

Planning Committee

Thursday, 9th December, 2021, 6.00 pm

Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Agenda

Polite notice

[The proceedings will be livestreamed to YouTube and can be watched by clicking here.](#)

Anyone who wishes to speak on an application must register by email to democraticservices@southribble.gov.uk or by telephone to 01772 625563 no later than 12 noon, two working days prior to the meeting. Further information on speaking procedures can be found at the front of the agenda pack.

Please note that social distancing and mask-wearing guidelines remain in place in the Civic Centre.

All attendees are politely reminded that space is extremely limited due to social distancing and admittance to the meeting room will be on a first come, first served basis.

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.

<p>4 Minutes of meeting Thursday, 11 November 2021 of Planning Committee</p> <p>To be approved as a correct record for signing by the Chair.</p>	<p>(Pages 5 - 10)</p>
<p>5 Minutes of meeting Monday, 29 November 2021 of Planning Committee</p> <p>To be approved as a correct record for signing by the Chair.</p>	<p>(To Follow)</p>
<p>6 Appeal Decisions</p> <p>An update will be provided at the meeting.</p>	<p>(Verbal Report)</p>
<p>7 07/2020/01063/FUL - Land to the east of Reynard Close, Longton</p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 11 - 36)</p>
<p>8 07/2021/01041/FUL - 2 Maplewood Close, Leyland</p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 37 - 44)</p>
<p>9 07/2021/00945/FUL - 84 Hough Lane, Leyland</p> <p>Report of the Director of Planning and Development attached.</p>	<p>(Pages 45 - 50)</p>

Gary Hall
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, Harry Hancock, Jon Hesketh, Clare Hunter, Chris Lomax, Caroline Moon, Phil Smith, Gareth Watson and Barrie Yates

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

Forthcoming Meetings

6.00 pm Thursday, 13 January 2022 - Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Procedure of Debate at Planning Committee

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

- Up to five members of the public who wish to speak against an application will be allowed to speak. Each will have up to four minutes in which to state their case.
- Up to five members of the public who wish to speak in favour of an application will then be allowed to speak. Again each will have up to four minutes in which to state their case.
- Ward councillors (not on Planning Committee) will then have the opportunity to make representations about the application. Each will have up to four minutes to state their case – whether for or against.
- The applicant/agent will then be invited to speak in support of the application. Ordinarily he/she will have up to four minutes to speak.
- The application will then be discussed by Committee. At this point members of the public, the applicant and other councillors not on Committee will not be able to speak further.
- Planning Committee will then take a vote on the matter.
- Anyone wishing to speak on an application must register by email to democraticservices@southribble.gov.uk or by telephone to 01772 625563 no later than 12 noon, two working days prior to the meeting.
- Speakers will be allocated on a first come first served basis.
- No paperwork, plans or photographs will be allowed to be circulated by the applicant/agent or member of the public at the meeting.

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

Filming/Recording Meetings

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

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

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

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

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Minutes of	Planning Committee
Meeting date	Thursday, 11 November 2021
Committee members present:	Councillors Caleb Tomlinson (Chair), Will Adams, James Flannery, Mary Green, Harry Hancock, Jon Hesketh, Chris Lomax, Colin Sharples, Phil Smith and Gareth Watson
Officers present:	Steven Brown (Head of Development Management), Jodi Ingram (Senior Solicitor), Chris Sowerby (Development Planning Team Leader), Janice Crook (Planning Officer) and Charlotte Lynch (Democratic and Member Services Officer)
Other attendees:	Councillor Bill Evans, Councillor Michael Green, Councillor David Howarth, Councillor Keith Martin and Councillor Karen Walton (Attended virtually)
Public:	14

63 Welcome and Introduction

The Chair, Councillor Caleb Tomlinson, welcomed members of the public to the meeting, introduced the committee and explained that the meeting was being livestreamed to YouTube.

64 Apologies for Absence

Apologies for absence were received from Councillors Mal Donoghue, Caroline Moon and Barrie Yates.

Councillors Matthew Trafford and Damian Bretherton attended as substitutes.

65 Declarations of Interest

Councillors Caleb Tomlinson, Damian Bretherton, Chris Lomax and Matthew Trafford declared prejudicial interests in item 8 – land opposite Ye Olde Hob Inn, Bamber Bridge – and would leave the meeting for the duration of the item.

Councillor Mary Green declared a non-prejudicial interest in item 10 – response to Chorley Borough Council in respect of a planning application for a new prison.

66 Minutes of meeting Thursday, 7 October 2021 of Planning Committee

Resolved: (For: 8 Abstain: 4)

For: Councillors Caleb Tomlinson, Adams, Flannery, Mary Green, Lomax, Sharples, Phil Smith and Watson

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Abstain: Councillors Bretherton, Hancock, Hesketh and Trafford

That the minutes of the meeting held on Thursday, 7 October 2021 be approved as a correct record for signing by the Chair.

67 Appeal Decisions

There were no appeals to report.

68 07/2020/00907/FUL - The Shampian Indian Restaurant, 97 Pope Lane, Penwortham

Speakers: 4 objectors, 1 supporter, Councillor Keith Martin (ward councillor) and the Applicant

Address: The Shampian Indian Restaurant
97 Pope Lane
Penwortham
PR1 9DB

Applicant: CCPI Ltd.

Agent: Mr R Raja
Princess House
62 Princess Street
Wigan
WN3 4HW

Development: Proposed 3no. retail units and 1no. hot food takeaway following demolition of existing buildings

It was proposed by Councillor Jon Hesketh, seconded by Councillor Phil Smith, and subsequently

Resolved: (For: 9 Against: 1 Abstain: 2)

For: Councillors Caleb Tomlinson, Bretherton, Flannery, Mary Green, Hancock, Hesketh, Lomax, Phil Smith and Watson

Against: Councillor Trafford

Abstain: Councillors Adams and Sharples

That the application be approved subject to conditions outlined in the report, including

1. an amendment to condition 14 to read that *“Non-HGV deliveries to the site shall not occur outside the hours of 07:00 to 19:00 Monday to Friday, 09:00 - 19.00 Saturdays and 09:00 - 17:00 on Sundays and nationally recognised Bank Holidays”*

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

Note to applicant: Any application to vary / extend the permitted delivery times would need to be accompanied by a noise impact assessment, to demonstrate that the application did not have an adverse effect upon the amenity of nearby residents by virtue of noise.

2. an additional condition that *HGV deliveries to the site shall be limited to 07:00 to 19:00 Monday to Friday, 09:00 - 19.00 Saturdays and 09:00 - 17:00 on Sundays and nationally recognised Bank Holidays, but excluding the school drop/pick up times of 08:00-09:00 and 15:00-16:00 (term time only)*

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

3. an additional condition that, *prior to the first use or occupation of any retail units hereby approved, a Car Park Management Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The Strategy shall include details of:*
 - *the maximum duration of stay for all users*
 - *car park enforcement*
 - *measures and techniques to maximise car park efficiency and the way it will be managed*
 - *mechanism for a review of the Strategy within 12 months of the opening of the foodstore unit to confirm the satisfactory operation of the car park from the duration of stay approved*

Reason: To allow for safe and efficient operation of the car park in accordance with Policy G17 in the South Ribble Local Plan (2012-2026).

69 07/2021/00113/FUL - Oaklands Convent, Moss Lane, Leyland

Speakers: the Agent

Address: Oaklands Convent
Moss Lane
Leyland
PR25 4SH

Applicant: Mr Barry Woods
Corsa Construction

Agent: Mr David Morse
Baltic PDC
Queens Dock Business Centre
69 Norfolk Street
Liverpool

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Development: Demolition of existing convent building and erection of 66-bed care home with all associated works

The officer recommendation to approve the application was proposed by Councillor Will Adams, seconded by Councillor James Flannery, and subsequently

Resolved: (unanimously)

That the application be approved subject to conditions outlined in the report.

70 07/2021/00841/FUL - Land opposite Ye Olde Hob Inn, Bamber Bridge

Councillors Bretherton, Lomax, Tomlinson and Trafford left the meeting for the duration of this item and Councillor James Flannery took the chair.

Speakers: 1 supporter

Address: Land opposite Ye Olde Hob Inn
Bamber Bridge
Preston
PR5 6EP

Applicant: South Ribble Borough Council – Regeneration Dept

Development: Regeneration of green space including erection of steel sculpture to commemorate the 'Battle of Bamber Bridge'

It was proposed by Councillor Gareth Watson, seconded by Councillor Mary Green, that the application be deferred and subsequently

Resolved: (Unanimously)

That the application be deferred to allow further conversations with the Applicant regarding the use of materials, design and surface treatment.

71 07/2020/00210/VAR - 14 Liverpool Road, Penwortham

Councillors Bretherton, Lomax, Tomlinson and Trafford returned to the meeting and Councillor Tomlinson returned to the chair.

Speakers: 1 supporter, Councillor David Howarth (ward councillor) and the Applicant

Address: 14 Liverpool Road
Penwortham
PR1 0AD

Applicant: Mr Wayne Bretherton

Agent: Mr Chris Weetman
1 Reeveswood
Eccleston
Chorley
PR7 5RS

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Development: Variation of condition 2 of planning approval 07/2018/8006/FUL to amend the internal layout

The officer recommendation was proposed by Councillor James Flannery, seconded by Councillor Phil Smith, and subsequently

Resolved: (Unanimously)

That the application be approved subject to conditions outlined in the report and an additional condition outlined in the addendum.

72 **Response to Chorley Borough Council in respect of a Planning Application for a new prison**

Speakers: 1 objector and Councillor Michael Green (neighbouring ward councillor)

Address: Land adjacent to HMP Garth and HMP Wymott
Leyland

Applicant: Ministry of Justice

Agent: Miss Claire Pegg
1 Marsden Street
Manchester

Members discussed a number of issues and areas for consideration to be included within South Ribble Borough Council's response as a consultee to the application.

It was proposed by Councillor Phil Smith, seconded by Councillor James Flannery, and subsequently

Resolved: (Unanimously)

That the views set out in full in the report and additional concerns relating to biodiversity net gain; a need for road improvements, infrastructure and funding for a bus service; a Jobs and Skills Plan; and the possibility of reopening Midge Hall train station be submitted to Chorley Borough Council as the determining Authority.

