <b>Design Criteria for New Development</b>            |

## **Note:**