Planning Committee Updates Sheet – 17th September 2020

The Lanes Masterplan

As of the 15th September a further 7 late letters of objection have been received. A summary of any new issues that have not been documented previously in the Officer's report follows:

Design Issues

- A development of this size is out of character with a semi-rural area
- Proposed dwellings are bland and characterless
- No properties over 2 storey should be permitted
- No flats or apartments should be permitted

Environmental Issues

- Future residents will predominantly use cars regardless of sustainable measures incorporated into the Masterplan

Community Issues

- Lostock Hall railway station has inadequate car parking for additional users
- Drainage systems, pylons and children's play areas are a bad combination

Other Issues

- Use of solar panels could damage the structure of roofs
- New houses have short lifespans
- Consultation undertaken was inadequate

In terms of consultation responses, these have now been received from Environmental Health, Greater Manchester Ecology Unit (GMEU) and Natural England. Their responses have been set out below:

Environmental Health - The application is of a significant size and has the potential to adverse impact on the surrounding area but during what will be a protracted development/construction phase and operational phase.

The Environmental Health service has previously commented *'It is understood that the development of this site was to coincide with the completion of a cross borough link road taking in the new Cawsey route and continuing the road across to the A582. The application is to now move forward without the cross-borough link road, which forms a separate application and therefore there is no guarantee that if permission is granted the cross-borough link will be constructed. This is likely to have significant adverse implications on the air quality in the declared AQMA of Lostock Hall.*'

The revised Masterplan has been reviewed and appears to give little further consideration to air quality. Yet the revised plan concedes that even with the proposed amendments Bee Lane, Flag Lane and the Tardy Gate area will be operating beyond capacity with the predicted increase in traffic levels arising from the development. The report omits to mention that the Tardy Gate area is already an area where air quality improvements are required, having been designated an air quality management area. It has to be concluded that any increase in traffic flow in this area will further reduce the air quality within the locality.

The revised Masterplan states that the capacity issues at Tardy Gate may be improved via the operation of a MOVA (microprocessor optimised vehicle actuation) system. The traffic light system at Tardy Gate does not benefit from this system, this is something that the Environmental health service are presently discussing with Lancashire County Council as a

possibility for the future. It is therefore not correct to rely on such technology as an available solution.

Despite this acknowledgement that the air quality management area of Tardy Gate will struggle with increased capacity, the revised Masterplan suggests the Flag Lane access to the site can be used for at least 125 dwellings. If it is reasonable to assume each property will make use of up to 2 cars then this is equating to an estimated additional 250 vehicles (or 500 car journeys) per day. Given the proximity of the air quality management area it is foreseeable that many of these journeys will include, or at the very least impact upon, the air quality management area.

In addition, it is proposed 40-50 dwellings on the proposed development can be accessed via Bee Lane, so up to a possible extra 100 vehicles (or 200 car journeys) per day. Some of these will undoubtably use the Cawsey but many are likely to make use of Leyland Road and further adding to the traffic levels within the air quality management area.

This potential for up to an additional 700 car journeys per day within close proximity of on existing air quality management area cannot be considered acceptable. Full costings and detailed mitigation plans would be required before this service could consider consenting to such an impact on one of its air quality management areas.

The additional comments below are largely as given for the previous version of the Masterplan together with the planning applications submitted in January. Environmental Health confirm these remain applicable.

Contaminated Land
A phase I, contaminated land assessment has been submitted for the development, this identifies the potential for contamination at locations across the site, although no details are provided identifying these locations. Potential contaminants include asbestos from historic farm buildings and Hydrocarbons from historic vehicle repair centres and a dairy, made ground and filled ground have also been identified.

Air Quality Assessment.
The air quality assessment (AQA) is based on the current traffic assessment and distribution of traffic. Given the proposed changes to the Masterplan, and the significant potential impact upon the Tardy Gate air quality management area the previous air quality assessment is no longer valid and will need to be reviewed.

As the Environmental health service have stated previously air quality has a significant impact on public health, both in terms of mortality and quality of life. It is therefore important that action is taken to minimise the impacts of poor air quality and this is identified within the National Planning Policy Framework.

South Ribble preferred methodology when assessing air quality impacts from developments seeks to minimise harmful pollutant emissions and avoid significant impacts while recognising that any development which introduces additional traffic or point source emissions will adversely impact on air quality. The methodology tailors assessment and mitigation requirements to the specific characteristics of a site considering the nature, scale and location of the development.

The air quality assessment methodology has been discussed with the consultant previously, and in line with the councils preferred methodology a damage cost analysis for the development has been undertaken.

However, the assessment has been based on 0% of HDV traffic, given the proposed use of the development – i.e. school, shops, community centre, elderly accommodation, there is likely to be some HDV traffic associated with deliveries, waste removal etc. The 0% HDV traffic is therefore considered unrealistic.