Chair

Date

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Application Number 07/2020/01063/FUL

Address Land To The East Of
Reynard Close
Longton
Lancashire

Applicant Longton Developments Ltd

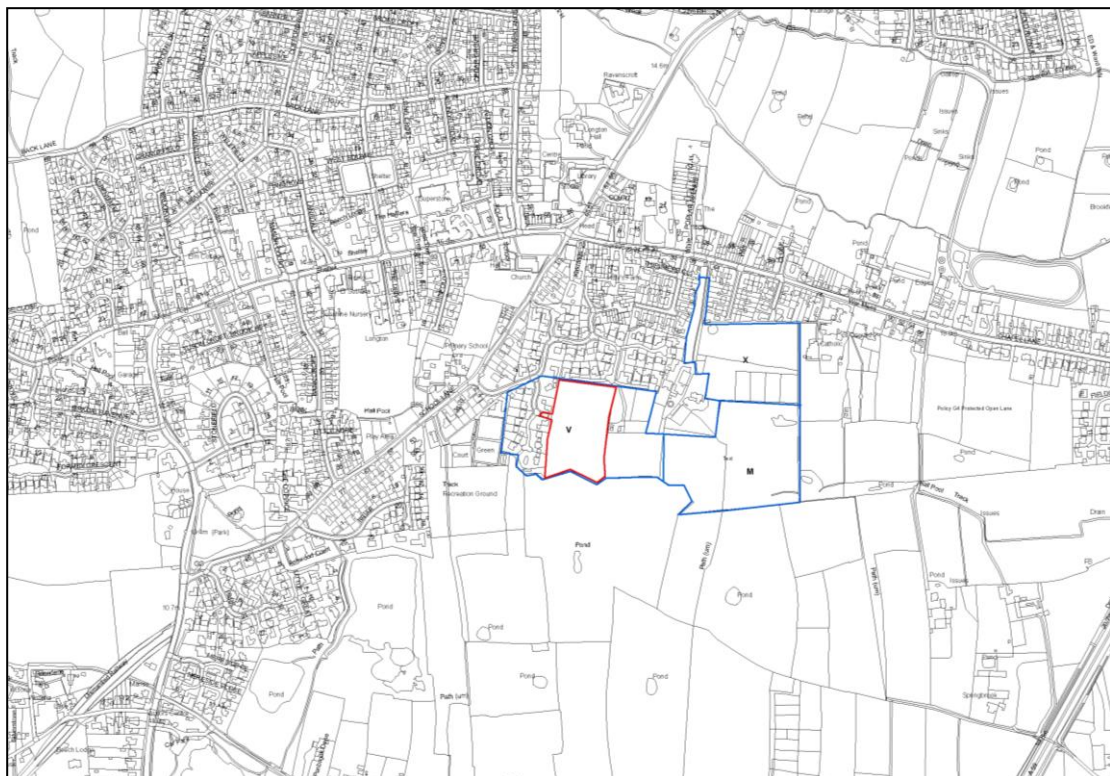
Agent Mr Phil Garner
Garner Town Planning Ltd,
High Lane House,
148 Buxton Road,
High Lane,
Stockport, SK6 8ED

Development Erection of 14 new residential units with associated
garages and works, and new access from Reynard Close

Officer Recommendation That Members are minded to approve the application, and
that the decision is delegated to the Director of Planning &
Housing in consultation with Chair and Vice-Chair of the
Planning Committee upon successful completion of public
consultation and a legal agreement to secure a public
open space contribution

Officer Name **Mrs Debbie Roberts**

Date application valid 21.12.2020
Target Determination Date 30.04.2021
Extension of Time 10.09.2021 (Extensions Refused)



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1. Report Summary

1.1. This application replaces one deferred by Committee April 2021 (33 dwellings) and again in September 2021 (14 dwellings) to allow the applicant to re-visit the design in line with Committee discussion.

1.2. The 1.5ha site is the central section of allocated housing Site 'V' (Local Plan Policy D1(Allocation of Housing Land) refers) as described in full in Section 2 below

1.3. Affordable housing is not required of this site which sits below the 15 unit threshold, and in design terms the proposal which has been reduced in height and form on some plots relates well to its surroundings; albeit with a low density of 9.3 dwellings per hectare (see justification Para 4.5). The scheme provides for suitable off-road parking, access and service space in line with adopted policy and protects residential amenity by being spatially acceptable. Although not all statutory consultees have responded yet to the changes made by this scheme, these relate in the main to design, minor orientation and house type changes and as such comments from the previous scheme are unlikely to differ. On that basis therefore, the proposed development is not considered to have an undue impact on the amenity of neighbouring properties, the character and appearance of the area or highways safety and capacity, and is therefore policy compliant

1.4. It is also Officers view that proposed development would not detrimentally affect the amenity or nature conservation value of the site. Although some loss of hedgerow and trees is inevitable to allow for the new access, environmental compensation has been identified and is considered acceptable. Amendments to the proposed layout also account for separation from Hall Pool as agreed with the Councils ecologist.

1.5. County Highways did not raise objections to the previous proposal which would not be affected by recent amendments, confirming that the proposed use would not impact adversely on highways safety or capacity, but that roads would remain unadopted until such time as Reynard Close itself is adopted. Vehicle charging points would be secured by condition

1.6. At the time of writing this report, representation relating to this final scheme only has not been received. Statutory consultee comments so far have been addressed either by amendments to the proposal, or by condition. Neighbour consultation will remain open until the morning of the committee meeting, and any late representation will be reported verbally. Statutory consultation will remain open until satisfactory responses are received from all relevant parties. Should late responses alter Officers position significantly, the proposal will be brought back before committee for re-assessment.

1.7. The application is at this stage considered compliant with the Central Lancashire Core Strategy, South Ribble Local Plan (policies as identified below), Residential Design SPD and Central Lancashire Affordable Housing, Open Space and Playing Pitch SPD's. It is therefore recommended that Members be minded to approve the application, and that the decision be delegated to the Director of Planning & Housing in consultation with the Chair and Vice-Chair of the Planning Committee upon successful completion of public consultation and a Section 106 Agreement to secure public open space contribution.

2. Application Site and Surrounding Area

2.1. The application refers to the central section of allocated housing Site 'V' (Policy D1 refers); the western part already developed as Reynard's Close and Auburn Avenue, whilst

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the eastern side remains undeveloped. Site V is part of a larger 3.3ha housing allocation known as Sites V, M & X which in combination supports development of around 211 dwellings over the next 15 years

2.2. Site V known locally as 'Kitty's Farm' is just outside the Longton settlement boundary and only a short distance from Longton's district centre. It is fairly level improved grassland/agricultural land bordered with sporadically placed trees and hedges. There are recently developed properties (completed 2014) off Reynard Close and Auburn Avenue – this is the western section of Site V, and to the east are sites X and M. South are agricultural land and Hall Pool (brook) which spans the southern boundary. North are residential properties addressed onto Rymer Grove

2.3. There is a Tree Preservation Order on the northern section of the eastern boundary but no public rights of way or public footpaths on or through the site. The area also lies within Flood Zone 1 (least likely to flood); a Flood Risk Assessment has been supplied

3. Site Context / Planning History

- ☐ 07/2000/0350 - Reserved matters for erection of 70 no. dwellings, associated access road and play area - *west of Site V now Old School Drive/Rymer Grove*
- ☐ 07/2012/0580/FUL - 14 no: dwellings, access roads, pond and associated works. Approved Dec 2012 – *now Reynard Close and Auburn Avenue (western section of housing allocation)*
- ☐ 07/2013/0198/SCE – Environmental screening opinion for residential development of 14 dwellings, site access roads and landscaping works. Environmental Impact Statement not required for the whole of Site V (2013)

Permission was also granted (Oct 2017 - ref: 07/2017/0623/FUL) for improvement of the Longton Hall Court/ Chapel Lane junction sufficient to service the remainder of allocated development sites M V and X (South of Longton Hall). Not implemented and now expired

4. Proposal

4.1. The applicant originally sought approval for 33 new residential units with associated works and new access from Reynard Close. Following discussions at, and deferral by Committee, the scheme was then reduced to 14 detached dwellings, but deferred again to allow residents to discuss design with the applicant.

4.2. *Community Engagement* - At the request of the Planning Committee at the time of the second deferral the applicant the applicant agreed to meet with a group of resident representatives and Officers of the Council. Following discussion, the following list of resident requests was taken away and a revised scheme provided. Regardless of any pre-application agreement however, any 'wish list' provided by residents must comply with the same adopted policy and consultee legislation that the applicant must work to.

- Variation of house types to include a mix of 5 and 6 bedroom detached units with varying roof types
- Switch plot 4 from house type 3 to house type 1 - *this was not changed as it removes the variety expressly required during the meeting, and as such there is no justification for the change. Spatial separation is however compliant.*
- Relocate plot 1 at the same angle 3m from no: 7 Auburn Avenue so that it is closer to plot 10 - *plot 11 has been moved by 1.4m. Any more would take it into the watercourse stand-off area which must remain clear. As proposed plots are already spatially compliant the applicant feels that this is a suitable compromise.*

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- Remove garages to some plots - *garages have been removed from plots 1, 2, 11 and 13 (western side) and 4, 5, 7, 9 (eastern side)*
- Lower the height and scale of remaining garages
 - *Garages changed from GT1 type to GT2 on plots 3, 12, 14 (west) and 10 (east)*
 - *Garages changed from GT2 type to GT1 on 5, 7 and 9 (east)*

To put this into context GT1 (buff) and GT2 (sand) have been changed from 3m eaves with 6.3m ridge heights, to 2.5m ridge and 5.2m ridge heights. Both are now buff coloured to match the relevant dwelling, and each retains a 35.19m² footprint

- Garage to plot 12 change to Garage Type 2 - *Change made*
- Garage doors removed from rear to side elevations - *Change made*
- Removal of rear roof lights where appropriate; in particular to house type two and plot 12 - *Velux roof lights removed to the main roof plot 12*
- Greater variety of design and materials

An extract from an e-mail from residents to the developer has also been provided which states

'Thank you for the plans submitted to the Planning Office. We would like to re-iterate the compromises we have made to date and were hoping the five suggested changes would enable us to reach a mutually acceptable application. As it stands, as a group of residents, we will not object to the application at committee if the following are conditioned approval of the plans:

- 1. The ridge heights and footprint of each plot cannot be increased above the approved plans.*
- 2. Velux, or any other window type, cannot be introduced to the 3rd floor/roof of houses on the Auburn / Reynard boundary'*

NPPF 2021 Para 56 states that *'Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects*'. Whilst a condition to remove permitted development rights is appropriate, would control ad-hoc changes permitted by Government and would pass the tests required of planning conditions, Members need to remember that the scheme is to be 14 self-build proposals which may not be built to the design that is being brought forward. This scheme is in Officers opinion policy compliant and should not require overarching separate control over what may or may not happen in the future – these would be considered as part of any future application. To impose such blanket conditions may also hamstring any attempt at good design which again would be assessed separately anyway. These conditions are considered by Officers to be unreasonable and therefore have not been imposed.

