

1. Introduction

1.1. The application is brought before Committee at the request of the Ward Councillor

2. Report Summary

2.1. The application refers to the rear garden of a detached property on the northern side of Higher Walton Road; a predominantly residential area. Sufficient parking is provided for both existing and proposed properties, and whilst amenity space is limited it is reflective of that seen at neighbouring properties.

2.2. The application proposes erection of a single bungalow. One letter of objection has been received (see Para 7 below) but late representation will be reported verbally at Committee. Comments raised by statutory consultees have been dealt with either by amendments to the scheme or by condition

2.3. In policy and spatial separation terms the proposal is considered compliant, and having regard to the following commentary, it is recommended that the application should be **approved subject to the imposition of conditions**

3. Application Site and Surrounding Area

3.1. The application refers to the rear garden of 287 Higher Walton Road approached from existing western access. The garden is bound on all sides by 1.8m high fences, accommodates a number of domestic outbuildings and is partially screened along the northern edge by mature trees.

3.2. To the west and north is the recently constructed Barn Flatt Close development, whilst in the east are terraced properties. Abutting the north-east boundary of the site is King George V playing fields and a tract of Green Belt land.

3.3. The site is allocated in the South Ribble Local Plan as 'existing built up area' by Policy B1.

4. Site Context / Planning History

4.1. There is no planning history for this site.

5. Proposal

5.1. The application proposes erection of a single, true bungalow, with landscaping and associated works.

5.2. The proposed dwelling would use the existing access from Higher Walton Road, and would be screened from its neighbours by fencing and hedgerow. Two trees along the northern boundary would be removed whilst two would remain. A small section of wall between the existing access and no: 287 Higher Walton Road would be removed.

5.3. The property would have a regular footprint of 10m x 7m, with a gabled front section of 2.5m x 4m and a maximum ridge height of 5.4m; eaves stand at 2.3m. Two off road parking spaces would be provided for each of the existing and proposed properties around a central manoeuvring space to the rear of no: 287. Landscaping would delineate curtilages of both properties.

5.4. The bungalow would be finished in painted render above a brick plinth with concrete roof tiles; this replicates materials used on the existing dwelling.

5.5. A flood risk assessment (Thomas Consulting: P7248/19/01) accompanies the proposal. The area is at low risk of flooding from Bannister Hall watercourse but high risk from the River Darwen during extreme events. A condition to require works in line with the report's recommendations is sufficient

6. Summary of Supporting Documents

6.1. The application is accompanied by the following:

- Proposed site plan Amendment C
- Proposed Elevations H-01A
- Location Plan H-03
- Flood Risk Assessment (Thomas Consulting P7248/19/01)
- Tree Survey (Greenlands Tree Care 1.6.19)
- Preliminary Ecology Appraisal and Bat Roost Assessment (Ecology Services 19048 and 19061)
- Planning Design Statement 26.8.19

7. Representations

7.1. Summary of Publicity

7.1.1. A site notice has been posted and eleven neighbouring properties consulted

7.2. Letters of Objection or Support

7.2.1. One letter of representation has been received from the occupant of no: 291 Higher Walton Road who objects for the following reasons:

- A bungalow will be out of keeping with the surrounding two and three storey dwellings
- Loss of privacy and natural light to neighbours garden – domestic curtilage is beyond, and screened by the garden of no: 289 at 23m distance. An area of land in the respondent's ownership abuts the north-eastern site boundary but this section lies to the rear of no: 289 (not the objector's property) and is home to a large pond beyond which are commercial greenhouses. This '*garden*' does not benefit from planning permission as domestic curtilage and as such cannot be considered as domestic garden space.
- Cumulative impact when considering Barn Flatt development (respondents property is 30m west beyond no's 287 and 289)
- Bungalow will be visible from no: 291
- Concerns that the property will flood

8. Summary of Responses

8.1. The Councils **Arborist** has assessed the accompanying tree survey (Greenlands Tree Care: 8.6.19) which notes removal of two trees and works to two others. He agrees that trees are of low amenity value and development would not impact on Council owned trees. A tree protection condition however is felt necessary.

8.2. **Lancashire County Council Highways** had no objection to the proposal but did deem internal parking arrangements unacceptable. A request was made to the applicant to provide an adequate turning area and accessible parking, and following amendments LCC withdrew their objection subject to a construction traffic management condition.