Previous damage cost analysis for the two operational phase scenarios (with or without the long term possibility of a new bridge over the West Coast rail line) identifies a total damage cost of £741,706.00 and £919,936.00 respectfully. This is a significant damage cost with direct impact on the health of those in the vicinity of the development.

The damage cost assessment should then be used to inform the developer and the local planning authority on the level of mitigation required.

Standard mitigation measures required on all developments irrespective of any damage cost analysis (and as such are not included within the mitigation measures to off-set the damage costs figure) are electric vehicle charging points to the specifications detailed below, secure cycle storage and control of construction emissions.

The submitted AQA suggests additional mitigation measures in the form of:

- Support and promotion of car clubs
- Management of bus fleet composition – it is unclear what this relates to
- Improvements to cycle and walking infrastructure – again it is unclear what this relates to, but anything on site will be required under separate considerations and would not be included as additional AQ mitigation measures. Is this improvement of off-site infrastructure beyond that required by Highways?
- A detailed travel plan
- On-site shower facilities

Given the significant damage costs associated with this development and the lack of detail provided over the suggested additional mitigation measures the air quality assessment cannot at this stage be accepted and the **department must object to the application**.

We would however, be happy to discuss additional mitigation measures and detail behind those proposed to over come this objection. For example a contribution to assess & alter the traffic light sequencing within the air quality management area of Tardy Gate / Lostock Hall, secure cycle facilities for nearby schools, setting up of walking buses, a bike voucher scheme for each household etc.

Noise

A noise assessment has been submitted with the application, however as the application is only outline beyond identification of the background levels a full assessment of the impact on the development or from the development can not be made. As such an additional noise assessment will be required for each phase of the development as part of the reserve matters application.

Any future assessment should begin with a design-criteria of 50dB $L_{Aeq,16hr}$ for outside amenity areas and 35dB $L_{Aeq,16hr}$ for internal rest areas (living rooms/bedrooms) and 30dB $L_{Aeq,8hr}$ for bedrooms at night.

The submitted assessment has also looked at the impact from the traffic generated by the development on surrounding road networks. This has identified an adverse impact on most roads within the area with a significant impact on some areas.

The report suggests that this would only be for the short term and over the long term only result in a negligible adverse impact.

Climate Change
The council declared a climate Emergency in July 2019 with a goal to ensure the borough was carbon neutral by 2030. The UK government have similarly made a declaration using 2050 as a target. Transportation accounts for around 26% of CO_2 emissions while domestic properties account for around 40%. It is therefore vital that in order to achieve both the Council's aim of net zero emissions by 2030 and the governments aim by 2050 the housing market needs to be decarbonised. The proposed development, one of the biggest to be seen in South Ribble which will take until 2035 to be completed suggest measures that will reduce the current CO_2 emission rate by 10% a far cry from what is really required.

The scheme, given its size is ideally suited to improved carbon reduction measures such as a central heating system (Ground source heat pumps), air source heating improved green energy production through the use of solar panels on every property something given the scale of the development will reduce installation costs and provide a much needed source of green power, improve efficiency within the units.

Given the scale, duration and prominence of the development the department considers that the applicant has not provided a sustainable or appropriate development proposal in line with the basic requirements of the National Planning Policy Framework. Therefore, at this time the department must object to the development.

Greater Manchester Ecology Unit (GMEU) – provide comments further to the recent consultation on the Masterplan for this area, and I have now read the additional information provided: -

- Design Code (August 2020)
- Master Plan (August 2020) with specific attention to
  - Appendices D – Ecology
  - Appendices F - Landscape

I have the following comments to make in relation to reviewing the new documents against the detailed comments GMEU provided in March 2020 (see email dated 31.3.2020 attached for ease of reference):

Biodiversity Net Gain
It is very much welcomed that there is a strong commitment to a 10% net gain, which is in line with emerging government legislation (Environment Bill November 2020, now having entered the Committee stages).

Section 7.0 (Ecology) of the Masterplan document indicates that this calculation has already been undertaken and the 10% target can be met.

GMEU would request the opportunity to consider the metric used and the assessment provided in order to provide a validation of the process for the Local Planning Authority at the outset.

Extent of Survey
It would appear that no additional survey has been undertaken to inform the updated version of the Masterplan.
I made specific reference and recommendations in relation to updated survey work within my initial consultation response. This is particularly of importance to any progression of the submission of applications.

Lords Lane Orchard (UK BAP, Habitat of Principal Importance NERC 2006)
There is some acknowledgement of the value of the orchard, which is a positive step. However, there is significant concern that the statement that is now included is not sufficient to secure the orchards retention at the heart of the Village Green development envelope as plans progress. The phraseology used is: “Retention of Orchard and / or land for future residential development if the Orchard (or part thereof) is replaced within the Masterplan”

I am also concerned that the apparent commitment has not been translated into the Landscape Appendices F, which further adds to the uncertainty about the value given this biodiversity resource.