In summary, the final proposal comprises:

- 4.3. Access/Highways – access would be from Reynard Close (unadopted - west); a small 'spur' of two properties off Auburn Avenue). This is a natural extension to that spur. Within the site the road forms a 'T' shape with small cul-de-sacs at northern and southern ends. Pavement/service strips are shown on all sections, off road parking (garaged or external) is provided to adopted standards and although electric vehicle charging points are not shown on proposal drawings these but would be secured by condition for all properties.

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4.4. Proposed Development – 14 detached dwellings in 3 complementary house types (some reversed) provide for a mix of five and six bedroomed, two and three storey units with a height across the site of between 8.6m and 9.6m (excluding chimneys); the former scheme averaged 10.5m. Waste storage is possible to the rear of each dwelling and adequate gardens are shown for all properties; each secured by close boarded fencing and gates. Similar fencing is proposed around the western, northern and eastern site boundaries.

4.5. Dwellings which are designed to Secured by Design standards, would be constructed in red brick, with decorative render sections, grey roof tiles, and stone window cills and lintels. Overall material use would reflect that of adjacent housing developments. Density proposed is approximately 9.3 dwellings per hectare – extremely low in a Borough whose average is around 35 dph, and where surrounding estates are approx. 22 dph. The Councils latest Housing Land Supply Position Statement confirms however that the remainder of Site V (including land outside of this scheme) is expected to deliver 40 units equating to 15 dph. This proposal does not therefore fall too far short of expected delivery and is a direct reflection of that requested by residents at the earlier committee. Provision of larger executive homes will also by definition produce a lesser density layout and having regard to the 2013 section of Site V which provided for 10dph this proposal is on balance considered acceptable in density terms.

4.6. The applicant indicates that all properties would be offered as self-build projects. Regardless of future design changes which may be sought by different developers, the site layout and general form of the proposal would remain the same if approved, and any future amendments would be assessed against the site as a whole. There are several self-build schemes in the borough which have been very successful

4.7. Landscaping – In terms of natural landscaping this site is limited to boundary treatments and Hall Pool, but the proposed scheme has been designed to retain where possible existing natural features. Hall Pool (watercourse) is present along the southern boundary but at this point is not a main river line. The proposed cul-de-sac/service strip sits around 10m from the bank top.

4.8. Public Open Space – small sections of public open space have been provided south of the watercourse between plots 10 and 11, and north between plots 3 and 4. Whilst minimal, it is considered adequate for a site of this size.

4.9. Although this land is undeveloped, it is not open space, has no formal public access and does not otherwise have recreational value. It is recognised however that such a site, even when private and inaccessible for recreational use does impact on the character of nearby open spaces and public routes. In recognition of this, proposed landscaping and layout have been designed to relate effectively with, and reflect that of adjacent estates whilst retaining where possible boundary vegetation. Landscaping overall is considered acceptable

5. Summary of Supporting Documents

5.1. The application is accompanied by the plans and documentation noted in condition 2 below

6. Representations

6.1. Summary of Publicity

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6.1.1. During four rounds of consultation, three site notices were posted, and neighbouring properties were consulted (71, 186, 201 and 215 respectively). Ward Councillors Coulton and Hesketh have also been notified.

6.1.2. At the time of writing this report, the final round of public consultation has not been completed. Final comments are received on or before the 9th December, and as this is the day of planning committee the applicant felt that the scheme should once again be brought before Committee. Any final representation will be provided verbally or by way of an update sheet for Members, but if approved it is recommended that in addition to S106 discussions, the decision be delegated to the Chair, Vice Chair and Director of Planning and Housing to ensure completeness of consultation.

Representation relating to the final 14 unit proposal only have not been received at the time of writing this report. Comments raised with regards to the earlier schemes have not been carried forward.

6.2. Longton Parish Council

6.2.1. The Parish Council had not responded to the reduced scheme at the time of writing this report

7. Summary of Responses

As noted above, consultation for the latest proposal is incomplete. As such, some of the Councils statutory consultees have not yet responded. As changes are mainly cosmetic, relatively minor or do not affect the basic premise of the proposal it is highly unlikely that comments will change and therefore previously recommended conditions have been included for information within this report. Subject to any final comments however these can be changed as agreed with the Chair and Director of Planning

7.1. South Ribble **Arborist** has commented again and his statement relating to the original scheme remains the same. Eastern boundary trees are in-part subject to TPO and any works required should be applied for using the standard form. Trees on the eastern boundary are on an adjacent field separated by a brook. Those identified for removal consist of a single ash tree at the proposed site entrance to facilitate development, nine hawthorn and dead trees on the eastern boundary which are exempt from application. Replacement planting identified on the landscaping plan mitigates any proposed tree loss and increases tree cover in the vicinity utilising a number of species. A condition to require tree protection is necessary should approval be granted

7.2. **Lancashire County Council Education** previously noted that for both 33 and 14 unit schemes an education contribution is not required.

7.3. **Lancashire County Council Highways** previously assessed the final proposal and make the following comments in full. Access, layout and parking standards remain the same so it is likely that LCC will not change their response

'LCC as Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. The County Council is also committed to reducing congestion and delay and improving highway links both locally and strategically. With this in mind the present and proposed traffic networks have been considered which are influenced by this proposal. The site is located to the East of Reynard Close and South of Rymer Grove, Longton. LCC have reviewed the LCC five year personal injury database and the Crashmap website which indicate the following for the last 5 years:

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- *No incidents have been recorded on Reynard Close and Old School Drive.*
- *No incidents have been recorded on School Lane*
- *Two incidents (1 serious and 1 slight) have been recorded at the junction of School Lane, Chapel Lane and Liverpool Road.*

On investigation, the incidents appear to be of a nature that would not be worsened by the proposals.

Access

Proposed development would be accessed via School Lane, Old School Drive and Reynard Close. This would be acceptable in principle to LCC however the applicant should note that Reynard Close is currently unadopted. The road has been constructed to an adoptable standard with a 5.5m carriageway with 2m footways but LCC has not yet received a request or timescale for the roads adoption. The applicant should therefore check with their solicitor that they have rights over this road to access the site. The applicant should also be aware that proposed internal roads cannot be offered for adoption unit Reynard Close has been adopted. A continuous adopted road needs to be provided.

Internal Arrangements

The amended site and house type plans indicate parking for each dwelling in line with South Ribble Borough Councils parking standards. The majority of internal roads are to an adoptable standard but the following two sections are not and would remain as private shared surfaces (shared surface serving plots 17-19 and 1-4/apartments)., this arrangement is acceptable to LCC Highways

Transport Statement

Northwest Preston Strategic Trip Rates have been utilised to determine trip generation of the proposed development. This approach is acceptable to LCC and the expected trip generation indicated would have an acceptable impact on the local highway network. Accident data presented is in line with LCC Highways review for Reynard Close, Old School Lane and School Lane. The study area within the statement does not include the School lane, Chapel lane and Liverpool road junction which as indicated above has had two incidents within the last 5 years. LCC is however of the opinion that these two incidents appear to be of a nature that would not be worsened by the proposals. After considering all information contained within the Transport Statement LCC are of the opinion that the level of vehicle movements to and from the development would not have a significant impact on the operational performance of the local network.

Conclusion

Taking all of the above into consideration it would be difficult to prove that the proposed development would have a severe impact. The principle of a residential development at this site is acceptable from the highway perspective. Therefore, LCC Highways has no objections to the application. A number of conditions have been recommended should this proposal be approved'.

7.4. Lancashire Constabulary provided a crime impact statement including comments relating to site security. The statement is included in condition 2 to ensure works comply with approved documents

7.5. Ecology Consultant assessed all previous schemes and felt that earlier amendments did not materially change previous comments. The amendments to house types etc for the later scheme also have no material impact on the ecological issues associated with this development as the basic layout which would be the remit of the ecologist remains unchanged. The Hall Pool buffer is reasonable and concurs with original recommendations, and the number of trees proposed is good and results in wildlife benefits. The development may still result in net biodiversity loss when measured using defra metric

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as this does not take into account individual trees. The metric is not however effective for small developments, this being borderline in terms of whether or not the metric would be used. Subject to conditions as previously agreed, and installation of bird and bat boxes on half of the houses, the proposal is considered acceptable.

7.6. Economic Development – an Employment & Skills Assessment has not been provided but ED are happy for this to be subject to pre-commencement condition

7.7. Environment Agency - as the proposal is in Flood Zone 1 and does not affect a main river, EA have no comment.

7.8. Environmental Health have no further comments, and have always asserted that subject to conditions relating to construction management and vehicle charging points they have no objection. Informative notes have also been requested

7.9. Lead Local Flood Authority – Drainage plans have not changed and LLFA had no earlier objection subject to conditions relating to sustainable drainage

7.10. United Utilities also had no earlier objection subject to sustainable, pre-commencement drainage conditions. These have been combined with those requested by the LLFA

7.11. Strategic Housing – During the proposal for 33 units, the Council's housing team requested that 35% affordable housing should be provided in line with Policy 7 of the Central Lancashire Core Strategy as the site is in a rural area adjoining a settlement. The threshold for such provision is 10 dwellings. Since that time the applicant has provided Counsel advice to support the site being an urban site, for which 30% of affordable houses is required but with a higher threshold of 15 units. This level was also supported on the 2013 Site V scheme adjacent, and as such the proposal of 14 dwellings which does not reach the 30% threshold is not required to provide for affordable housing.

8. Material Considerations

8.1. Site Allocation Policy

8.2. Several large sites were submitted to the Council via the site allocations process, and assessed by measuring sustainability, location and the areas infrastructure needs. The Council allocated the most suitable sites for residential development and related infrastructure. These were adopted for development, are tabled in Policy D1 (Allocation of Housing Land) and have an appropriate prospect of being available and developed as envisaged. Housing allocations focus development in South Ribble's urban areas to maximise access to services, facilities, employment and alternative travel choices. The priority is to develop sites which offer the opportunity for redevelopment or re-use, which would contribute to regeneration, viability and vitality, and which are within or close to public transport corridors and sustainable brownfield land. Where insufficient brownfield or re-use sites are available however greenfield sites in sustainable locations have been released; this is such a site.

8.2.1. This site is the central section of allocated housing Site 'V' designated by Policy D1; the western part already having been developed, whilst the eastern side remains open. Site V is part of a larger 3.3ha housing allocation known as Sites V, M & X which in combination support development of around 211 dwellings over 15 years (suggested at a relatively low 83, 80 and 48 dwellings respectively). Site M lies south of Longton Hall to the east of Site V, whilst Site X is to the north of site M

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8.2.2. Sites V, M & X abut Longton's established settlement boundary and are a short distance from Longton's district centre. Longton has a tightly defined Green Belt boundary which limits opportunities for edge of village development. Some development in and adjacent to the village therefore is important to maintain its vitality and viability, and support and maintain the services it provides.