8.3. The Councils **Ecologist** has assessed the applicant's preliminary ecological appraisals (19048 and 19061: Ecology Services). Surveys finds buildings on site to be of low potential and the site to be of low ecological importance. No further surveys are required but precautionary conditions with regards to protected species, nesting birds, invasive species and requiring work in line with the reports are considered necessary.

8.4. **Environmental Health** recommend conditions with regards to contaminated land, construction management, hours of construction and electric vehicle charging point

8.5. **United Utilities** have no objection subject to drainage in line with the NPPF hierarchy

9. **Material Considerations**

9.1. Development Site Policy

9.1.1. The site and immediate surroundings sit within land designated under Local Plan Policy B1 (Existing Built Up Area).

9.1.2. Policy B1 allows for redevelopment in allocated areas provided that proposals would comply with local plan requirements relating to access, parking and servicing; would be in keeping with the character and appearance of the area, and would not adversely affect the amenity of nearby residents

9.2. Additional Policy Background

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

9.2.1. *National Planning Policy Framework (2019)*

9.2.2. The NPPF at Chapter 2 (Achieving Sustainable Development) states that '*at the heart of the framework is a presumption in favour of sustainable development*'. The NPPF supports sustainable economic growth to deliver, amongst other things, homes, and given the sites location it is the Officer's view that the site is especially sustainable and that the development accords with the overall principles of the NPPF; in particular:

9.2.3. Chapter 5: Delivering a Sufficient Supply of Homes - to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, and that land with permission is developed without unnecessary delay. Para 68 states that '*small and medium sites can make an important contribution to meeting the housing requirement of an area*' and that planning authorities should '*support the development of windfall sites through policy and decision, giving great weight to the benefits of using such sites within existing settlements for homes*'

9.2.4. Chapter 12: Achieving Well Designed Places – the creation of high quality buildings is fundamental to what the planning and development process should achieve; good design being a key aspect of sustainable development.

9.2.5. 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

9.2.6. *Central Lancashire Core Strategy*

9.2.7. Policy MP: states that Councils will take a proactive approach which reflects the NPPF's presumption in favour of sustainable development, and that applications which accord with the policies of the Local Plan will be approved without delay unless material considerations indicate otherwise.

9.2.8. Policy 1: Locating Growth notes that to promote vibrant local communities and support services, an appropriate scale of growth and investment will be encouraged in the main urban areas of South Ribble; one of which is Walton le Dale, providing it is in keeping with their local character and setting

9.2.9. Policies 4: Housing Delivery and 5: Housing Density provide for, and manage the delivery of new housing, of a density and design which are in keeping with, and will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the area

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

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

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

9.2.13. South Ribble Local Plan

9.2.14. In addition to Local Plan policies B1 (above), the following are also pertinent:

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

9.2.16. Policy F1: Parking Standards - all development proposals must provide car parking and servicing space in accordance with parking standards adopted by the Council.

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

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

9.2.19. South Ribble Residential Design SPD discusses design in very specific terms. Whilst more attuned to residential extensions this document is also used to assist with the design of new build residential development (para A4.1) and with regards to separation with properties beyond the site bounds.

9.3. Other Material Considerations

9.3.1. Character and Appearance, and Impact Upon Neighbouring Properties

9.3.1.1. The South Ribble Residential Design SPD requires a minimum of 21m between facing habitable room windows, and 13m between habitable room windows and any facing blank wall or gable.

9.3.1.2. To the north of the site is no: 16 Barn Flatt Close. This properties blank two storey side elevation and ground floor conservatory side elevation would face proposed habitable room windows at between 14m and 16m. Although below the 21m normally sought, existing fencing would protect the residents of both properties from any loss of privacy or overlooking.

As there is a slight change in land level at this point a condition to require additional landscape screening is considered necessary

9.3.1.3. In the west are no's 20-22 Barn Flatt Close. Ground floor habitable room windows of no: 20 would face the proposed side elevation at 13m, whilst the rear elevation of no: 21 faces the proposed side at 16m. No: 22 would indirectly face the side at the same distance. All properties would also be screened by existing fences.

9.3.1.4. The bungalow would sit 20.4m from the ground floor of the existing property and 22m from the neighbour's first floor which is set back. Although slightly short of the Design SPD 21m requirement, proposed landscaping and fence screening should prevent any real loss of privacy or amenity.

9.3.1.5. The proposals design, siting and layout are respectful of the wider environment, and reflect the overall style of neighbouring properties which span a number of era. Proposed garden space is similar to that of neighbouring properties and parking provision accords with adopted standards.