In my experience, this type of commitment may not be sufficient, within such a major proposal, as the site progresses from the Masterplan stage into the submission and delivery of individual packages of development.

As explained in GMEU’s original response the value of mature orchards with veteran fruit trees is greater than just the trees it supports.

Such a feature would complement other stated intentions such as community growing and allotments, which are alluded to within the Masterplan

The Local Planning Authority must consider whether the strength of the commitment is sufficient, given the value of the feature that is highly likely to be lost.

Hedgerows (UK BAP, Habitat of Principal Importance NERC 2006)
The commitment provided within the Ecology and Landscape appendices (Appendices D and F respectively), are useful to focus attention on the value of these features both in landscape and biodiversity terms.

I am still concerned that while the plan at figure 7.0 in the Masterplan appears to have been adjusted to include a better representation of the high value native species rich hedgerows, the key still states ‘species poor’. Additionally, the same plan is not transposed and used within Appendices F at 2.7.

Whilst this might appear to be a minor and moot point it can easily result in confusion as the Masterplan is interpreted and adjusted moving forward to submission stages. I would suggest that the Masterplan is updated to include the overview figure (G6900.012B sheet 1 of 5) from TEP’s initial report (Appendix 7.3 Hedgerows) which shows the results of the Hedgerow Assessment.

It is my opinion that this is needed for the avoidance of future doubt.

I do however, note and welcome the replacement of tree at 1 : 2 and hedgerows at 1 : 1.5 as highlighted within Appendices D.

Barn owls, bats and birds
I note the commitments within Appendices D for the provision of 20% enhancement on properties and the erection of 5 barn owl boxes.

The use of a sensitive lighting scheme may be in conflict with the cycle and footpath analysis presented within the Appendices F (section 3.4) and this will need careful consideration as the Masterplan is implemented.

Drainage and Swales

I note the commitment Appendices D for the provision of open water within the development of this aspect of the proposals.

Detail will need to be provided as the proposals are packaged and individual submissions are made.

Landscape Vision and Masterplan Development (Masterplan Appendices F)
I note the figures provided (4.4 Appendices F) for the ratio of types of habitat within the different types of POS (Public Open Space) and the relative proportions of these typologies (4.1 Appendices F).

The use of the terminology of 'rough grassland' is concerning but can be noted at this stage to be addressed at future submissions. Rough grassland is not generally species rich and is often considered an opportunity to reduce cutting regimes in favour of one cut per year with no lifting of arisings. Such management rapidly results in the reduction in diversity of any wildflower seeding that has been undertaken.

The detail provided within Appendices F does provide a framework to progress the development of proposals, subject to the caveats identified above in relation to the orchard and hedgerows.

I hope that these comments are clear and identifies the positive progress that has been made on the submissions that GMEU commented on earlier in the year. However, there a number of areas which could still be adjusted within the Masterplan for the avoidance of future doubt as the location is progressed to more detailed submission.

Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes and therefore have no objections.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest Impact Risk Zones
The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Annex - Generic advice on natural environment impacts and opportunities

Sites of Special Scientific Interest (SSSIs)
Local authorities have responsibilities for the conservation of SSSIs under s28G of the Wildlife & Countryside Act 1981 (as amended). The National Planning Policy Framework (paragraph 175c) states that development likely to have an adverse effect on SSSIs should not normally be permitted. Natural England's SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal. Our initial screening indicates that one or more Impact Risk Zones have been triggered by the proposed development, indicating that impacts to SSSIs are possible and

further assessment is required. You should request sufficient information from the developer to assess the impacts likely to arise and consider any mitigation measures that may be necessary.

Biodiversity duty
Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here.

Protected Species
Natural England has produced standing advice[1] to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species
You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.
Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. The list of priority habitats and species can be found here[2]. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Ancient woodland, ancient and veteran trees You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Protected landscapes
For developments within or within the setting of a National Park or Area or Outstanding Natural Beauty (AONB), we advise you to apply national and local policies, together with local landscape expertise and information to determine the proposal. The National Planning Policy Framework (NPPF) (paragraph 172) provides the highest status of protection for the landscape and scenic beauty of National Parks and AONBs. It also sets out a 'major developments test' to determine whether major developments should be exceptionally be permitted within the designated landscape. We advise you to consult the relevant AONB Partnership or Conservation Board or relevant National Park landscape or other advisor who will have local knowledge and information to assist in the determination of the proposal. The statutory management plan and any local landscape character assessments may also provide valuable information.

Public bodies have a duty to have regard to the statutory purposes of designation in carrying out their functions (under (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended) for National Parks and S85 of the Countryside and Rights of Way Act, 2000 for AONBs). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty. Heritage Coasts are protected under paragraph 173 of the NPPF. Development should be consistent the special character of Heritage Coasts and the importance of its conservation.

Landscape
Paragraph 170 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils
Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance. Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra *Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.*

Access and Recreation
Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails
Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.

Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).