8.2.3. The Site X allocation also provides for possible access from Chapel Lane. Proposed development does not allow for connectivity between sites V, M or X, but there is no actual policy requirement for the Chapel Lane or any other access to be provided into one or all of the allocated site sections. For users of Site V to access Chapel Lane, a new road would be needed through Sites X and M on land which may not be in the same ownership. Conversely, in the long term this would also provide access/egress for all 3 sites into School Lane via Reynard's Close which is likely to be problematic.

8.3. Additional Policy Background

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

8.3.1. *National Planning Policy Framework*

☐ The NPPF (2021) at Para 11: provides a presumption in favour of sustainable development which means approving development which accords with the development plan unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the framework as a whole. Other chapters of the NPPF of interest are:

☐ Chapter 5: Delivering a sufficient supply of homes - housing applications should be considered in the context of the presumption in favour of sustainable development.

☐ Chapter 9: Promoting sustainable transport – this encourages opportunities for alternatives to travel by car (cycle, walking, public transport) with development which is close to appropriate facilities and employment options

☐ Chapter 11: Making effective use of land – planning should promote the effective use of land in meeting the need for homes whilst safeguarding and improving the environment and living conditions. Decisions should avoid homes being built at low density where there is identified need, and should consider minimum density standards, but development should reflect that of its surroundings.

☐ Chapter 12: attaches great importance to the design of the built environment

☐ Chapter 14: Meeting the challenge of climate change, flooding and coastal change – the planning system supports the transition to a lower carbon future taking account of flood risk and climate change.

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

8.3.2. *Central Lancashire Core Strategy*

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

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- ☐ Policy 4: Housing Delivery provides for and manages the delivery of new housing.
- ☐ Policy 5: Housing Density aims to secure densities of development in keeping with local areas, and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the area
- ☐ Policies 6: Housing Quality and 27: Sustainable Resources and New Development both aim to improve the quality of housing by facilitating higher standards of construction, greater accessibility and ensuring that sustainable resources are incorporated into new development.
- ☐ Policy 7: Affordable Housing confirms a target of 30% affordable housing in an appropriate form for housing developments of 15 dwellings or more in urban parts of Preston, South Ribble and Chorley. 35% should be provided on market schemes in rural areas on sites in or adjoining villages that have or will have a suitable range of services, and 100% on rural exception sites.
- ☐ Policy 17: Design of New Buildings requires new development to take account of the character and appearance of the local area.
- ☐ Policy 22: Biodiversity & Geodiversity aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area
- ☐ Policy 26: Crime & Community Safety seeks to reduce crime levels and improve community safety by encouraging the inclusion of Secured by Design principles in new development.
- ☐ Policy 29: Water Management seeks to improve water quality and flood management by appraising, managing and reducing flood risk in all new development.

☐ *South Ribble Local Plan*

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

- ☐ Policy A1: Developer Contributions – new development is expected to contribute towards mitigation of impact upon infrastructure, services and the environment, by way of Section 106 agreement and/or CIL contributions.
- ☐ Policy F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.
- ☐ Policy G10: Green Infrastructure states that all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development, in accordance with specific but flexible standards
- ☐ Policy G13: Trees, Woodlands and Development states that development will not be permitted where it affects protected trees and woodland. Where loss of the same is unavoidable however this policy accepts suitable mitigation.
- ☐ Policy G16 –Biodiversity and Nature Conservation protects, conserves and enhances the natural environment at a level commensurate with the site's importance and the contribution it makes to wider ecological networks.

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

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

8.3.3. *South Ribble Residential Design SPD* discusses design in very specific terms and is relevant with regards to separation between properties in and beyond the site bounds.

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

8.3.5. *Central Lancashire Affordable Housing SPD* guides on a range of approaches to deliver affordable housing which meets local needs. This reflects the remit of the Central Lancashire Strategic Housing Market Assessment which amongst other things maximises affordable housing delivery in a form relevant to its surroundings

8.4. Impact of Development on Neighbouring Properties

8.4.1. The South Ribble Residential Design SPD requires a minimum distance of 13m between a first-floor habitable room window and any blank wall or gable facing, and 21m between any directly facing habitable room windows. The closest residential properties outside of the site are as follows:

8.4.2. South is a tract of Green Belt Land which would be unaffected. Similar land is present to the east but is allocated for housing as the third section of Site V. 40m from the rear of plot 7 and within Site V is a stable block accessed off Rymer Grove and screened by shrubbery

8.4.3. West of the site are Reynard Close and Auburn Avenue whose rear gardens would face the proposed development. Proposed dwellings would be between 21.8m and 36m from these properties.

8.4.4. The side elevations (en suite (1st and 2nd) and utility (ground floor) windows of plots 3 and 4 would also face the rear of no's 4-12 Rymer Grove at between 17m and 21m distance. Utility windows would be screened by fencing and landscaping, and en-suite windows would be obscurely glazed. Plot 4 would face no: 1 Rymer Grove at 37m minimum.

8.4.5. Properties within the site would benefit from spatial separation of between 21.2m and 37m.

8.4.6. When taking into account site layout, existing and proposed boundary treatments, shrubbery and trees the inter-relationships and spatial separation between proposed and existing neighbouring properties accords fully with the sentiments of the South Ribble Residential Design Guide SPD.

8.5. Design, Character & Appearance & Crime

8.5.1. *Design* – Local Plan Policy G17 (Design Criteria for new development) supports development which relates well to neighbouring buildings and the extended locality, that layout, design and landscaping are of a high quality; providing interesting visual environments which respect local character, reflect local distinctiveness, and offer

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appropriate levels of parking and servicing space in line with Policy F1 (Parking Standards) of the same document. Core Strategy Policy 17 (Design of New Buildings) effectively mirrors these criteria.

8.5.2. This part of Longton is a mix of modern and traditional properties in a range of size, style, height and orientation. Properties to the west are recently developed but in a design, which would complement the proposed units. Dwellings on Rymer Grove are similar in style but in complementary materials; both are typical estate style configurations. This site presents an obvious extension to these areas and has been designed to prevent detriment to existing housing stock. The existing estate is characterised by predominantly two storey properties, although there are three storey units placed at strategic points throughout the adjacent estate. Visual intrusion would undoubtedly occur as the existing is currently open grassland, but the site is allocated by the Local Plan for housing, and on balance when taking into account existing and suggested screening, recent amendments to the scheme and reductions in height on both proposed dwellings and garages, impact by way of visual intrusion to and from the site would be within acceptable levels

8.5.3. NPPF Para 73 notes that supply of large numbers of new homes can often be best achieved through planning for larger scale development – including significant extensions to existing settlements provided they are well located and designed and supported by the necessary infrastructure and facilities. Policy B1 acknowledges that the development of sites such as this provides the opportunity to make best use of existing services and utilities.

8.5.4. Overall this proposal was not considered excessive or overtly impactful from a visual perspective. Since revisions have reduced proposed built development this opinion does not change. It would however extend an existing settlement where connection to existing infrastructure is possible. There are established community facilities in the area, and the principle of development has been established – subject to all other matters being acceptable – by its allocation for housing led development. Other than its historic agricultural use the site was never one suggested for preservation as open or public space

The proposed layout demonstrates similar garden sizes to surrounding residential properties, and that a development of this size can be accommodated on this site without resulting in a detrimental impact on the character and appearance of the area through overdevelopment and intensification of the urban fabric. There is an argument that such low densities would result in disparity between the wider estate and this site, and that any precedent set for density reduction on sites V,X and M would further highlight that disparity; making the existing well placed estates seem more constrained. An alternative viewpoint however is that this part of the site is a sensitive boundary with potential for density to increase as future developments move into the remaining three sites. In ideal circumstances the proposal would relate both in design and density, but Members made it clear that the original proposal needed significant alteration and the developer has done as requested.

8.5.5. In terms of the developments detailed design, NPPF Para 124 stresses the importance of securing well-designed, attractive and healthy places. The proposal has been designed in response to comments made by Members and following discussion with residents. It would respect its surroundings and would be constructed using modern, sustainable materials and construction methods.

8.6. Highways Considerations, Suitability of Access and Parking Arrangements

8.6.1. The applicants final transport statement concludes that proposed access arrangements would have a low traffic impact on the local highway network. Internal layout facilitates pedestrian linkage to existing footpaths, and provides access to, and is accessible from a range of sustainable transport options (below) as well as by car.

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8.6.2. In line with Local Plan Policy F1 (Parking Standards), off road parking should be provided to adopted standards. Having regard to LCC Highways comments the proposal is compliant in this regard.

8.7. Sustainability

8.7.1. One of the NPPF core principles is to ensure developments include opportunities to promote walking, cycling and public transport. It is considered that the proposed layout offers opportunity for pedestrian use, and that the offer also benefits from the following:

8.7.2. *Community Facilities* – There are 4 secondary and 10 primary schools within 3 miles of the site; St Oswald's and Longton Primary are less than 300 yards away. 6 GP and 3 dental surgeries sit within a two-mile radius, and local shops are present less than 500m away on Liverpool Road.

8.7.3. *Public Transport/Pedestrian/Cycle Routes* – Bus stops are present on Chapel Lane and Liverpool Road (450m away), and railway stations at Preston, Lostock Hall and Croston are under 4 miles distance; each easily accessed via major road system.

8.7.4. *Construction Standards*- One of the objectives of modern construction is to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources whilst improving the quality of housing by facilitating higher standards of construction. Conditions to ensure appropriate construction standards are recommended in line with adopted policy.

8.7.5. A number of construction measures have been proposed. Others including district heating have been discounted as unsuitable or unviable for such a small scheme. The applicant has provided a sustainable energy statement however which notes that '*design solutions predicted to reduce total carbon emissions ... overall 20% carbon emission improvement*'.

8.7.6. In terms of being sustainable development this proposal is considered acceptable.

8.8. Natural Environment, Ecology and Ground Conditions

8.8.1. The previous application was accompanied by Ecological (EA), Arboricultural Impact Assessments (AIA) and a drainage strategy. These remain valid and as changes do not impact on either area comments from statutory consultees remain the same

8.8.2. *Trees* – The AIA notes that there are 12 individual trees, 9 tree groups and 2 hedgerows within or bounding the site. A Tree Preservation Order is present along the northern edge of the eastern boundary. Of trees surveyed two partial hedgerows, three partial groups (poor remains of a boundary hedge) and two trees are recommended for removal – the trees being dead trees on the opposite side of the water filled boundary. Mitigation would be in the form of curtilage planting. Conditions to protect trees in line with the above study are recommended

8.8.3. *Ecology* –The applicants ecological assessment states that development can proceed without direct adverse impact on the site's biodiversity or nature conservation. The council's ecologist concurs with this stance subject to imposition of a number of conditions to prevent or mitigate against harm. One of the ecologist's earlier recommendations was that a natural buffer of 8m should be provided between any development and Hall Pool. This has been applied to the revised scheme and the ecologist is now satisfied. Having regard to both the

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Ecologist and Council Arborists comments it is considered that subject to enhancement measures to compensate for lost ecological biodiversity on site this proposal is acceptable.