9.3.1.6. The property will not overlook, or be overlooked by the occupants of neighbouring dwellings, and undue impact as a result of this development is considered unlikely.

Community Infrastructure Levy

CIL is payable on any approved property at the current rate of £65 x 1.415 – in this case £6697.62. Liability has been claimed.

10. Conclusion

The proposed erection of a single detached bungalow is considered to be in keeping with the area and its extended environs, and is policy compliant in design and spatial separation terms. The proposal is therefore recommended for **approval subject to conditions**.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. No work shall be commenced until satisfactory details of the colour and texture of the facing and roofing materials to be used have been submitted to and approved by the Local Planning Authority.
REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
3. The development hereby permitted shall be carried out in accordance with the following approved plans and suite of documents:
 - o Proposed site plan Amendment C
 - o Proposed Elevations H-01A
 - o Location Plan H-03
 - o Flood Risk Assessment (Thomas Consulting P7248/19/01)
 - o Tree Survey (Greenlands Tree Care 1.6.19)

- o Preliminary Ecology Appraisal and Bat Roost Assessment (Ecology Services 19048 and 19061)
 - o Planning Design Statement 26.8.19
- REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
4. If the presence of bats, barn owls 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
 5. 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
 6. The screen fencing shown on the approved site layout plan Dwg 'Amendment C' shall be erected prior to the first occupation of the dwelling hereby approved or the commencement of the use and retained thereafter.
REASON: To ensure the provision and retention of adequate screening in the interest of amenity and to accord with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026
 7. Prior to first occupation of the dwelling hereby approved, one Electric Vehicle Recharge point shall be provided with appropriate infrastructure. Once installed this shall be retained and maintained thereafter.
REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy
 8. 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
 9. 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

10. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.
REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.
11. For the full period of construction, facilities shall be available on-site for the cleaning of the wheels of vehicles leaving the site. Such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
REASON: In the interests of highway safety and other highway users in accordance with Policy G17 in the South Ribble Local Plan 2012-2026
12. No development shall take place, including any works of demolition, until a Construction / Traffic Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties or obstruct the public highway
 - e) measures to control the emission of noise during construction
 - f) details of external lighting to be used during construction
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works
- REASON: To ensure before development commences that construction methods will safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17
13. Prior to the commencement of any works on site a Dust Management Plan shall be submitted, for written approval, to the local planning authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control measures to ensure dust and soil does not travel beyond the site boundary. The Dust Management Plan shall consist of a suitable risk assessment in line with national guidance.
Once agreed the identified control measures shall be implemented and maintained throughout the duration of the site preparation and construction phase of the development.
Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF
14. Prior to the commencement of development hereby approved, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:

a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on & off-site contamination and ground gases in line with BS10172:2011 & A1:2013.

b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property.

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

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

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

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

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

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

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

16. Prior to commencement on site details of landscaping to screen the occupants of no: 16 Barn Flatt Close shall be provided to, and agreed in writing with the local planning authority. The approved landscaping scheme shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.

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

17. The development hereby approved shall be undertaken in line with the contents of, and recommendations made by approved Ecology Services Preliminary Ecological Appraisals 19048 and 19061 (bats).

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

18. The development hereby approved shall be undertaken in line with the contents of, and recommendations made by approved Flood Risk Assessment P7248/19/01 (Thomas Consulting).

REASON: In order to reduce the risk of flooding, to protect the living conditions of future occupants of the site by ensuring satisfactory storage and/or disposal of surface water from the site, and for the avoidance of doubt in accordance with Policy 29 in the Central Lancashire Core Strategy with Policy 29 in the Central Lancashire Core Strategy

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

3 Travel

South Ribble Local Plan 2012-2026

G7 Green Infrastructure Existing Provision

G12 Green Corridors/Green Wedges

G13 Trees, Woodlands and Development

G16 Biodiversity and Nature Conservation

G17 Design Criteria for New Development

Residential Extensions Supplementary Planning Document

Note:

Other application Informative

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

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

3. It is an offence under the Wildlife and Countryside to introduce, plant or cause to grow wild any plant listed in Schedule 9 Part 2 of the Act. Species such as Montrbretia and Rhododendron (western shrubbery) are included within this schedule. If any species will be disturbed as a result of this development a suitably experienced consultant should advise on how to avoid an offence