8.8.4. *Air Quality* – the applicant has not supplied an air quality management report, nor has Environmental Health requested one; the closest Air Quality Management Area being roughly 8 miles east.

8.8.5. *Water Management/Utilities* - In addition Core Strategy Policy 29(e) (Water Management) seeks to improve water quality and flood management in areas such as Longton. The proposal site sits within Flood Zone 1 and developable areas of the site are at low risk of flooding. There is no recorded history of flooding on this or surrounding sites. Sustainable drainage can be secured by conditions as recommended

8.9. Developer Contributions

8.9.1. Local Plan Policy A1 (Developer Contributions) expects that new development will contribute towards mitigation against impact on infrastructure, services and the environment. Appropriate contributions would be secured via S106 legal agreement and/or Community Infrastructure Levy.

8.9.2. *Affordable Housing* - Core Strategy Policy 7 (Affordable and Special Needs Housing) and the Affordable Housing SPD require sites of 15 dwellings or more to provide a minimum of 30% affordable housing on sites in urban areas. This increases to 35% for sites in rural areas in or adjoining villages that have or will have a suitable range of services. 100% should be provided in truly rural locations. Where 35% or 100% is required the threshold reduces to sites of 10 units.

8.10. During the initial proposal for 33 units, the Councils housing team requested that 35% affordable housing should be provided in line with Policy 7 of the Central Lancashire Core Strategy where the site is in a rural area adjoining a settlement. The threshold for such provision is 10 dwellings. Since that time the applicant has provided Counsel advice to support the site being an urban site, for which 30% of affordable houses are required but with a higher threshold of 15 units. This level was also supported on the 2014 Site V scheme adjacent, and as such the proposal of 14 dwellings which does not reach the 30% threshold is not required to provide for affordable housing.

8.10.1. *Community Infrastructure Levy* - CIL is payable on all new dwellings apart from apartments and affordable housing. On this basis that - having regard to Counsel advice - this site would not provide affordable or apartments housing, all 14 properties would be liable for CIL payment. The applicant has claimed liability for 5695ml of floor space which would attract a CIL payment at the 2021 rate of £65 x 1.423 per square metre of floor space (not footprint) – £526,759.03. He has also however claimed self – build exemption on the presumption that properties will be offered up before construction as a self-build development. This is lawful and the applicant would work through this post-decision with the Councils CIL officer.

8.10.2. *Public Open Space* - The NPPF states that ‘access to high quality open space makes an important contribution to the health and wellbeing of communities’. As such, all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development in accordance with specific but flexible standards.

8.10.3. On such a constrained site any public open space would be limited and would not function well for amenity purposes. There are however areas of amenity grassland (which includes areas of visual amenity) which are considered adequate. A public open space

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contribution towards off site POS has been recommended at the rate of £1414 for equipped play areas at Longton School Lane, and £21,098 for borough wide playing pitches at Longton playing fields.

8.11. Impact upon Heritage Assets

8.11.1. The only property listed on the National List of protected structures is Longton Hall (Grade II) which lies beyond the eastern section of Site V and would not be affected in any way by this proposal.

8.12. Planning Balance

8.12.1. The position to be considered by Members isn't whether or not this site is suitable for housing development. That assessment has been made by, and found sound during examination of the Local Plan. As such the principle of development - subject to all other material considerations being acceptable – is established. The planning balance therefore is whether material considerations relating to this proposal are compliant with development plan policies, and if not if the harm caused by the development is outweighed by other matters and can be justified in planning terms.

8.12.2. Reduction of dwelling numbers to the low level proposed (9.3 dwellings per hectare) is likely to affect the councils five-year housing supply, and ultimately could necessitate release of additional land in the Longton area to provide for the shortfall. The precedence set by this site for such low density when Members come to consider the adjacent sites V, M and X must be given some thought as approval of this scheme would offer a basis for the entire allocation to be reduced in number; again necessitating release of more land to provide for housing targets set by Government. The NPPF requirement for increased densities and most efficient use of land must also be taken into account, yet despite these policy requirements Members felt at the earlier committee that the former 33-unit scheme which was already lower than average at 22 dph needed significant reduction, and as such the developer has taken all comments into account when compiling this final proposal.

8.12.3. On presentation of the then 14-unit scheme Members further required the developer to discuss the sites design with residents; Officers can confirm that this has happened. Where possible changes have been made to the design, height, orientation and size of dwellings and garages – some of which have also been removed – but weight must also be given to the commercial viability of the site. Not all changes can be accommodated, and compromise has been necessary on all sides to provide for a site which residents are comfortable with, but which delivers the reasonable profit which the National Planning Policy Framework says that all developers should expect to make. Officers earlier opinion that the proposal was policy compliant has not changed, and no other matters were raised by Members as being of such issue that they must be re-visited by the applicant before being brought back for determination

8.12.4. Due to the detailed arguments associated with this application, both pros and cons of the proposal are summarised below. Due weight can then be applied by members to the pros and cons in the decision-making process

8.12.5.

Material Considerations In Favour of Development Include:

- Delivery of a policy compliant, sustainable development of 14 market dwellings, in a design which is relevant to the area
- Public open space financial contribution
- Contribution towards 5-year housing land supply on an allocated housing site

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- Very low density of 9 dwellings per hectare with appropriate spatial separation and infrastructure
- Retention and enhancement of trees, shrubbery and site biodiversity
- No objection from the Councils statutory consultees subject to precautionary conditions (at the time of writing this report)

Material Considerations Against Development include:

- Loss of open land may affect the visual character and appearance of the area
- Increased noise and traffic generation
- Loss of 12 previously proposed affordable units (33 unit scheme) in an area of high property value, and which were to be restricted to local occupancy
- Reduced contribution towards Councils 5 year housing supply, and potential precedent for reduction of adjacent sites V, X and M to the same low density level
- Low-density levels which contradict the NPPF requirement for efficient use of land and higher density sites, and constrain an allocated housing site

9. Conclusion

9.1 The site is visually open and was last in agricultural use but is not needed to satisfy a recreational need in the local area. The land is private, there are no public rights of way or access and subject to landscape and ecological enhancement the proposal suggests a scheme which would not detrimentally affect the nature or conservation value of the site.

9.2 There is no question that the site is suitable for housing; that is established by its allocation. What is evident is that the final proposal presents a well-designed, spatially acceptable development which would respect the character and appearance of the area. Affordable housing provision is not necessary, but public open space on and off site is considered appropriate to the sites size and should the applicant decide to develop instead of advertising units as self-build opportunities, CIL monies towards local infrastructure will support local services. Overall, the benefits seen from this site are felt to outweigh the limited harm caused by it. Other issues have been appraised as detailed above by the Councils statutory consultees.

9.3 It is considered that subject to these conditions this site would be appropriate for residential use; particularly when taking into account surrounding uses and the adjacent highways network. On balance therefore the proposed application for residential development of 14 dwellings and associated infrastructure is considered compliant with the National Planning Policy Framework and local development plan, and it is recommended that Members be minded to approve the application and that the decision be delegated to the Director of Planning & Housing in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of public consultation and a Section 106 Agreement to secure a public open space contribution

RECOMMENDATION:

That Members are minded to approve the application, and that the decision is delegated to the Director of Planning & Housing in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of public consultation and a legal agreement to secure a public open space contribution

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.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:
 - o Design & Access Statement 19024-C4P-XX-XX-RP-A-0001 (Oct 2021) C4 Projects)
 - o Ecological Survey 2019/235: December 2019 (Erap)
 - o Counsel opinion. J Easton 3.6.2021 (confidential)
 - o Crime Impact Assessment R Hines 26.11.19 (Lancashire Constabulary)
 - o Crime Impact Assessment R Hines 21.10.19 (Lancashire Constabulary)
 - o Drainage Strategy 19313-PWA-00-XX-PR-C-1001-P04 Paul Waite
 - o Flood Risk Assessment 19313-PWA-00-XX-PR-C-1001 P03 June 2021 Paul Waite
 - o Phase 1 Geo-Environmental Report 19313-PWAG-00-XX-RP-G-1000/P02 (PWA)
 - o Transport Statement J324490 V2: June 2021 (Mode Transport)
 - o Arboricultural Constraints Appraisal BTC2138 December 2020 (Bowland)
 - o Sustainability & Renewable Energy Statement Z36125.2 (Energy Council)

Proposal Drawings

- o Landscape working arrangements PR/19/LD01/GA/01/Rev E The Plant Room
 - o Topographical land survey S21-002 (JLP Surveying)
- C4Projects drawings
- o Location plan 19024-C4P-AV-00-DR-A -0100/P1
 - o Existing site plan 19024-C4P-AV-00-DR-A-0101/P1
 - o Site constraints plan 19024-C4P-AV2-XX-DR-A-0201-P3
 - o Parameters site plan 19024-C4P-AV2-XX-DR-A-0503-P4
 - o Existing tree planting scheme AV-00-DR-0503/P8
 - o Site Sections 19024-C4P-AV2-ZZ-DR-A-0701/P2
 - o Double garage 2 reduced height 19024-C4P-DG2-XX-DR-A-2001-P2
 - o Double garage 1 reduced height 19024-C4P-DG1-XX-DR-A-2001-P3
 - o Proposed boundary treatment /external finished 19024-C4P-AV2-ZZ-DR-A-0502/P3
 - o House types site plan 19024-C4P-AV2-ZZ-DR-A 0501/P4
 - o Proposed site plan 19024-C4P-AV2-ZZ-DR-A 0500/P5
 - o House type 1 floor, roof and elevation plans 19024-C4P-H1-ZZ-DR-A-2000-P2, 2001-P2, and 2100-P2
 - o House type 1 handed floor, roof and elevation plans 19024-C4P-H1h-ZZ-DR-A-2000-P2, 2001-P2, and 2100-P2
 - o House type 2 handed floor, roof and elevation plans 19024-C4P-H2h-ZZ-DR-A-2000-P2, 2001-P2 and 2100-P2
 - o House type 2 floor, roof and elevation plans 19024-C4P-H2-ZZ-DR-A-2000-P2, 2001-P2 and 2100-P2
 - o House type 3 handed floor, roof and elevations 19024-C4P-H3h-ZZ-DR-A-2000-P2, 2001-P2 and 2100-P2
 - o House type 3 floor, roof and elevations 19024-C4P-H3-ZZ-DR-A-2000-P2, 2001-P2 and 2100-P2

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

3. Prior to commencement of works on site, details of future employment and skills at the Reynard Close site as explained by, and in line with the Central Lancashire

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Employment and Skills SPD and Appendix 1 of the same document shall be submitted to, and approved in writing by the Local Planning Authority. Once approved the assessment shall be adhered to thereafter unless agreed in writing with the Local Planning Authority

REASON: To identify skills shortages, and to ensure that there are the necessary employment and skills opportunities in local areas in accordance with Central Lancashire Core Strategy Policy 15

4. Development and post development planting shall be undertaken in accordance with the recommendations of approved Arboricultural Report/Impact Assessment in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

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

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

5. Should the development not have commenced within 24 months of the date of this permission, a re-survey be carried out to establish whether bats or other protected species are present at the site shall be undertaken by a suitably qualified person or organisation. In the event of the survey confirming the presence of such species details of measures, including timing, for the protection or relocation of the species shall be submitted to and agreed in writing by the Local Planning Authority and the agreed measures implemented.

REASON: To ensure the protection of schedule species protected by the Wildlife and Countryside Act 1981 and so as to ensure work is carried out in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

6. Development shall be undertaken in line with the recommendations of approved Preliminary Ecological Appraisal (ERAP 2019-235),)

REASON: To ensure adequate provision is made for these protected species in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

7. 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

8. No tree felling, clearance works, demolition work or other works that may affect nesting birds shall take place between March and August inclusive, unless the absence of nesting birds has been confirmed by surveys or inspections.

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

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9. Prior to removal of any trees, and to avoid harm to bats as identified in the Ecological Survey and Assessment (ERAP 2019-235), a bat emergence survey shall be provided to, and agreed with the local planning authority. Written details of the survey and works shall be provided to the local planning authority thereafter.
REASON: To protect habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy
10. No development, site clearance, earth moving or other construction shall take place, or material or machinery brought onto site until a method statement to protect Hall Pool and other boundary ditches from accidental spillages, dust and debris has been supplied to and agreed with the Local Planning Authority. All agreed measures shall be implemented and maintained for the duration of the construction period in accordance with the approved details
REASON: To protect watercourses and habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy
11. No development shall take place until it can be demonstrated that there will be no negative impacts on the ecological status/potential of Hall Pool resulting from disposal of surface water post-development. Justification/details shall be submitted to, and approved in writing by the local planning authority. The details as approved shall be implemented in full in accordance with a timetable which has been first agreed in writing with the local planning authority
REASON: To protect watercourses and habitats of wildlife, in accordance with Policy 22 in the Central Lancashire Core Strategy
12. Details of bat and/or bird roosting opportunities to be provided on at least 7 of the approved dwellings shall be provided and agreed in writing by the Local Planning Authority. Once agreed, these shall be installed prior to first use of the facility hereby approved and retained thereafter.
REASON: To ensure adequate provision is made for these protected species in accordance with Policy 22 of the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026
13. No machinery shall be operated, no process carried out and no deliveries taken at or dispatched from the site during construction, demolition or clearance of the site outside the following times:
0800 hrs to 1800 hrs Monday to Friday
0800 hrs to 1300 hrs Saturday
No activities shall take place on Sundays, Bank or Public Holidays.
REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy
14. The garage(s)/parking areas hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability of their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.
REASON: To safeguard residential amenity and to provide satisfactory off-street parking facilities in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

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15. Prior to first occupation of each dwelling with driveway access hereby approved, one Electric Vehicle Recharge point shall be provided to that dwelling. Once installed it shall be retained and maintained thereafter.
REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy
16. No development shall commence in any phase until a detailed, final surface water sustainable drainage scheme for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage scheme shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy submitted and sustainable drainage principles set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public sewer, directly or indirectly.
Those details shall include, as a minimum:
- a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, finished floor levels in AOD with adjacent ground levels. Final sustainable longitudinal sections plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, with adjacent ground levels. Cross section drawings of flow control manholes and attenuation tank if specified.
 - b) Detailed and cross section drawing of outfall in watercourse. Further cross sections of watercourse 10m upstream of outfall and 10m downstream of outfall are also required. These plans should include both bank levels, bed levels and actual water levels in AOD. Evidence is required to prove that the watercourse is in good condition and the outfall will not cause flooding on or off site.
 - c) Proposed ground levels on the boundary and garden levels of all the plots at the rear/side of no.12 Rymer Grove, nos.1-7 Auburn Avenue and nos.1 & 2 Reynard Close.
 - d) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development greenfield run off. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - e) Sustainable drainage flow calculations (1 in 1, 1 in 2, 1 in 30 and 1 in 100 + climate change).
 - f) Plan identifying areas contributing to the drainage network
 - g) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,
 - h) A plan to show overland flow routes and flood water exceedance routes and flood extents.
 - i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
 - j) Breakdown of attenuation in pipes, manholes and attenuation tank.
- The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings.
Reason To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, and Policy 29 in the Central Lancashire Core Strategy
17. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority. Those details shall include for each phase, as a minimum:

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a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reasons

1. To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere;

2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies. in accordance with Policy 29 in the Central Lancashire Core Strategy

18. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed. Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

19. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around all trees to be retained on the site as detailed in the Tree Protection Plan which has been agreed by the Local Planning Authority. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Within these fenced areas no development, vehicle manoeuvring, storage of materials or plant, removal or addition of soil may take place. This includes ground disturbance for utilities. The fencing shall not be moved in part or wholly without the written agreement of the Local Planning Authority. The fencing shall remain in place until completion of all development works and removal of site vehicles, machinery, and materials in connection with the development.

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

20. No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:
- o A plan to a scale of 1:1000 showing the location of all defects identified;
 - o A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.
- No dwelling shall be occupied until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.
Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer.
21. For the full period of demolition/construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
REASON: In the interests of highway safety and other highway users in accordance with Policy G17 in the South Ribble Local Plan 2012-2026
22. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
- o 24 Hour emergency contact number;
 - o Details of the parking of vehicles of site operatives and visitors;
 - o Details of loading and unloading of plant and materials;
 - . Arrangements for turning of vehicles within the site
 - . Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
 - o Measures to protect vulnerable road users (pedestrians and cyclists);
 - o The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - o Wheel washing facilities;
 - o Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
 - o Measures to control the emission of dust and dirt during construction;
 - o Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - o Construction vehicle routing;
 - o Delivery, demolition and construction working hours.
- The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.
REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in to protect the amenity of neighbouring residents in accordance with Policy G17 in the South Ribble Local Plan 2012-2026..

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23. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
24. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.
REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026.

Note: It is recommended that to discharge the condition the local planning authority should seek to require a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a private management and maintenance company confirming funding, management and maintenance regimes.
25. Prior to first commencement on site a survey of the existing ground levels and proposed ground, slab and finished floor levels shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
REASON: To ensure a satisfactory standard of development in accordance Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
26. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.
REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate
27. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local

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Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential

28. Each dwelling hereby approved shall not be occupied until refuse and recycling storage facilities for that dwelling have been provided. These facilities shall thereafter be retained for use at all times.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with Policy 27 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

29. Each dwelling hereby approved shall not be occupied until the boundary treatment for the dwelling has been provided in accordance with the approved details. Any fencing/walling erected pursuant to this condition shall be retained at all times thereafter.

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

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

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

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

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

South Ribble Local Plan

- A1 Policy A1 Developer Contributions

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- D1 Allocations of housing land
- F1 Car Parking
- G10 Green Infrastructure Provision in Residential Developments
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

Residential Extensions Supplementary Planning Document
Affordable Housing Supplementary Planning Document
Open Space and Playing pitch Supplementary Planning Document

Note:

Other application Informative

1. Attention is drawn to the condition(s) attached to this planning permission. In order to discharge these conditions an Application for Approval of Details Reserved by Condition form must be submitted, together with details required by each condition imposed. The fee for such an application is J116. The forms can be found on South Ribble Borough Council's website www.southribble.gov.uk

2. Ecology Notes: The applicant is advised that under the terms of the Wildlife and Countryside Act 1981, and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species. The work hereby granted does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species

It is an offence under the Wildlife & Countryside Act 1981 as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act. Species such as Japanese Rose which are present on site are included in this schedule. If any such species will be disturbed as a result of this development a suitable qualified consultant should be employed to advise on how to prevent an offence

3. Environmental Health Note: It is recommended that contact details are provided at the front of the construction site and a letter drop is made to all nearby properties containing contact details and informing them of any unusual construction methods e.g. working outside normal construction times, use of piling machines etc, along with timescales for this work.

4. Lead Local Flood Authority Note: For the avoidance of doubt, this permission does not grant the applicant permission to connect to the ordinary watercourse and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site.

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Application Number 07/2021/01041/FUL

Address 2 Maplewood Close
Leyland
Lancashire
PR25 1HP

Applicant Northridge Care Group LTD

Agent Mr Graham Lea
Office 5 Newlands House,
60 Chainhouse Lane
Whitestake
Preston
PR4 4LG
United Kingdom

Development Change of use of C3 Dwelling to C2 Residential institution (to accommodate three children, aged 8-17 with carers) (amended description)

Officer Recommendation **Approval with Conditions**
Officer Name **Emma Sheppard**



Date application valid 07.10.2021
Target Determination Date 02.12.2021
Extension of Time ???

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1. Introduction

1.1 The application is being presented to Committee at the request of Councillor Bell, agreed by the Director due to significant neighbour interest.

2. Report Summary

2.1 Planning permission is sought for the change of use of the existing dwellinghouse (Use Class C3) to a Residential Institution (Use Class C2) to accommodate three children aged 8-17 with carers. It is to be noted that the description of development was altered during the application process due to a discrepancy between the application forms and the Supporting Statement. Given that this was related to age of the children and no other factors, re-notification was not deemed necessary in this instance.

2.2 At the time of writing the Committee Report, 15no. written representations have been received along with a petition with 52 names.

2.3 There are minimal internal alterations proposed and no external alterations planned to facilitate the use.

2.4 The proposal is deemed to be in accord with Policies B1, F1 and G17 of the Adopted Local Plan 2012-2026 and Policy 17 of the Central Lancashire Core Strategy. Therefore, the application is recommended for approval subject to the imposition of conditions.

3. Application Site and Surrounding Area

3.1 The application relates to a modest, 4no bedroom detached dwellinghouse fronting Maplewood Close, a residential cul-de-sac comprising 13no dwellings to the south-west of Leyland town centre.

3.2 The surrounding area comprises residential dwellings arranged in a linear fashion fronting Maplewood Close. The dwellings vary in size and style. To the west of Maplewood Close is a row of two storey dwellings of similar style with bungalows directly opposite the site.

3.3 The property is a 4no bedroom property which benefits from a small-scale conservatory to the rear elevation and a block paved driveway partially enclosed by a low height brick planter.

3.4 The site is situated within an existing built-up area as defined by Policy B1 of the South Ribble Local Plan.

4. Relevant Planning History

4.1 07/2005/0239 – Dormer to side elevation – Approved

5. Planning Proposal

5.1 This application seeks planning permission to change the use of the property from a dwellinghouse (C3) to residential institution (C2) to accommodate three children/young adults (aged 8- 17) at any one time.

5.2 The home would be managed by a company called Northridge Care Group Ltd. The home will be staffed by carers who work on a shift patterns to provide 24 hour care for the children. Three or four staff will be present on site daily at any one time working on a rota basis with shift patterns being around 8am, 5pm and 10pm with a handover period after each shift. The staff would arrive by car and function as the children's carers, taking them to

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school and other extra-curricular activities. The applicant has stated that any visitors are infrequent and all visits would be pre-arranged.

5.3 There would be no external changes to the property to facilitate the use with the plans showing internal alterations at ground floor proposing the removal of the utility at ground floor to provide a WC/shower room and managers office and one of the bedrooms at first floor to be used as a staff bedroom/office.

5.4 The property benefits from a paved driveway which would allow for on-site parking of up to 3no. cars

6. Representations

15 letters of objection received with the points summarised below:

- Lack of neighbour notification
- It's a business to make money
- Business use in a residential area
- Business model seems inaccurate
- Insufficient amenities
- Insufficient parking
- Lack of privacy
- Noise and disturbance
- Covenant issues
- Loss of sense of community
- Conflict of interest due to jobs
- Depreciation of house value
- Potential for vandalism and abusive behaviour

It is also to be noted that a letter with petition was submitted with 52 names. The petition raises objections on the grounds of increased noise, lack of allocated parking and vulnerability and safety of existing residents.

7. Consultation Replies

7.1. *LCC Highways* – Amended plans were submitted. No objections were raised subject to a condition ensuring that the use shall not commence until the car parking area has been completed with the layout to remain in perpetuity with the driveway to be consolidated and bound in porous materials.

7.2. *Environmental Health* – No objections subject to conditions

8. Material Considerations

8.1 Principle

8.1.1 Paragraph 62 of the NPPF (2021) states that ‘the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

8.1.2 Policy 7 (e) of the Central Lancashire Core Strategy states that ‘Special needs housing including extra care accommodation will be required to be well located in communities in terms of reducing the need to travel to care and other service provision and a proportion of these properties will be required to be affordable.’

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

8.1.4 Class C3 (b) of the Town and Country Planning (Use Classes) Order as amended refers to 'use as a dwelling house by not more than six residents living together as a single household, (including a household where care is provided for residents)'. If a children's home was being run on this basis, with children being looked after by a permanent occupant of the dwelling, there would be no requirement for planning permission.

8.1.5 Use Class C2 (Residential Institutions) of the above Order reads as follows: Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)). The proposal therefore falls within this Use Class.

8.1.6 Case Law, North Devon District Council [2003] case, confirmed that it is unrealistic for children to look after themselves and that a children's home run on shift patterns would require a change of use. The home will accommodate a maximum of three children between the ages of 8 and 17 on admission. This will be staffed by carers who will work on a shift basis to be able to provide 24hr care.

8.1.7 The neighbouring properties to the north, south, east and west are primarily in residential use. The lawful use of the application property itself is as a dwellinghouse that lies within an existing built-up area and that lies less than a mile from Leyland town centre and within 150m of a bus route along Fox Lane, therefore within a sustainable location.

8.1.8 In land-use terms, the proposed use appears very much like a large family home providing residential accommodation for up to 3no. young persons, although with an additional element of care and support. As such, the proposed change from the building's current residential use to a residential care facility is considered acceptable in principle and accords with the aims set out within paragraph 62 of the NPPF, policy 7 of the Core Strategy and policy B1 of the Local Plan. The main areas for consideration are therefore the visual impact, residential amenity and highway safety issues of the proposed development.

8.2 Residential Amenity

8.2.1 It is noted that a number of objections make reference to noise and nuisance associated with the proposed use of the property. The proposed use is not considered to be substantially different to the extant use; there would be three young persons and a maximum of 3 staff members. The staff will work on a 24 hour rota meaning staff change overs will occur at 8am, 5pm and 10pm. The staff change overs are not considered to result in any noise or disturbance on or above that which could be generated by residents should the property remain in C3 use.

8.2.2 The supporting information submitted with this application has explained the aim is to provide a family environment with 24/7 care. During the day the children and young people will attend school and college and therefore the daytime activities would be similar to a residential home.

8.2.3 In assessment, it is conceded that the current lawful use of the property, a C3a residential dwelling, could, in itself, create similar levels of noise such as from children playing or everyday family activities at various intervals in the day. Nonetheless, it is accepted that by the young people coming from different backgrounds and potentially having complex needs, the level of noise may vary from that of a traditional family at points. However, the provision of full-time carers would ensure that any noise is not in itself

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unacceptable. Despite the modest scale size of the property, the level of occupancy can be secured via a condition to protect residential amenity.

8.2.4 In land-use terms, the proposed use appears very much like a large family home, however the intensity of the use of the site will to some degree differ slightly from that of a standard household as the level of staff support and visitors is likely to lead to some additional activity compared to its use as a single dwelling. However, the movements caused by the staff and visitors is considered to be minor therefore it is considered there would not be a significant impact in relation to local amenity.

8.2.5 The Councils Environmental Health team were consulted on the application and raised no objections in principle subject to conditions. With the safeguard of these conditions relating to implementing all measures detailed in the submitted Noise Management Plan and that all windows shall be fitted with acoustic glazing shall ensure neighbours amenity is further protected.

8.2.6 As such, whilst the use in itself may result in minor noise increases to a C3 use, for the purposes of this assessment these would be offset by the suitability of the site for the purposes of this use. The separation distances and restriction on the number of young adults occupying the site would similarly ensure that the scheme is does not result in any unacceptable harm.

8.3 Visual amenity

8.3.1 There are no external alterations planned to facilitate the use hereby applied for therefore the exterior of the property and the outward appearance of the building would remain that of a detached dwellinghouse with minimal to internal reconfiguration which does not require permission.

8.3.2 There may be several cars present at any one time, but those visual impacts would be no more than a busy household.

8.3.3 The use as a care home would be of a small scale and the children and young adults would live in the property and effectively form a household, not giving rise to a commercial appearance or one which would result in significant change in character of the area.

8.4 Highways

8.4.1 Section 9, paragraph 111 of the National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

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

8.4.3 Objections have been raised stating the proposal will exacerbate existing on-street parking, access and visibility issues due to insufficient parking being provided based on the number of staff and any visitors.

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8.4.4 The property is a four bedroom dwelling. Amended plans were received demonstrating the site could accommodate three spaces more comfortably along with the access requirements. Updated comments from Highways were received raising no objections subject to the imposition of a condition ensuring formal layout of the parking prior to first use. This should remain in perpetuity.

8.4.5 In reaching this conclusion, the Lancashire County Councils five year data base for Personal Injury Accident (PIA) was reviewed. This indicates that there have not been any recorded incidents within the vicinity of the proposed access for the last five years. Whilst it cannot be contested that the proposed change of use will result in the increase traffic attraction to the site, it has been confirmed that the site access is of a good standard with no on-street restrictions. On balance, it is considered that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site

8.5 Other Matters

8.5.1 In addressing objections raised from neighbours, issues surrounding amenity; privacy; noise and highways/car parking, have been addressed in the appraisal section and, where necessary, controlled through conditions

8.5.2 Neighbour notification was carried out to 13no properties and a site notice was displayed opposite the site.

8.5.3 The presence of a restrictive covenant and depreciation in house value are not material planning considerations.

8.5.4 Issues relating to the business are not material planning considerations.

8.5.5 The management plan states that the children will have behavioural needs. These elements, however, are not concerned with the use of the property.

9. Conclusion

9.5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. As the determination of this planning application is a determination to be made under the Planning Acts the starting point must be the Development Plan and then other material considerations must be considered.

9.5.2 In this case, the principle of the change of use from C3 to C2 is acceptable in this location. It is likely that the property would function in a way which is materially different from a traditional C3 dwelling house, but not in a way which results in any harmful impacts, subject to a condition that only 3no. children/ young adults reside at the property at any one time.

9.5.3 In summary, it is reasonable to conclude that there would be no unacceptable highway safety or residential amenity impacts, or harm to the character and appearance of the area.

9.5.4 The proposal has been assessed having regard to relevant development plan policies, as set out above. Having regard to all material planning considerations, the proposal is considered to be acceptable subject to conditions. It is therefore recommended that the application be approved.

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RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

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

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans Dwg
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

3. No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area (and any associated turning space) shown on the approved plans has been completed. The parking (and manoeuvring) area(s) shall thereafter always remain available for parking of vehicles associated with the dwelling. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced in bound porous materials, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure satisfactory levels of appropriately constructed off-street parking are achieved within the development and to avoid unnecessary parking on the highway to the detriment of highway safety and in accordance with policy F1 of the Local Plan and the requirements of the NPPF

4. All measures detailed in Noise Management Plan shall be implemented in full.

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

5. All service user bedrooms shall be fitted with acoustic glazing, as a minimum standard this shall consist of double glazing with acoustic trickle vents.

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

6. An electric vehicle recharge point shall be provided to the property, prior to occupation. This shall consist of as a minimum a 7kWh charging rate and an 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. The electrical charging point shall be fitted with a weatherproof cover.

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

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RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 7 Affordable and Special Needs Housing
- 17 Design of New Buildings

South Ribble Local Plan 2012-2026

- B1 Existing Built-Up Areas
- F1 Car Parking
- G17 Design Criteria for New Development

Note:

1. Highway Crossing Note: This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings.aspx> (For multiple vehicular crossings please ring 0300 123 6780 and ask for a bespoke quotation.)

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Application Number 07/2021/00945/FUL

Address 84 Hough Lane
Leyland
Lancashire
PR25 2YB

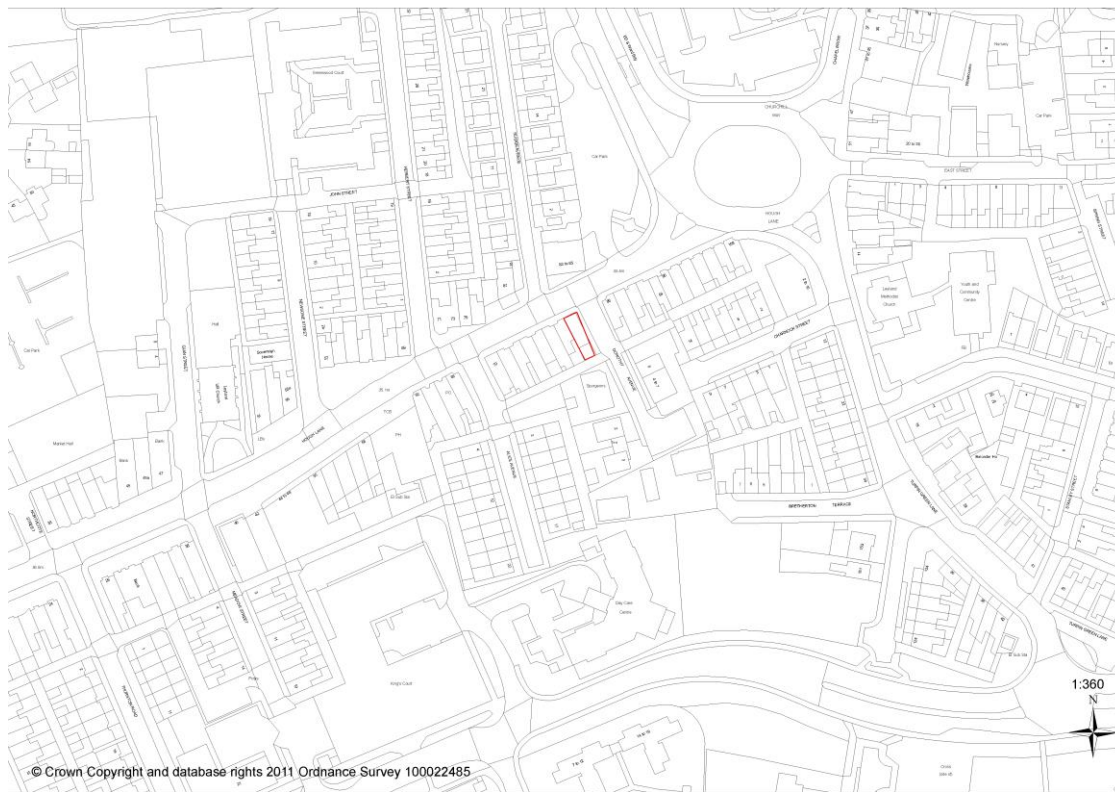
Applicant Mr K Ali

Agent Martin Spencer
47 Station Road
New Longton
Preston
PR1 0XH
United Kingdom

Development Change of use of use of existing café/restaurant to a mixed use restaurant and takeaway (Sui Generis) together with installation of external ventilation duct

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

Date application valid 14.09.2021
Target Determination Date 09.11.2021
Extension of Time 13.12.2021



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1. REPORT SUMMARY

1.1 The application relates to an end terrace premise which front Hough Lane within Leyland town centre which currently operates as a café (Dream Desserts), with a servery and takeaway area on the ground floor and a dining area provided on the first floor.

1.2 The premise is within the policy designation of Leyland Town Centre (Policy E3) in the South Ribble Local Plan, with a variety of commercial premises present along Hough Lane. Dorothy Avenue runs along the eastern side of the premise with an office present to the rear. On the eastern side of Dorothy Avenue there are residential properties.

1.3 Planning permission is sought for a change of use of the premise from a café/restaurant to a mixed use restaurant and hot food takeaway (Sui Generis Use Class) together with the installation of an external ventilation duct.

1.4 The proposed 0.3m diameter ventilation duct would be fitted to an existing flat roofed single storey extension with the top of the cowling to be set 0.5m lower than the roof ridge on the main building.

1.5 Policy E3 seeks to maintain and enhance the vitality and viability of Leyland town centre with specific regard given to enhancing the evening economy. With the proposal continuing to maintain a restaurant element to the business within the premise as part of the mixed use proposal the proposal accords with the requirements of Policy E3.

1.6 The only proposed change to the external appearance of the premise relates to the ventilation system on the rear. The ventilation duct would be lower than the ridge on the main building. The proposed ventilation duct is to be installed on the inner side of an existing first floor outrigger, which maximises the distances to residential properties on Dorothy Avenue. The property immediately to the rear and adjoining the premise are both in commercial uses. As such there would be only limited views of the proposed duct from Dorothy Avenue.

1.7 The proposed development is not considered to have a detrimental impact on the character and appearance of the area or the amenities of any nearby residential property and complies with requirements of Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan.

1.8 County Highways have raised no objections to the proposal, stating that the change of use would have a *“negligible impact on highway safety and highway capacity within the immediate vicinity of the site.”*

1.9 Environmental Health have also raised no objections to the proposal.

1.10 The proposal accords with Policies 1 and 28 of the Core Strategy together with Policies E3 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

2. APPLICATION SITE AND SURROUNDING AREA

2.1 The application relates to an end terrace premise which front Hough Lane within Leyland town centre.

2.2 The premise currently operates as a café (Dream Desserts), with a servery and takeaway area on the ground floor and a dining area provided on the first floor.

2.3 A variety of commercial premises are present along Hough Lane, with a dental practice present opposite. Dorothy Avenue runs along the eastern side of the premise with an office present to the rear. On the eastern side of Dorothy Avenue there are residential properties.

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2.4 The premise is within the policy designation of Leyland Town Centre (Policy E3) in the South Ribble Local Plan.

3. SITE HISTORY

3.1 In 2016 planning permission (07/2016/1071/FUL) was granted for the change of use of the premise from A1 (retail) to A3 (cafe) together with new shop front and roller shutter.

3.2 Prior to this in 1978 planning permission (07/1978/0633) was granted for the change of use of the premise from an office to a confectioners shop.

4. PROPOSAL

4.1 Planning permission is sought for a change of use of the premise from a café/restaurant to a mixed use restaurant and hot food takeaway (Sui Generis Use Class) together with the installation of an external ventilation duct.

4.2 The internal layout of the premise is to remain as existing, with the kitchen, servery and takeaway counter on the ground floor and dining area on the first floor.

4.3 The current hours of consent operation of the café/restaurant that runs from the premise is 07:30 to 22:00 Monday to Saturday and 10:00-19:00 on Sundays and Bank Holidays. Within the submitted application form it states the proposed hours of operation as being unknown at this time.

4.4 The proposed 0.3m diameter ventilation duct would be fitted to an existing flat roofed single storey extension with the top of the cowling to be set 0.5m lower than the roof ridge on the main building.

5. REPRESENTATIONS

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

6. CONSULTATION REPLIES

County Highways have raised no objections to the proposal, stating:

“Whilst the change in use from a café/restaurant to a mixed-use restaurant and takeaway may bring more vehicular traffic, this will be transient. Hough Lane has a no waiting restriction, crossing the entire front of the site. The junction with Dorothy Avenue starts with a double yellow line restriction, however adjacent to the site further along Dorothy Avenue is unrestricted, so there is limited on street parking available. Further, in the district centre location there are public car parks available locally.

I have reviewed the Lancashire County Councils five-year data base for Personal Injury Accident (PIA). The data base indicates that there have not been any recorded incidents within the vicinity of the proposed site for the last 5 years. The proposed development will result in the increase traffic attraction to the site; however, there is available parking locally, and there does not appear to be any accidents associated with the existing site use. I am therefore of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

Therefore, LCC has no objections to this planning application”

Environmental Health have raised no objections to the proposal following the submission of a risk assessment method relating to the control of odour and noise from the proposed extraction system.

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7. MATERIAL CONSIDERATIONS

Policy Considerations

7.1 i) NPPF

7.1.1 The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development, stating *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business need and wider opportunities for development.”* (para. 81)

7.2 ii) Core Strategy Policy Considerations

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

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

7.3 iii) South Ribble Local Plan

7.3.1 The premise is within the policy designation of Leyland Town Centre (Policy E3) in the South Ribble Local Plan.

7.3.2 Policy E3 seeks to maintain and enhance the vitality and viability of Leyland town centre with specific regard given to enhancing the evening economy. With the proposal continuing to maintain a restaurant element to the business within the premise as part of the mixed use proposal the proposal accords with the requirements of Policy E3.

7.4 Character / Appearance

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

7.4.2 The only proposed change to the external appearance of the premise relates to the ventilation system on the rear. The ventilation duct, which would be 0.3m in diameter, would be lower than the ridge on the main building. As such there would be no views of the ventilation duct from Hough Lane.

7.4.3 The proposed ventilation duct would set against the inner side of a first floor outrigger on the rear of the premise with only the top 1.0m extending above the roof ridge. As such there would be only limited views of the proposed duct from Dorothy Avenue.

7.4.4 With only minimal changes proposed to the external appearance of the premise the proposed development is not considered to have a detrimental impact on the character and appearance of the area and complies with requirements of Core Strategy Policy 17 and Policy G17 of the South Ribble Local Plan.

7.5 Relationship To Neighbours

7.5.1 The adjoining property, and those present to the front and rear of the premise are all in commercial uses.

7.5.2 On the eastern side of Dorothy Avenue there are residential properties with a minimum distance of 10m to the side elevation of the application premise.

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7.5.3 With the proposed ventilation duct to be installed on the inner side of the first floor outrigger rather than outer side along Dorothy Avenue the inter-relationships with residential properties on Dorothy Avenue is considered to be acceptable.

7.6 Highway Issues

7.6.1 The premise, which currently operates as a café/restaurant, is located within a highly sustainable location within Leyland town centre. Whilst parking restrictions are present along parts of Dorothy Avenue a variety of on-street and off-street parking options are present within close proximity of the premise.

7.6.2 County Highways have raised no objections to the proposal, stating that the change of use would have a *“negligible impact on highway safety and highway capacity within the immediate vicinity of the site.”*

7.7 Noise and Disturbance Issues

7.7.1 With the premise being within the defined area of Leyland town centre, where Policy E3 promotes uses that contribute towards the nighttime economy, a condition imposing the standard closing time of 11pm for restaurants and hot food takeaways is considered reasonable and appropriate.

7.7.2 The proposed ventilation duct is to be installed on the inner side of an existing first floor outrigger, which maximises the distances to residential properties on Dorothy Avenue. The property immediately to the rear and adjoining the premise are both in commercial uses.

7.7.3 Having received a risk assessment method relating to the control of odour and noise from the proposed extraction system Environmental Health have raised no objections to the proposal.

8. CONCLUSION

8.1 The proposed change of use together with the installation of an external ventilation duct accords with the requirements of Policy E3 and is considered to be acceptable. The proposed development is not considered to be out of character with the area and no nearby residential property would be adversely affected by the proposal.

The proposed development is deemed to be in accord with Policies 1 and 28 of the Core Strategy together with Policies E3 and G17 of the South Ribble Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

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

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

2. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans D/00/1 (Site Location) and D/0/1 (Proposed Plan & Elevations).

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

3. The use hereby approved shall not open to the public outside the hours of 09:00 and 23:00 hours Monday to Saturday and 10:00 to 23:00 hours Sunday.

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

RELEVANT POLICY

1 Locating Growth (Core Strategy Policy)

28 Renewable and Low Carbon Energy Schemes (Core Strategy Policy)

POLE3 Leyland Town Centre

POLG17 Design Criteria for New Development

NPPF National Planning Policy Framework

Note:
