

**Application Number** 07/2017/2325/FUL

**Address** Land On The North Side Of  
Brindle Road  
Bamber Bridge  
Lancashire

**Applicant** Persimmon Homes Lancashire

**Development** Erection of 261 dwellings including 30% affordable homes, associated road infrastructure, landscaping and open space following demolition of 215 Brindle Road

**Officer Recommendation** That the Members be minded to approve the application and that the decision be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of the Planning Committee upon the submission of a Section 106 Agreement to secure the provision of on-site affordable housing, off-site highway improvements, and public open space

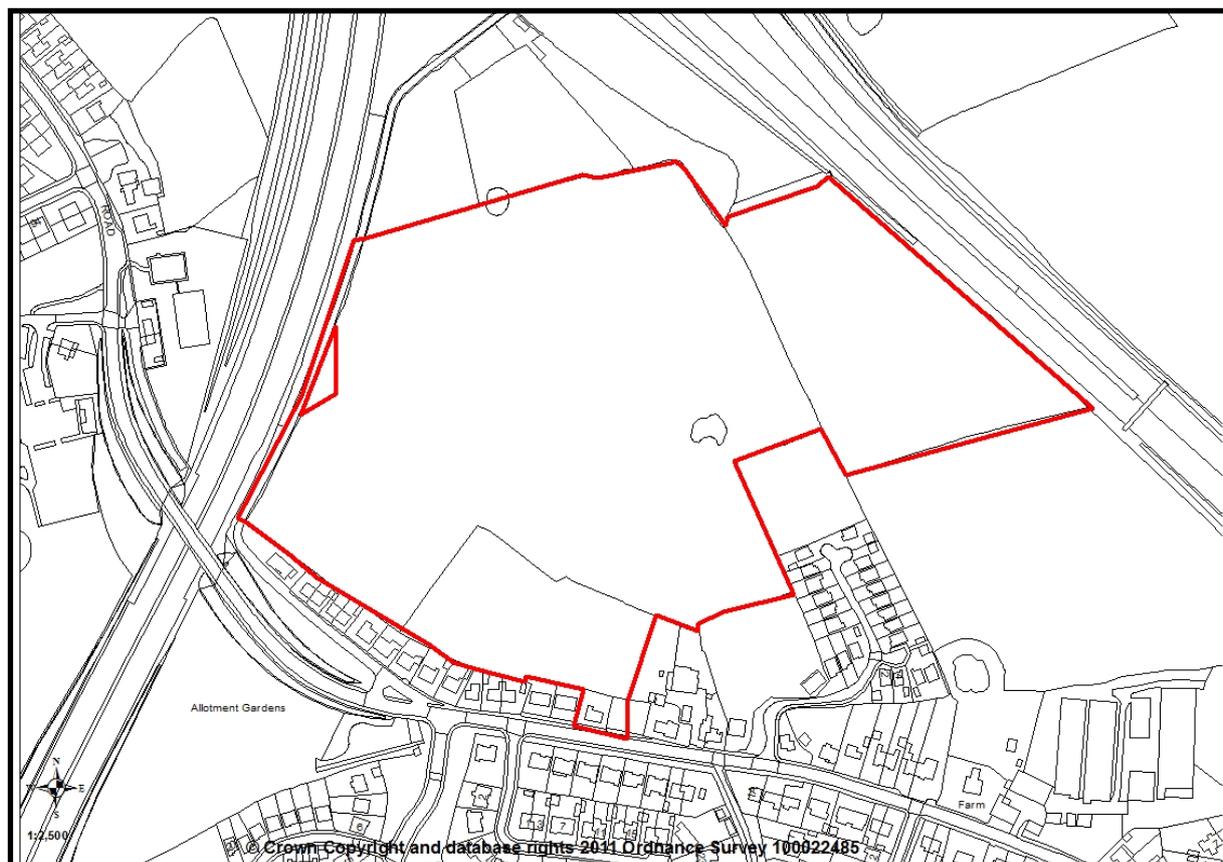
**Case Officer** Mrs Janice Crook

Date application valid 16.08.2017

Target Determination Date 15.11.2017

Extension of Time 15.12.2017

### Location Plan



## **1. Report Summary**

- 1.1 The application is for a residential development of 261 dwellings on the allocated housing site known as Site S. The application is a re-submission of a previously refused scheme for 283 dwelling. The applicant has made a number of amendments to the scheme since the refusal to address some of the issues raised. The proposal has been considered in terms of its compliance with relevant policies in the South Ribble Local Plan and in particular the housing allocation, the impact on the highway network, its impact on biodiversity, the design of the site layout and its impact on residential amenity and the character and appearance of the area.
- 1.2 It is officers' view that the proposal is in accordance with planning policies in the South Ribble Local Plan. Whilst it is acknowledged that the application relates to just part of the Site S housing allocation and is for 11 dwellings more than Policy D1 estimates for the whole of Site S, all the normally required spatial separation distances are achieved, the open space provision is in excess of the requirements set out in the Open Space and Playing Pitch Supplementary Planning Document; the proposal includes the required 30% affordable housing provision and the layout retains the site's existing features such as trees and hedgerows. The application site would also provide a significant number of residential dwellings which in turn will help South Ribble deliver part of its requirement towards the City Deal housing target. It is therefore considered that this site would provide much needed new homes and strongly support the commitment of South Ribble to the delivery of the City Deal.
- 1.3 Whilst it is acknowledged that there is a large amount of objection to this application from neighbouring residents in terms of the impact on the local highway network, particularly due to the railway crossing at the junction of Brindle Road and Bank Head Lane. Lancashire County Council, Network Rail and Highways England have no objection in principle to the application providing a number of measures are secured to promote the site's sustainability.
- 1.4 Further the test within the National Planning Policy Framework is that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. This is not the case as the impact on the highway network is not considered as severe in this instance.
- 1.5 Taking all issues into consideration, the points raised by residents and the comments made by statutory consultees, it is considered that the proposed scheme is acceptable and the application is recommended for approval subject to the imposition of a number of planning conditions and subject to the successful completion of a Section 106 Agreement.

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

- 2.1 The application relates to a 9.8ha parcel of land to the north of Brindle Road in Bamber Bridge. The application site forms part of a larger site allocated for housing in the South Ribble Local Plan known as Site S. Site S as a whole amounts to 22.7ha and therefore the application relates to less than half of the allocation.
- 2.2 The site is bounded by Shuttingfield Lane and the M6 motorway to the north-west; the M61 to the north-east and Brindle Road to the south. Residential properties are located along Brindle Road and on Cottage Gardens. The site is open and rural in nature and was used for grazing. A public right of way runs through the site along the eastern side of Cottage Gardens, northwards to meet Shuttingfield Lane beyond the site's northern boundary.

## **3. Background Planning Information**

- 3.1 Planning application 07/2014/0204/FUL for the erection of 283 dwellings including 30% affordable homes, associated road infrastructure, landscaping and open space following demolition of 215 Brindle Road for 283 dwellings was refused on 11 December 2014.

3.2 As originally submitted, the refused application proposed 315 dwellings. However, following a number of discussions with planning officers with a view to remedy a number of concerns raised during the various consultation periods, a series of amended plans were submitted with planning committee considering the scheme under Revision J of the Site Layout Plan for 283 dwellings giving a density of 35 dwellings per hectare and included 30% affordable housing provision amounting to 85 dwellings. This application was refused by planning committee on four grounds:

1. *The proposed development fails to demonstrate how the scheme integrates with the remaining parcels of the wider Site S in terms of the site layout, the number of dwellings or the highway network. As such it is considered the proposed development could jeopardise those remaining parcels from coming forward for development in the future, contrary to Policy D1 Site S.*
2. *The proposed site layout is of poor design that fails to take into account of the design principles set out in the Design SPD and does not respect the character and appearance of this semi-rural area in terms of building to plot ratio resulting in a higher density of development that is not commonplace in the immediate vicinity of the site. As such the proposal is considered contrary to Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the Partial Version Site Allocations Development Plan Document.*
3. *The site layout fails to provide adequate on-site car parking contrary to Policy G17 and Policy F1 in the Partial Version Site Allocations Development Plan Document*
4. *The submitted Planning Noise Assessment report dated 20 January 2014 and updated 2 September 2014 together with the design of the site layout and insufficient buffering to the M6 and M61 motorways fails to demonstrate that adequate noise mitigation can be achieved within the scheme. The development may therefore result in a detrimental impact on future residents of the development, contrary to Policy 17 criteria d) in the Central Lancashire Core Strategy.*

3.3 Since then Persimmon have held a number of pre-application meetings with the Local Planning Authority (LPA) prior to the submission of this application to discuss various revised schemes and how any unresolved technical issues could be addressed. Pre-application discussions are confidential in nature and the LPA are not at liberty to disclose the details discussed. However, it is normal working practice to encourage the developers to hold public consultation events in line with the South Ribble Local Development Framework Statement of Community Involvement which was approved in December 2013.

3.4 In March 2015, Persimmon met with planning officers to update them on the position following the refusal of planning permission. They had also retained the services of Cass Associates to undertake a Masterplanning exercise for the whole of site S and they provided details of the Masterplan and this was discussed together with issues of noise and potential mitigation measures. Proposals for an amended scheme were also discussed. Persimmon advised that they intended to review all the studies and reports that had been submitted with the refused application and would hold a public consultation event prior to the resubmission of the planning application.

3.5 In May 2015, Persimmon gave a briefing to the local ward councillors and the residents' action group to which planning officers' were in attendance. Persimmon set out their timeframes for the consultation event and submission of the amended application. However, these timeframes slipped and Persimmon had a further meeting with Planning Officers in September 2015 followed by a further presentation in October 2015 for members of the residents' action group and local councillors.

3.6 In November 2015, a public consultation event was carried out to advise members of the public of the Masterplan and on an amended scheme for 220 dwellings.

- 3.7 In March 2016 a further meeting was held with Persimmon Homes and Planning Officers with officers confirming, in principle, the site layout was satisfactory, subject to Persimmon making a series of minor amendments. These were general in nature and included the inclusion such measures as the use of dual aspect housetypes to corner plots; improvement to parking areas with the use of surfacing materials particularly within the POS areas; secure access to the rear of new properties; that some plots were too close to the footpath/highway.
- 3.8 At a meeting in August 2016 Officers confirmed that all issues with the previously refused scheme appeared to have been addressed with the re-design of the layout and the proposed scheme for 220 dwellings was acceptable in terms of meetings policy requirements.
- 3.9 It was almost a year later in June 2017 when Persimmon contacted Officers again. They considered that they had reached a stage where they would be able to submit the application. However, this had resulted in some amendments to the layout and therefore requested a meeting prior to submission to discuss the amendments. This meeting took place on 12<sup>th</sup> July 2017 where the amended scheme for 261 dwellings was discussed. In the supporting statement submitted with the application it is stated: *“the Council confirmed by email on the 17th July 2017 that in principle they were satisfied with the final site layout subject to a few minor changes to the scheme”*
- 3.10 However, the email did actually raise a number of points of concern which had been discussed and would need to be addressed. The main issues raised were the number of dwellings proposed; the traffic and its impact on the surrounding area and the railway crossing; noise levels to proposed dwellings from the motorways and the visual appearance of the measures used to address the noise.

#### **4. Proposal**

- 4.1 The application proposes the erection of 261 dwellings with associated road infrastructure, landscaping and open space following demolition of 215 Brindle Road. The proposed dwellings are as follows:
- 3 Alnwick - 2-bed, 2-storey, mews
  - 35 Moseley - 3-bed, 2.5-storey, mews
  - 39 Hanbury - 3-bed, 2-storey, semi-detached
  - 9 WP2B – 2-bed, 2-storey mews
  - 20 Rufford - 3-bed, 2-storey, detached with integral garage
  - 3 WP3B – 3-bed, 2-storey, semi-detached
  - 3 WP3BC – 3-bed, 2-storey, semi-detached
  - 48 Souter - 2-bed, 2.5-storey, mews
  - 16 WP3BT – 3-bed, 2-storey, corner mews
  - 14 Hatfield - 3-bed, 2-storey, detached
  - 9 Clayton – 2/3-bed, 2-storey detached
  - 24 Longthorpe – 3/4 –bed, 2-storey detached with integral garage
  - 5 Gilby – 3-bed, single storey detached with accommodation in the roofspace
  - 5 Chedworth - 4-bed, 2-storey detached
  - 5 Lumley – 3-bed 2.5 storey detached
  - 13 Warwick – 4-bed, 2-storey detached with integral garage
  - 10 Taunton – 4-bed, 2-storey detached with integral garage
- 4.2 Access to the site is proposed from Brindle Road, following the demolition of 215 Brindle Road. Parking provision is proposed in the form of detached or integral garages and parking bays for residents and visitors. Public Open Space (POS) is provided within the site in the form of an open space buffer between the site and the M61, an open space buffer between the site and the M6, and a central area of POS which includes a pond. The POS amounts to 3.51ha of amenity greenspace.

- 4.3 The main differences between the refused scheme and the one now under consideration are:
- A reduction in number of dwellings from 283 to 261
  - An increase in amount of POS from 1.13ha to 3.51ha
  - The retention of existing site features such as trees and hedgerows
  - The submission of new and/or updated reports to address issues previously raised.

## **5. Summary of Supporting Documents**

- 5.1 A number of documents were submitted to support the application: Supporting Planning Statement; Design and Access Statement; Location Plan TGDP/BRBB/LP1A; Colour Masterplan TGDP/BRBB/CM2; Masterplan Character Areas TGDP/BRBB/CM2C; Movement and Access Plan TGDP/BRBB/M&A; Planning Layout TGDP/BRBB/PL2; Street Scenes TGDP/BRBB/CS1; House Type Plans; Landscape Structure Plan 4746.02 Rev B; Updated Ecological Assessment ERAP Ltd. 2017-142; Air Quality Assessment Wardell Armstrong CP 11738-001; Transport Assessment SCP JI/17246/TA/0; Residential Framework Travel Plan SCP JI/17246/TP/0; Noise Assessment Capita CS075958-04

## **6. Summary of Publicity**

- 6.1 One hundred and eighty neighbouring properties were notified, three site notices posted and a press notice published in the local paper. Seventy seven letters of representation were received, objecting to the proposal on the following grounds:

### **6.2 Environment**

- Green fields should not be built on
- Trees and hedgerows should be retained
- Parcels of green open space should be spread throughout the development
- Little green area within the estate for children to play
- Needs extensive buffers to the motorways
- TPO trees will be felled
- Impact on wildlife
- Builders destroy trees and ponds, bury hazardous waste, building cheaply made properties, build on green land and as a result people lose faith in their council. The community should be protected by council not threatened.
- No consideration of protecting the natural habitat
- Close proximity to chemical plant Evans Vanodine on Walton Summit which stores hazardous substances
- Lack of attention to energy efficiency and planning for climate change

### **6.3 Noise/Air quality**

- Air pollution
- Fails to provide adequate noise and air quality mitigation
- Areas of layout will be exposed to all the exhaust fumes from the M6
- Long terraces of dwellings proposed to act as a noise barrier instead of proper measures
- 50dB noise limit breached in many places
- Council's own EHO give impression that the site should never have been allocated for housing in the first place
- EHO comments give impression that site should never have been allocated for housing
- How can site be considered for such high density housing with the impacts from noise?
- All POS areas will be subject to up to 75 dB with health guidelines at a maximum of 55db and therefore will not be fit for purpose

- Cass Associates illustrative Masterplan clearly shows significant acoustic barrier to M6
- Misleading Air Quality report conclusions

#### 6.4 Highway and Traffic

- Travel Plan is completely flawed
- Local roads will be unable to cope with the significant increase in traffic
- Impact on railway crossing
- Railway crossing will mean constant standing traffic
- Queues at peak times stretch to collages on Kellett Lane
- Impact on vehicles using Bank Head Lane when traffic que at railway crossing
- Dread to leave homes due to gridlock and congestion on the small village road
- Impact on ability of emergency services to get through congestion when needed
- Where is the required second entrance point?
- Lack of bus services in the area – how is the site served by excellent transport links
- Train service is only hourly
- Additional traffic will be a risk to children in area
- Cannot believed that the twin housing applications are even under consideration without some thought being given to the traffic flow in this area
- Since site was allocated, traffic using Brindle Road has increased considerably
- Inadequate road layout of Brindle Road and the 3-way junction at the Hospital Inn public house/railway crossing
- Infrastructure of Brindle Road is unable to cope with the extra traffic

#### 6.5 Parking

- Not enough parking provision will encourage parking on highway
- Garage sizes less than 6 x 3m
- Cars on pavements/verges

#### 6.6 Drainage

- Not enough emphasis has been given to drainage
- Area known for flooding
- Are there plans to install new sewerage facilities?

#### 6.7 Policy and Density

- Whole site allocated for 250 dwellings, volume is far greater than the local plan
- 200 properties only would be acceptable on parcel of land
- 250 dwellings on the 22.7 ha site would result in a density of 11 dwellings per hectare
- Remove dwellings adjacent M6
- Adjacent site will add a further 200 dwellings
- A previous scheme was for 220 new homes, why has this increased
- Suburban residential areas have traditionally had housing density of between 8-15 dwellings per hectare, medium density about 30-40. The plans far exceed this
- New proposal reduces by just 22 dwellings to application that was refused
- Net area of density is 37 units per hectare
- Two parts of site will produce 461 dwellings – this is totally inappropriate
- Density more in keeping with a small town
- If the POS is excluded the housing density is 43 dwellings per hectare
- Scheme doesn't integrate with remainder of site

#### 6.8 Character and Appearance

- Design not in keeping with area
- Cramped housing arrangement
- 2.5 storey dwellings proposed, out of keeping with area as no others in area

- Poor design which fails to take account of design principles set out in the design SPD and fails to respect the character and appearance of this semi-rural area
- Resembles a council estate
- Should provide bungalows where existing properties look onto the site
- Design is poor and development should look at Cottage Gardens/Bluebell Way for how it should be done
- Lack of effort is offensive to existing residents
- Materials palette is cheap
- Bungalows should be behind bungalows
- More bungalows needed for aging population

#### 6.9 **Miscellaneous**

- Alternative location would be more suitable and suggest New Mill on Wesley Street.
- As usual correspondence from SRBC sent out in holiday period with unreasonable tight deadlines
- Development planned purely on how much profit can be squeezed out of the site
- This and the proposed Bellway development both make a joke at SRBC's expense
- Other developments in the area have not sold
- This application includes points that were rejected with the last scheme - responsibility of planning officers to pick up on these and reject again
- Secret talks been undertaken for the past year with resident's action group not included – very underhand
- Planning department is not fit for purpose as they have not picked up on several inaccuracies in the supporting statement
- No provision for medical services
- Persimmon have not taken on board responses to consultation events
- Planning department sent email stating that all is well with the proposals apart from a few tweaks. This is insulting
- People don't object as they feel this is a 'done deal'
- We still live in a democracy
- Lack of schools, doctors etc in the area

6.10 Additionally, letters of objection have been received from the Brindle Road Action Group, raising the following points:

- The submitted Planning Statement by HOW Planning contains inaccuracies in the local bus service; the density; that dwellings are used to shield noise from the motorways; where are the purchasers of these new homes?; the open space is on land which cannot be developed due to noise and easements; why was the last residents meeting on 23<sup>rd</sup> October 2015 when there have been developer/officer meetings since; generation of council tax income lower than estimated in Statement; Council has 6.7 years supply of housing land as at March 31 2016; Local Plan Inspector required that extensive noise buffering is provided;
- The submitted Noise Impact Assessment results in many residents not being able to open their windows; high density terraced housing around the periphery of the site; affordable housing should be spread through the site; noise levels in gardens with some up to 62 dba; construction of earth bunds, erection of 3m high acoustic fence, use of terraced housing and use of garden walls at least 1.8m high still results in unacceptable noise levels; POS subject to noise levels of up to 75 dba; internal guidelines for noise; BS8233:2014 recognises guidelines values are not achievable in all circumstances such as city centres or urban areas adjoining the strategic transport network but this is not applicable as the area is semi-rural.

## 7. **Summary of Consultations**

- 7.1 **Lancashire County Council Highways** have carried out an assessment of all the submitted plans and documentation relating to highway considerations and make a number of comments in respect of their responsibilities to maintain a safe and reliable highway network; their commitment to reducing congestion and delay and improving highway links both locally and strategically; the scale of emerging development proposals; the delivery of infrastructure to accommodate planned growth; the additional vehicles movement generated by this and other proposed development; the sustainability of the proposed development; the site's location and surrounding networks; the internal site layout; the site access, emergency access and pedestrian/cyclist links; Travel Planning; and the Public Right of Way (PROW).
- 7.2 County Highways initially concluded that the development was unacceptable in terms of sustainable transport provision as the Transport Assessment failed to demonstrate the site could provide pedestrian/cycle connectivity to integrate with the existing and proposed built environment. Nor does it provide access to and encourage sustainable public transport and therefore the development would not in line with a number of key paragraphs of the NPPF including provision of safe and suitable access for all people and to support sustainable development. As such, County Highways required the developer to provide a number of improvements and contributions. These include:
- Provide S106 funding to support the daily daytime bus services for a 5 year period.
  - Upgrade of bus stops on Brindle Road to Quality Bus Standard to be EA compliant.
  - Provision of an uncontrolled pedestrian crossing on Brindle Road.
  - Safety improvement markings at Brindle Road/Bank Head Lane junction.
  - The installation of mobile SPiDs on Brindle Road to the east of the proposed new junction.
  - Enhanced weight restriction signs along Brindle Road and Bank Head Lane.
  - Contribution towards cycle parking enhancements at Bamber Bridge Station.
- 7.3 The developer has confirmed these will be provided and secured within the Section 106 Agreement. A plan has also been provided to demonstrate the location of the pedestrian crossing and the junction markings. County Highways confirm that, with the provision of these improvements and contribution, they have no objections to the proposal.
- 7.4 **Highways Agency** have no objections but recommend that conditions be attached to any planning permission that may be granted to ensure no development is located on or adjacent to the M6 motorway or M61 motorway embankment; that no drainage from the proposed development connects into the motorway drainage system; that no direct vehicular or pedestrian access is between the site and the M6 motorway or M61 motorway; that no acoustic bund or barrier shall be constructed between the eastern boundary of the site and the boundary with the M6 motorway; that no works associated with this consent shall take place on any land registered within the ownership of the Highways England forming the verge of the M6 motorway or M61 motorway; and that no planting, obstruction or regrading of the surface of the site within one metre of the motorway boundary fence and no planting of species that, when mature, shall be of a height that should they fall down, would fall onto any part of the motorway.
- 7.5 **Network Rail** comment that the proposal is not within 10m of the railway boundary but there are a number of level crossings in the area. Network Rail have reviewed the Transport Assessment document and the traffic survey which provides information on the potential increase along Brindle Road and specifically for Network Rail, the junction at Hospital Level Crossing, as this is a notoriously busy junction. The TA at paragraph 8.26 suggests an alternative method of control at the junction, but no details are provided and this needs to be addressed before planning is accepted. Therefore the applicant has arranged a meeting with Network Rail (7<sup>th</sup> November 2017) to discuss this matter. The outcome will be reported either within the committee update sheet or verbally at the planning committee meeting.

- 7.6 Network Rail also comment, in respect of the Bradkirk Lane crossing that, although there may be an increase in footfall across Bradkirk Lane there is actually a possibility this may reduce with the proposed cycle routes shown in figure 3.2 of the TA.
- 7.7 The Playing Fields is a footpath crossing which is currently in Network Rail's plan to deliver a footbridge during November 2017. Therefore, there will be no impact on risk here.
- 7.8 Bamber Bridge is a manually controlled crossing, as this is a protected crossing the potential increase in traffic will change the risk score slightly.
- 7.9 **Environmental Health** commented that the development has the potential to be adversely affected by surrounding land uses, in particular the adjacent Motorways which is of concern. The applicant has undertaken extensive studies to reduce the impact from the Motorways. Initially, some of the garden areas would experience a sound level above 60dB(A) and this is not acceptable. Therefore the applicant reviewed the proposals and included additional mitigation measures and submitted an updated Noise Report. Environmental Health confirmed that sound level of up to 60dB(A) in the garden areas can now be achieved. Additionally, a boundary treatment plan was submitted to demonstrate 1.8m high acoustic fencing between the garden areas which ensures these levels are met.
- 7.10 Environmental Health require a number of conditions be imposed in respect of the submission of a Dust Management Plan; that wheel wash facilities be installed and used at the entrance of the site; that details be provided of the location of the site compound and storage yard; restriction on the hours of site preparation and construction; restrictions on the times of deliveries of construction materials or removal of construction waste; details of all piling activities; an assessment for the presence of invasive plants; a precautionary contaminated land condition; restriction on the importation of any subsoil and/or topsoil material; that the mitigation measures identified in the submitted noise assessment be installed and maintained thereafter; that electric vehicle recharge points be provided to every property; that no solid fuel appliances shall be installed; that a Full Travel Plan be submitted; that secure cycle storage for all dwellings be provided and that air quality monitoring following 80% occupancy of the development be carried out.
- 7.11 **Ecology** comment that they have relied on ecological survey information provided for the previous application in addition to the updated information submitted in support of this current application. The ecological surveys and assessments of the site, both previous and updated, have been undertaken by suitably qualified consultants and are to appropriate and proportionate standards. The site is of low value to bats as a foraging site or a commuting route. The site is not designated for its nature conservation value and is not adjacent to any designated sites. The site, although large, is considered unlikely to support populations of protected species, although it is used by small numbers of foraging bats.
- 7.12 In terms of habitats, Ecology comment that the site is dominated by species-poor improved and semi-improved grassland of rather limited nature conservation value. There are some locally important habitats including a dry pond, hedgerows and broadleaved trees. Some of these habitats will be lost to the scheme, but compensation for habitat losses has been put forward in the form of new hedgerow and shrub planting, restoration of the pond on the site and significant new tree planting. These proposals are generally satisfactory from an ecology point of view. Therefore they recommend that the submitted Landscape Plan be implemented and that a Landscape Management Plan be secured by a Condition placed on any planning approval to ensure that new landscaping is managed sustainably in the long-term.
- 7.13 In terms of impacts on protected species, the site is unlikely to support great crested newts but does have some limited potential to support amphibians, including the common toad. The

applicant has submitted a Method Statement for and the implementation of this Method Statement can be controlled by a condition.

- 7.14 In terms of other ecological considerations, conditions are required to ensure no vegetation clearance or tree felling be undertaken during the bird nesting season; that retained trees and hedgerows should be properly protected during the course of any development; that a Method Statement should be prepared giving details of measures to be taken to prevent the spread of Himalayan balsam on the site and that consideration should be given to bats during demolition of 215 Brindle Road and during any tree felling operations. If bats are found at any time during works then work must cease immediately and advice sought from a suitably qualified person about how best to proceed.
- 7.15 **Arboriculturist** comments that, due to the scale of the development, an arboricultural consultant should be appointed to provide site monitoring once the development is underway. The Arboriculturist also requires conditions be imposed to ensure trees subject to preservation order TPO 2014 No 7 identified for retention, protective fencing should be erected in accordance with BS5837 2012 prior to development commencing and remain in-situ throughout the development. An inspection programme of the protective fencing should be established and recorded by the arboricultural consultant as part of their overall site monitoring. He also requires that, for trees T3, T18, T26, T37 and T38 existing ground levels should be retained within the RPA and excavated by hand. Any exposed roots should be immediately wrapped to prevent desiccation. Other required conditions include that all newly planted trees should be replaced by replanting on a like for like basis for a minimum of five years; a suitable mulching and watering programme in accordance with BS8545 2014; and that no machinery, tools and equipment should be stored within the RPA of any trees on site.
- 7.16 Finally, the Arboriculturist comments that trees identified to border the M61 Northbound should be changed from *Prunus padus* to a more suitable denser tree to act as an acoustic barrier, eg *Carpinus betulus* Frans Fontaine, or other suitable fast growing dense canopy urban tolerant tree.
- 7.17 **United Utilities** have no objection to the proposed development provided that conditions are attached to any approval in respect of foul and surface water drainage be on separate systems; that a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance, be submitted and that a sustainable drainage management and maintenance plan for the lifetime of the development be submitted
- 7.18 They also comment that a public sewer crosses this site and they require an access strip width of six metres, three metres either side of the centre line of the sewer.
- 7.19 **Environment Agency** did not provide a comment as the development is not one on which they require to be consulted. This is now the remit of the Lead Local Flood Authority, see below.
- 7.20 **Lead Local Flood Authority** initially commented that, in the absence of adequate information to assess the principle of surface water drainage associated with the proposed development, they would object until further information has been submitted. The LLFA did however indicate how their objection could be overcome. The applicant therefore submitted further information which was forwarded to the LLFA for consideration. The LLFA's final comments will be reported once received.
- 7.21 **National Grid/Cadent** carried out an assessment in respect of their apparatus and commented that, due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works. Cadent's comments were passed to the applicant who provided an additional plan which demonstrates that only roadway and parking areas are within the gas pipeline buffer.

- 7.22 **Health and Safety Executive** were consulted through their Planning Advice Web App. The HSE 'do not advise against', on safety grounds, against the granting of planning permission in this case. The criteria used was for less than 3 dwelling units that lie partly or wholly within the consultation distance of the pipeline.
- 7.23 **The Police Architectural Liaison Officer** comments that a development of this scale has the potential to create a significant increase in demand for police assistance and therefore security measures must be incorporated into the design in order to reduce opportunities for crime. These recommendations include the promotion of natural surveillance to allow clear views across the various pockets of public open space. Link footpaths should be avoided; back to back gardens help to keep the area secure and deter intruders; the avoidance of windowless elevations and blank walls immediately adjacent to the public open spaces; the various pockets of landscaping including the buffers should be designed so that trees will not grow to obscure lighting columns or impede natural surveillance as they mature; routes for pedestrians, cyclists and vehicles should be integrated to provide a network of supervised areas to reduce crime and anti-social behaviour; pedestrian/cycle links must be wide, straight, well lit, devoid of hiding places, overlooked by surrounding buildings and activities and well maintained so as to enable natural surveillance along the path and its borders; windows and doors should be PAS 24/2012 (16) certificated; ground floor glazing should be laminated and windows fitted with restrictors; rear gardens be secured with a 1.8m high close boarded timber fence; 1.8m high lockable gate should be fitted flush with the front of the building line to restrict access into private rear gardens; and illumination all external doors with a dusk till dawn light; car parking spaces should be illuminated.
- 7.24 They also make comments on the site security during the construction phase as there have been reported thefts and burglaries at construction sites across all areas of Lancashire.
- 7.25 **Campaign to Protect Rural England** strongly objects to this planning application due to the proposed density of the development and the impact on local residents; lack of green infrastructure; lack of open space by virtue of its placement adjacent the M6 Motorway and the consequent impact of noise and pollution on the health of future residents; the substantial deleterious effect on traffic along Brindle Road; the unsustainability of the proposed development; and its non-compliance with the NPPF, South Ribble Local Plan, along with supporting Supplementary Planning Documents.
- 7.26 **Strategic Housing** comment that the proposed development offers 261 new units of accommodation, a mix of 2, 3 and 4 bedroom family homes including 5 dormer bungalows. The proposal includes 30% affordable homes, equating to approximately 78 in number.
- 7.27 The Core Strategy and Affordable Housing Supplementary Planning Document places a 30% affordable target on residential sites over 15 units making the proposed development policy compliant. The affordable housing type, tenure and mix is yet to be determined. The Central Lancashire Affordable Housing Supplementary Planning Document provides further guidance on the delivery of on-site affordable housing including the design, pepper-potting and tenure mix.
- 7.28 The following information has been taken from the council's housing waiting list Select Move. The number of Select Move applicants who have selected Bamber Bridge as their first choice location is 178. This is broken down as follows: 100, 1-bed dwellings; 49, 2-bed dwellings; 27, 3-bed dwellings and 2, 4-bed dwellings.
- 7.29 Bamber Bridge falls within the Eastern My Neighbourhood Area. Based on current information from the Council's affordable home ownership interest list, 41% of applicants have expressed interest in affordable home ownership within the Eastern area of the Borough. Expression of interest is highest for two and three bedroom houses. Office for National Statistics population projections show that South Ribble has an ageing population and housing for older people has been identified as a priority within The South Ribble

Housing Framework 2016-19. The provision of 5 dormer bungalows will help to meet these aims.

## **8. Policy Considerations**

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

- I. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. When determining planning applications, this means *"approving development proposals that accord with the development plan without delay"*. **Chapter 6** of the NPPF aims to ensure the delivery of a wide choice of high quality homes and therefore requires the LPA to consider applications for residential development in the context of the presumption in favour of sustainable development.
  - II. **Chapter 4** at paragraph 32 requires that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
    - the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
    - safe and suitable access to the site can be achieved for all people; and
    - improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
  - III. **Chapter 7** requires good design for new development and paragraph 56 states, *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."*
  - IV. Paragraph 66 requires that applicants work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
  - V. **Chapter 10** deals with the challenge of climate change, flooding and coastal change and requires new development to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
  - VI. **Chapter 11** aims to conserve and enhance the natural environment through a number of criteria. It requires that development should avoid significant harm to the natural environment or, if unavoidable, be adequately mitigated, or, as a last resort, compensated for. Any opportunities to incorporate biodiversity in and around developments should be encouraged;
  - VII. This chapter, at paragraph 123, also requires development to *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development*.
- ### **8.2 Central Lancashire Core Strategy**
- I. **Policy 2: Infrastructure** required developers to work with infrastructure providers to establish works and/or service requirements that will arise from or be made worse by development proposals and determine what could be met through developer contributions, having taken account of other likely funding sources.

- II. **Policy 3: Travel** aims to reducing the need to travel; improving pedestrian facilities; improving opportunities for cycling; improving public transport; encouraging car sharing; and improving the road network.
  - III. **Policy 4: Housing Delivery** provides for and manages the delivery of new housing. Within South Ribble, 417 dwellings are required pa.
  - IV. **Policy 5: Housing Density** seeks to ensure that densities of new development are in keeping with local areas and will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land.
  - V. **Policy 7: Affordable & Special Needs Housing** provides for the sufficient provision of affordable and special housing to meet local needs. For this site 30% of the dwellings must be affordable.
  - VI. **Policy 17: Design of New Buildings** requires the design of new buildings to take account of the character and appearance of the local area; be sympathetic to surrounding land uses and occupiers; ensure that the amenities of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa; must link in with surrounding movement patterns and not prejudicing the development of neighbouring land; must minimise opportunity for crime; protect existing landscape features and provide open space; must make provision for the needs of special groups; must promote designs that will be adaptable to climate change; and ensure that contaminated land and land stability are considered.
  - VII. **Policy 22: Biodiversity and Geodiversity** seeks to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area.
  - VIII. **Policy 23: Health** aims to reduce health inequalities by seeking contributions towards new or enhanced facilities from developers where new housing results in a shortfall or worsening of provision.
  - IX. **Policy 25: Community Facilities** seeks to ensure that local communities have sufficient community facilities provision by assessing all development proposals for new housing in terms of their contribution to providing access to a range of core services including education and basic health and care facilities.
  - X. **Policy 26: Crime & Community Safety** requires that developers consider the inclusion of Secured by Design principles in new developments.
  - XI. **Policy 27: Sustainable Resources & New Developments** requires new development to incorporate sustainable resources through a number of measures, including meeting Level 4 of the Code for Sustainable Homes.
  - XII. **Policy 29: Water Management** aims to improve water quality, water management and reduce the risk of flooding and encourages the adoption of Sustainable Drainage Systems in new development.
- 8.3 **Central Lancashire Supplementary Planning Documents**
- I. The **Affordable Housing SPD** provides further advice on how the Council's affordable housing policy is to be implemented and sets out guidance on the range of approaches, standards and mechanisms required to deliver a range of affordable housing to meet local needs.

- II. The purpose of the **Design Guide SPD** is to ensure that new development is designed to a high standard and schemes should be developed in line with the principles set out in the SPD.
  - III. The **Open Space and Playing Pitch** provides advice on the open space and playing pitch policies set out in the Partial Version Site Allocations Development Plan Document and includes guidance of how the provision standards will be applied.
- 8.4 **South Ribble Local Plan**
- I. **Policy A1: Developer Contributions** expects new development to contribute to mitigating its impact on infrastructure, services and the environment and to contribute to the requirements of the community. This will be security through the Community Infrastructure Levy.
  - II. **Policy D1: Allocation of Housing Land** allocates land for housing development to meet the 5 year supply of housing land. The application site forms part of Site S: Land off Brindle Road, Bamber Bridge and Policy D1 describes the site and indicate the following:
    - III. *7.48 The site could accommodate in the region of 250 dwellings. However, due to the site's location adjacent to both the M61 and M6 motorways, extensive buffering would be required to mitigate against noise and pollution. The extent of this buffering will be discussed and agreed with the Council.*
  - IV. **Policy F1: Parking Standards** requires all development proposals to provide car parking and servicing space in accordance with the adopted parking standards. These are set out in Appendix 4 of the SADPD.
  - V. **Policy G8: Green Infrastructure and Networks** requires all new development to provide appropriate landscape enhancements; conservation of environmental assets, natural resources, biodiversity and geodiversity; make provision for the long-term use and management of these areas; and provide access to well-designed cycleways, bridleways and footways to help link local services and facilities.
  - VI. **Policy G10: Green Infrastructure Provision in Residential Developments** requires all new residential development resulting in a net gain of five dwellings or more to provide sufficient Green Infrastructure to meet the recreational needs of the development. The Open Space and Playing Pitch SPD offers further guidance.
  - VII. **Policy G11: Playing Pitch Provision** requires all new residential development resulting in a net gain of five dwellings or more to provide playing pitches in South Ribble.
  - VIII. **Policy G13: Trees, Woodlands and Development** has a presumption in favour of the retention and enhancement of existing tree, woodland and hedgerow cover on sites. Where there is an unavoidable loss of trees on site, replacement trees will be required to be planted on site where appropriate at a rate of two new trees for each tree lost.
  - IX. **Policy G16: Biodiversity and Nature Conservation** seeks to protect, conserve and enhance the borough's Biodiversity and Ecological Network resources. The level of protection will be commensurate with the site's status and development proposals will be assessed having regard to the site's importance and the contribution it makes to wider ecological networks.
  - X. **Policy G17: Design Criteria for New Development Planning** permits new development provided that the proposal does not have a detrimental impact on

neighbouring buildings or on the street scene; that the layout, design and landscaping of the proposal, including internal roads, car parking, footpaths and open spaces, are of a high quality and provide an interesting visual environment which respects the character of the site and local area; that new roads and/or pavements be to an adoptable standard; not prejudice highway safety, pedestrian safety, the free flow of traffic; provide on-site parking spaces to the adopted standards stated in Policy F1; not impact on the significance, appearance, character and setting of a heritage asset; and not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses..

- XI. **Policy H1: Protection of Health, Education and Other Community Services and Facilities** requires that development of major sites for housing should ensure appropriate health, cultural, recreational, sport and education facilities are provided either on site or in the surrounding area through CIL and/or developer contributions.

## 9. Local Plan Allocation Background

9.1 The principle of residential development on this site was established during the Local Plan process. It is clearly stated in the Local Plan that the whole site, amounting to 22.7 ha, could accommodate in the region of 250 dwellings. During consideration of Site S, the Inspector reported in paragraphs 40 and 41 of the report: *"In relation to site S in particular, concerns have been expressed about the impact of traffic at the nearby level crossing. The Council, through its discussions with the Highway Authority, is satisfied that none of the allocated sites (both within and outside the urban area) would create insurmountable traffic problems and I have no substantive evidence which would suggest otherwise. Network Rail (NR) was consulted on the allocations in the Plan, but did not raise concerns about the impact of the allocation of site S..... Whilst it will undoubtedly be the case that additional traffic from site S would lengthen the queues at the level crossing, I have no evidence to suggest that this would cause insurmountable transport problems. There will be an opportunity to address detailed matters relating to the impact on the surrounding transport network at the planning application stage. Policy A1, discussed below, will ensure that contributions towards infrastructure facilities are secured through S106 agreements or CIL funds..... I note concerns expressed by one of the landowners of site S that the land has the potential to accommodate more than the 250 units indicated in Table 1 and policy D1. There appears to be a number of factors, including noise from adjoining motorways and potential impact on the level crossing, which could affect the final housing density on site S. I note the additional information submitted by the landowner in an attempt to demonstrate the feasibility of additional housing on that site. However, a full and open assessment of such matters would be expected at the detailed site planning stage. Together, the wording of policy D1 and the proposed amendments to policy D2 and its introduction make clear that the number of dwellings on each of the allocated sites is an estimate and that regular monitoring of the number of dwellings provided will take place in order to ensure that the Council provides sufficient housing land to meet its needs. **Nothing in the Plan would preclude additional dwellings coming forward over and above the indicative 250 units should the Council be satisfied that this is appropriate following detailed assessment.**"*

9.2 The purpose of the figure of 250 dwellings was to help officers understand how many dwellings could be built on the site. It also enabled officers to understand how many dwellings could be built within the borough over the full plan period. When the indicative figure was included in the Local Plan there was no detail of how the site could be developed in terms of site layout in order to assess the exact number which could be delivered on site. This is something to be calculated at planning application stage.

9.3 There have been a number of complaints in respect of the recently published Strategic Housing Land Availability Assessment (SHLAA) capacity figure of 360 for Site S. The Housing Land Position Statement and the Strategic Housing Land Availability

Assessments have been combined into one document and are for a specific purpose of monitoring housing delivery and establishing that the authority has at least a five year supply of deliverable housing sites. The published documents are monitoring and evidence base for a specific purpose and therefore do not go through approvals with Councillors. They are not making or changing an adopted policy or making a decision. Therefore the figures in the document are a theoretical capacity of the site and should be seen as such. Detailed consideration of the site's density and capacity remains through the planning application process.

9.4 The submitted planning application is therefore considered in terms of the relevant planning policies, listed above, and particularly Policy G17. This involves an assessment of criteria such as separation distances between dwellings, the amount of car parking spaces, garden sizes, open space requirements, access points, impacts and distances from existing dwellings adjacent to the site, together with the site's constraints in terms of topography, natural features and also buffers in respect of noise levels in order to understand whether the amount of dwellings proposed is acceptable or not.

## **10. Preston, South Ribble and Lancashire City Deal**

10.1 The Preston, South Ribble and Lancashire City Deal was the first of 20 second wave City Deals to be agreed and was signed in September 2013. New investment of £434 million will expand transport infrastructure in Preston and South Ribble at an unprecedented rate, driving the creation of some 20,000 new jobs and generating the development of more than 17,000 new homes over the next ten years.

10.2 Key to the success of City Deal is for development sites to come forward to deliver houses which in turn provides funding towards the costs of the infrastructure. The wider Site S at Brindle Road is one such site. The application site would provide a significant number of residential dwellings, which will help South Ribble deliver part of its requirement towards the City Deal housing target. It is therefore considered that this site would provide much needed new homes and strongly support the commitment of South Ribble to the delivery of the City Deal.

## **11. Community Infrastructure Levy (CIL)**

11.1 This residential development for 261 dwellings would be expected to support a level of wider strategic infrastructure in South Ribble via CIL contributions. The level of CIL for the market housing element of this development has been calculated at £1,463,649.14. These monies would be used for projects identified in the CIL 123 list for the area. The Affordable Housing element of the development does not attract a CIL contribution.

## **12. Material Considerations**

### **12.1 Density**

12.1.1 The application relates to an area of 9.8ha parcel of land within the housing allocation Site S. The proposal is for 261 dwellings with a gross density of 26.6 dwellings per hectare on this part of Site S. This is comparable with existing development in the area and with other more recent residential development. For example the former Cottage Garden Centre development achieved 28 dwellings per hectare; the Arla Foods site has a density of 40 dwellings per hectare; the site opposite the Hospital Inn has 25 dwellings per hectare and the site of the former LCC Offices on Brindle Road has a density of 56 dwellings per hectare. Additionally, sufficient garden spaces are proposed for the dwellings. The proposed development is therefore not considered to result in the overdevelopment of the site.

12.1.2 The scheme also provides amenity open space amounting to 3.51ha which is above that which would normally be required and is due largely to the requirement for buffers to the

boundaries with the adjacent motorways. Therefore the site density is considered acceptable.

## 12.2 Relationship to Neighbours

12.2.1 The application site encompasses the existing residential development of Cottage Gardens, a small cul de sac of 24 dwellings with only 15, 17 and 19 directly adjacent the application site boundary. Plots 254 to 257 are all two storey dwellings located some 21 plus metres off the common boundary and over 30m to the rear of the existing dwellings. Therefore there will be no issues with overlooking/loss of privacy as the spatial separation distances achieved are in excess of what is normally required for facing windows to two storey properties.

12.2.2 To the south of the application site are properties located on Brindle Road, numbers 183 to 209. These are a mix of two storey dwellings, dormer bungalows and true bungalows. Plots 1, 51, 52, 58, 59, 67, and 68 to 72 are adjacent the common boundary with these existing properties. Most with the exceptions of plot 51 and 68 to 72 have their side gables facing the rear of the existing properties. In all cases, the proposed dwellings achieve in excess of the required 13m separation distance for blank side gables facing rear windows and are therefore considered acceptable. Plot 51 has its rear elevation facing the rear elevation of 207 Brindle Road at a distance of 20m. This is to be the Gilby housetype, a detached bungalow with rooflights in the rear elevation. Therefore the relationship is considered acceptable. Plot 68 to 72 are located to the rear of 183 Brindle Road at a distance of 25m and 35m off the common boundary and therefore will have no undue impact on 183 in terms of overlooking/loss of privacy.

12.2.3 Directly opposite the location of the proposed access is number 298 Brindle Road with 294, 296, 300 and 302 either side. The property 298 Brindle Road is located 23m from the application site boundary where the proposed access is to be formed. The resident of 298 has objected on the grounds that the property is a dormer bungalow with ground floor bedrooms which will be subjects to intolerable light pollution from headlights as vehicles exit the development. Whilst it is acknowledged that 298 Brindle Road and the properties adjacent to it, opposite the site entrance, will experience car headlights facing their windows, the Local Plan does refer to the whole of Site S having two access points at 7.53 *“Given the scale of the site it is likely that two access points will be required but currently the position of any access into the site is not established.”* This application proposes one access with the remaining part of Site S providing the second access.

12.2.4 With regard to the properties most affected by headlights, it is considered that the residential amenities would not be unduly affected to the extent that could support a reason for refusal and this situation is not dissimilar to other parts of the Borough where new development is being planned or approved.

12.2.5 Although a number of objections have been received in respect of the impact on residential amenity, the proposal meets all the required spatial separation distances to existing properties and the application is considered to be in accordance with Policy G17 in terms criteria a).

## 12.3 Character and Appearance

12.3.1 The area is characterised as 'undulating lowland farmland' and is semi-rural in nature with the site consisting of green open fields with hedgerow boundaries and trees and hedgerows present within the site. However, in contrast the site is also bounded by the M6 and M61 motorways and existing residential development. Existing development in the area is a mix of housetypes with modern detached dwellings on Cottage Gardens and a mix of two storey dwellings, bungalows and dormer bungalows along Brindle Road together with a Listed Building and a farm.

12.3.2 The proposed development is also a mix of housetypes ranging from large detached dwellings set in reasonably sized plots to blocks of mews houses set in smaller plots. Some of the dwellings, the Souter, Moseley and Lumley housetype, are two and a half storey. However, these are mainly central within the site with just the Lumley adjacent the site access road.

12.3.3 The site access provides a tree lined entrance to the site with trees to both sides. Dwellings are located to the western side which are directly accessed off the access road. The inclusion of the trees aims to soften the expanse of hard standing areas which form the parking bays and driveways to these properties. Views of an area of POS are afforded from the site access which provides a 'sense of arrival' to the site

12.3.4 In general, the development provides a landscape buffer to each of the motorways and a central area of Public Open Space. The existing site features such as hedgerows and trees have been retained and incorporated into the development with additionally planting being provided within the open space areas and adjacent the site access road. It is considered that the site layout provide a mixed development which is of a reasonable density, commensurate with existing development in the area. The proposal is therefore considered to be in keeping with the character and appearance of the area, as required by Policy G17 criterion b) and e).

#### **12.4 Impact on Listed Building**

12.4.1 A listed building, New House Farm is located to the east of the proposed site access. Along the boundary of the site access with land associated with New House Farm and a small landscaping area is proposed which is to be lined with tree planting. Residential properties are located to the north boundary of the land associated with New House Farm. However, a number of buildings associated with the farm, but not included in the listed building curtilage, are set between the housing development and the listed building.

12.4.2 It is noted that the occupant of New House Farm has objected to the proposed development but none of the points of objection raised relate directly to the Farm's Listed Status. It is considered that the proposal will have no undue impact on the Listed Building or its setting and is therefore in accordance with Policy G17 criteria d).

#### **12.5 Highway Background**

12.5.1 During consideration of Site S, the Inspector reported in paragraph 40 of her report: *"In relation to site S in particular, concerns have been expressed about the impact of traffic at the nearby level crossing. The Council, through its discussions with the Highway Authority, is satisfied that none of the allocated sites ..... would create insurmountable traffic problems and I have no substantive evidence which would suggest otherwise. Network Rail was consulted on the allocations in the Plan, but did not raise concerns about the impact of the allocation of site S..... Whilst it will undoubtedly be the case that additional traffic from site S would lengthen the queues at the level crossing, I have no evidence to suggest that this would cause insurmountable transport problems. There will be an opportunity to address detailed matters relating to the impact on the surrounding transport network at the planning application stage....."*

#### **12.6 Lancashire County Council Highways Role**

12.6.1 Lancashire County Council Highways, as Local Highway Authority, 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.

12.6.2 A further consideration is the scale of emerging development proposals as set out in the adopted Central Lancashire Core Strategy. The Core Strategy sets out the basis for planning in Central Lancashire over 15 years and details strategic sites and key locations

where development will be focused. The application site is just one of a number of potential sites seeking to come forward in South Ribble, all of which, if supported and delivered, will impact on a wider network already experiencing congestion. Therefore, it is critical that the impact of this development does not compromise the existing or future movement needs of people and goods by any mode or the ability to promote and deliver infrastructure to accommodate planned growth.

12.6.3 The additional vehicles generated by this proposed development will result in higher flows on the existing network. County Highways note that the location of this site is on the edge of the current built environment and therefore will require a suitable approach to ensure the successful delivery and continued maintenance of infrastructure and other measures to best integrate the site to the existing partially rural community and to the wider local and strategic network. If such measures are not supported and delivered then the proposed development will not be sustainable and be car dependant with car usage higher than the surrounding built environment. This will in turn exacerbate existing conditions on transport corridors and undermine the principles of the Core Strategy and the delivery of required infrastructure to accommodate all expected movement needs, by all modes, for planned development, with the principles included in the Central Lancashire Highways and Transport Master Plan.

## 12.7 County Highways Comments on Development Proposals

12.7.1 County Highways have considered the development for 261 residential dwellings with a single access off Brindle Road at the location of 215 Brindle Road and a further emergency access and pedestrian/cyclist access off Shutling Fields Lane. They have considered the submitted plans and supporting documentations, particularly the Transport Assessment by SCP dated June 2017. They also undertook a site visit and considered their comments for the previously refused application 07/2014/0204/FUL.

12.7.2 County Highways comment: *“This proposed site is located beyond the existing urban built environment of Bamber Bridge. The triangular site has a number of constraints which limits the level of direct connectivity and accessibility that can be achieved to the surrounding area and its service provision. There are Motorways on two sides and existing residential properties on the third side. The sites constraints do influence its ability to provide direct desire lines to existing services and off site needs.*

12.7.3 *To the south of the site is Brindle Road which runs east/west and forms a route parallel to the M61. Some 250m to the west of the proposed site access junction, Brindle Road crosses over the M6 on a blind bridge. Immediately to the foot of the bridge is a three-arm mini roundabout providing access into the residential development at Bluebell Way. 600m to the east of the proposed site access is a three arm priority junction with Bank Head Lane with the priority movement being from Brindle Road (n) to Bank Head Lane. The south arm of Brindle Road forms a link to Walton Summit Industrial Estate, the M61, M65 and M6 motorways and the A6. The Brindle Road (s) arm has a barrier controlled railway level crossing some 6m south of the junction. Although the Lancashire County Councils five year data base for Personal Injury Accident (PIA) shows that there are very few collisions/incidents at the junction/crossing, local perception is that there are safety concerns along Brindle Road/Bank Head Lane when the crossing barriers are in operation. The operation of the crossing barriers also increases congestion and delay on this part of the network.....A fair appraisal of the development location is that the site is outside the existing built environment in a semi-rural location. Consequently this proposed residential development will require measures/infrastructure and a suitable approach to integrate the site with the built environment and wider community to access the full range of facilities/services and employment required to support sustainable development. To achieve sustainable patterns of movement and reduce reliance on private cars for making journeys, the proposed significant development should provide appropriate measures in order to make it sustainable..... Without appropriate measures, there is a very real concern that the*

*proposed residential area, as submitted, will become a car dependant community with car usage higher than the built environment.”*

## **12.8 Sustainable Transport Modes**

12.8.1 County Highways consider that the existing footways on either side of Brindle Road are not directly linked to the proposed development except from the main entrance. As a result, this restricts pedestrian penetration into the development and increases the length of pedestrian journeys, especially to local facilities such as bus stops. County Highways comment that the access route that is available does not link to the expected desire lines for the retail and other facilities in Bamber Bridge or to the bus stops on the south side of Brindle Road. Further, there are no crossing facilities available in the vicinity of the desire lines. As a result, these will increase the use the car rather than sustainable modes of transport. Therefore County Highways require crossing facilities on Brindle Road to improve the sustainability of the development and the installation of both mobile Speed Indicator Devices (SPiDs) to moderate speeds along Brindle Road both in the vicinity of the site, the location of the required crossing and the approach to the junction with Bank Head Lane and the level crossing. They also require enhanced weight limit signs along Brindle Road and Bank Head Lane to remove the number of unsuitable vehicles using the route. The applicant has confirmed these measures will be provided to assist with highway safety issues and can be secured through the Section 106 Agreement. Additionally, plans have been submitted to indicate the location of the bus stops to be upgraded; the location of the crossing; the location of the SPiD; the location of the new signage and the road markings to be upgraded. County Highways confirm that, with the provision of these measures, they have no objections to the proposal.

## **12.9 Public Right of Way**

12.9.1 A Public Right of Way PROW 21 passes through the application site with a further PROW 15 running along Shuttling Fields Lane. The submitted Traffic Assessment states that the PROW will be incorporated into the scheme layout. County Highways comment that the granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act using approved legal procedures.

12.9.2 A further PROW Bridleway 46 (Bradkirk Lane) links Brindle Road to a foot crossing over the railway that leads to the Walton Summit employment area. Network Rail comment that there may be an increase in footfall across Bradkirk Lane crossing but there is actually a possibility this may reduce with the proposed cycle routes showing in Figure 3.2 of the TA.

## **12.10 Public Transport**

12.10.1 The site is served by one public bus service 113. The service is hourly starting at approximately 07:04 with the last bus leaving Preston at 18:30, with no Sunday service. The service is run by Stagecoach. The Traffic Assessment and Travel Plan makes reference to two services 113 and 712, it should be noted that the 712 is a service to Runshaw College and only operates during college term time.

12.10.2 The closest bus stops are within 400m of the centre of the proposed site, but these distances can more than double from the outlying points of the development and areas that are not directly connected to the single access by pedestrian footpaths. The bus stops consist of just a pole and flag with no shelter. In order to encourage public transport patronage from the proposed development and make facilities more attractive, these stops should be upgraded to Quality Bus standard. This requirement can be secured within the Section 106 Agreement.

12.10.3 Bamber Bridge Rail Station is approximately 1.3km via PROW footpaths or 1.65km via the public highway. The station is not directly served by bus services from the proposed development. This would limit any benefit that could be gained by the frequent service provided by rail services from Bamber Bridge. County Highways therefore request a

contribution to fund cycle parking provision at Bamber Bridge Station to encourage the use of the station for commuting/education trips. Again, this requirement can be secured within the Section 106 Agreement.

### 12.11 Proposed Access

12.11.1 The proposed site access is in the location of 215 Brindle Road which is to be demolished. County Highways consider the proposed access has suitable visibility splays based on Manual for Streets (MfS) calculations for an 85% percentile speed of 32.8mph as recorded (2.4 x 43m). However, any further initiatives that could lower the average speed along Brindle Road would increase safety at the junction and in the vicinity of pedestrian desire lines to/from the proposed development. As indicated above, County Highways recommend the installation of mobile SPiDs to help moderate vehicle speeds by increasing driver awareness.

12.11.2 The proposal also includes a secondary emergency access from Shuttling Fields Lane. County Highways comment that details have not yet been provided relating to the operation of this secondary emergency access but there are no objections to the principle to an emergency access from Shuttling Fields Lane.

12.11.3 As well as the main and emergency access points, the Planning Layout indicates further pedestrian/cyclist access is proposed to the south-east of the development and vehicular access to undeveloped fields is to be continued up to the red edge of the plan, also to the south-east. EXPAND

### 12.12 Internal Layout

12.12.1 County Highways consider that the proposed layout as shown on the Planning Layout TGDP/BRBB/PL2 is acceptable. However, they confirm they would only consider adopting highway that is open for public use and constructed to adoptable standards using agreed materials. In order to be adopted under a Section 38 agreement, the internal design will need to be to Lancashire County Council standards. The applicant is aware of requirement to ensure the internal layout is construction to an adoptable standard.

12.12.2 County Highways also comment that the proposed individual dwelling parking provision is in line with Policy F1 and Appendix 4 in the South Ribble Local Plan.

### 12.13 Travel Plans

12.13.1 A Framework Travel Plan has been submitted which County Highways confirm is acceptable. On a development of this size they would normally request a contribution to enable Lancashire County Council to monitor and support the development, implementation and review of the Full Travel Plan for a period of up to 5 years. This would include reviewing annual surveys; progression of initiatives/actions plan and targets. The Full Travel Plan when developed would need to include the following as a minimum:

- Contact details of a named Travel Plan Co-ordinator
- Results from residents travel survey
- Details of cycling, pedestrian and/or public transport links to and through the site
- Details of the provision of cycle parking.
- Objectives
- SMART Targets for non-car modes of travel, taking into account the baseline data from the survey
- Action plan of measures to be introduced, and appropriate funding
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years

12.13.2 The contribution for Travel Plan monitoring can be secured through the Section 106 Agreement.

## **12.14 Traffic Assessment**

12.14.1 County Highways consider that the vehicle trip rates as presented for this development within the Transport Assessment are deemed acceptable for this style and location of residential development. Trip distribution has been based on 2011 Census Journey to Work Data but this is deemed unreliable. However, a distribution based on movements accessing the residential estate off Bluebell Way has also been included and this is considered more realistic.

12.14.2 County Highways confirm that the observed traffic counts were carried out during school term time and are an acceptable base for future growth. The National Trip End Model forecasts and the TEMPro software are used for transport planning purposes. County Highways confirm the TEMPro growth figures were used to produce acceptable future year base traffic flows for the local network. The future assessment year of 2022 represents a reasonable build out time and is deemed acceptable.

12.14.3 All junctions show a slight decrease in capacity with the development flows but the majority remain within practical capacity levels. However, the exception to this is the Station Road/Collins Road/Brownedge Lane signalised junction which is shown to be above capacity in the future year. The submitted Planning Statement indicates that the applicants are willing to contribute a sum towards the improvement of the Station Road Junction signalling. The amount of contribution to be provided should be proportionally shared with the landowners and developers of the remaining parcels within the Site S allocation. The sum to be provided towards the improvements of this junction can be secured in the Section 106 Agreement. This offer by the developer to fund improvements to the junction is welcome and County Highways who would be pleased to be involved in funding discussions between the Council and the developer.

## **12.15 County Highway Conclusions**

12.15.1 The development, as submitted, was initially considered unacceptable by County Highways in terms of sustainable transport provision. It is critical that development related increases in all modes of movement (demand) are suitably considered and appropriately mitigated against to ensure the development satisfies the NPPF foundation of providing for sustainable transport. County Highways considered the Transport Assessment had failed to demonstrate that the site can provide pedestrian/cycle connectivity to integrate with the existing built and proposed environments, nor provide access to and encourage sustainable public transport and therefore considered the development proposals were not in line with a number of key paragraphs of the NPPF including provision of safe and suitable access for all people and to support sustainable development. As such County Highways, in order to support sustainable transport to satisfy NPPF and to address local traffic impacts, recommended the following improvements/contributions:

- Provide S106 funding to support the daily daytime bus services for a 5 year period.
- Upgrade of bus stops on Brindle Road to Quality Bus Standard to be EA compliant.
- Provision of an uncontrolled pedestrian crossing on Brindle Road.
- Safety improvement markings at Brindle Road/Bank Head Lane junction.
- The installation of mobile SPiDs on Brindle Road to the east of the proposed new junction.
- Enhanced weight restriction signs along Brindle Road and Bank Head Lane.
- Contribution towards cycle parking enhancements at Bamber Bridge Station.

12.15.2 The applicant has confirmed these measures will be provided and have submitted additional plans to demonstrate the location of the bus stops to be upgraded, the location of the crossing point; the location of the SPiDs and the yellow road markings to be refreshed. Financial contributions will be secured through the Section 106 Agreement.

County Highways have confirmed the plans are acceptable and with the provision of these measures, they have no objections to the proposal.

12.15.3 It is also acknowledged that the developer would be expected to support a level of wider strategic infrastructure in South Ribble via the Community Infrastructure Levy (CIL) contributions. The level of CIL for the market housing element of this development has been calculated at £1,463,649.14. These monies would be used for projects identified in the CIL 123 list for the area.

### **12.16 Affordable Housing**

12.16.1 The application includes the provision of 30% affordable dwellings amounting to 85 dwellings. The affordable dwellings are scattered about the site and not located in one area. An affordable housing statement was also submitted and indicated the affordable dwellings would consist of a mix of 2-bed apartments, bungalows and houses for rent together with some 3-bed houses that can be built as/converted to 2-bed or vice versa. Some of the dwellings are proposed as intermediate dwellings. Intermediate are low cost homes for sale, provided at a discount of 70% of open market value to eligible person only. The applicant has proposed that no registered provider would be involved with these but would be provided as the shared ownership units with the developer.

12.16.2 The applicant has indicated that they are in discussion with registered providers for the rented dwellings. Until a Register Provider is on board with the scheme, it is unclear what the final mix of dwelling types will be although this must be the correct mix for this particular area. However, the mix of affordable dwelling types, their provision and retention in perpetuity will be secured through the Section 106 Agreement.

### **12.17 Flood Risk and Drainage**

12.17.1 An Outline Flood Risk Assessment dated October 2013 was submitted with the application which includes an outline drainage strategy. This has been considered by United Utilities (UU) and the Lead Local Flood Authority (LLFA). UU confirm that they have no objections to the proposed development provided that a number of conditions are imposed in respect of foul and surface water drainage. UU make a number of comments on the proposed development, including that a public sewer crosses this site and they would not permit building over it, requiring an access strip width of six metres. This has been taken into account in the site layout.

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

- i. into the ground (infiltration);
- ii. to a surface water body;
- iii. to a surface water sewer, highway drain, or another drainage system;
- iv. to a combined sewer.

12.17.3 UU also comment that, without effective management and maintenance, sustainable drainage systems can fail or become ineffective and therefore require a condition be imposed requiring the submission of management and maintenance scheme.

12.17.4 The LLFA initially commented that, in the absence of adequate information to assess the principle of surface water drainage associated with the proposed development, they would object. However, they also provided details of how the applicant could overcome their objections. As such further details were provided by the applicant and forwarded to the LLFA for consideration. Any comments received will be reported at Planning Committee

## 12.18 Public Open Space

12.18.1 Policy G10 sets a standard of 1.33 hectares per 1,000 population of amenity greenspace and there is currently a deficit of provision in the Bamber Bridge East Ward in which the application site is located. This development is required to provide 0.003192ha per dwelling, amounting to 0.82ha of amenity greenspace. There is no requirements for Equipped Play Areas on the site as there is a surplus in the Bamber Bridge East ward and there are no sites within 800m of the development which are considered to be of low quality for which a contribution would be required. As the site is not within 1000m of Central Parks or within 800m of any parks/gardens of low quality value there is no requirement for a contribution for Parks and Gardens. In terms of Natural/semi natures open space, the development is within 800m site identified – Walton le Dale High School and Brennand Close and the development would normally be expected to provide a contribution of £238 per dwelling for improvements to these areas. However this is subject to the identification of a specific project. In this case it is confirmed there are no projects on these sites and they are not within the Council's control and therefore the contribution cannot be requested. There is no requirements for a contribution towards Allotments. There is however a requirement for a contribution of £1,507 per dwelling towards playing pitches in the area. Again this is subject to an identified specific project and Parks have confirmed plans for improvements to the sports pitches at Withy Grove Park, specifically drainage improvements. The contribution would be secured through a Section 106 Agreements.

12.18.2 The total area of Amenity Greenspace provided within the development amounts to 3.51ha in the form of buffers to both the M6 and M61 motorways together with an area central within the site. This is over and above the amount required by Policy G10 and is therefore considered acceptable. Neighbouring residents consider that the open space provided is unusable due to its location adjacent the motorways as it will be impacted on in terms of noise. However, it must be noted that the existing PROW, runs from the eastern boundary of Cottage Gardens through the application site and along to Shuttling Field Lane. The PROW promotes the use of the site for recreation purposes as existing, despite the proximity to the motorways. Therefore the amount and location of the amenity greenspace is considered acceptable and in line with Policy G10.

## 12.19 Ecology Issues

12.19.1 An updated Ecological Survey and Assessment including licensed bat survey dated June 2017 was submitted. The Ecological Survey concluded that a residential development at the site is feasible and acceptable in accordance with ecological considerations and the National Planning Policy Framework. Ecology comment that it is possible to implement reasonable actions for the protection and long-term conservation of fauna such as roosting bats, nesting birds and commuting/foraging bats associated with the site. However, if the building on the site has not been demolished by May 2018 updated surveys will be required to determine the presence or absence of roosting bats; measures to conserve the habitat connectivity through the site are entirely feasible; redevelopment at the site will provide an opportunity to secure ecological enhancement for fauna typically associated with residential areas such as breeding birds and roosting bats.

12.19.2 The document was considered by the Council's Ecological Advisors who comment that they have relied on ecological survey information provided for the previous application in addition to the updated information submitted in support of the current application. The ecological surveys and assessments of the site, both previous and updated, have been undertaken by suitably qualified consultants and are to appropriate and proportionate standards. Given that the site does not support high quality bat foraging habitat and is unlikely to be used as a significant bat 'commuting route' because it is bounded to the west, north and east by motorways (the M6 and M61) which form effective barriers to bat movements. Therefore the level of bat activity surveys that have been conducted as proportionate and confirm what would be expected given the nature of this site which is of low value to bats as a foraging site or a commuting route. Additionally, the site is not designated for its nature conservation value and is not adjacent to any designated sites.

Although large, the site is considered unlikely to support populations of protected species, although it is used by small numbers of foraging bats.

12.19.3 In respect of the impact on habitats, Ecology confirm that the site is dominated by species-poor improved and semi-improved grassland of rather limited nature conservation value. There are some locally important habitats including a dry pond, hedgerows (which may constitute a priority habitat for conservation) and broadleaved trees. Some of these habitats will be lost to the scheme, but compensation for habitat losses has been put forward in the form of new hedgerow and shrub planting, restoration of the pond on the site and significant new tree planting. These proposals are generally satisfactory from an ecology point of view. The new planting, taken together with the inclusion of garden space in the scheme, will be sufficient to compensate for the minor losses to bat foraging habitat that will be caused by the scheme. Therefore Ecology recommend that the submitted Landscape Plan be implemented and that a condition be imposed requiring the submission of a Landscape Management Plan to ensure that new landscaping is managed sustainably in the long-term.

12.19.4 In respect of the impact on protected species, Ecology accept that the site is unlikely to support the specially protected species great crested newt although it does have some limited potential to support amphibians, including the common toad. The applicant has submitted a Method Statement for reasonable avoidance measures to be taken to avoid any possible harm to amphibians during the course of the scheme ('ERAP' ecological consultants' report ref. 2017-142, 2017, section 5.6). The implementation of this Method Statement should be secured by a condition.

12.19.5 A number of other conditions are also required by Ecology including that no vegetation clearance or tree felling be undertaken during the bird nesting season' that retained trees and hedgerows should be properly protected during the course of any development; that a Method Statement giving details of measures to be taken to prevent the spread of Himalayan balsam on the site be submitted; and an advisory condition that if bats are found at any time during works then work must cease immediately and advice sought from a suitably qualified person about how best to proceed.

## 12.20 Trees and Hedgerows

12.20.1 A Tree Survey Report dated June 2013 was submitted with the application together with Tree Survey Plans and a Landscape Structure Plan. These have been considered by the Council's Arboriculturist who comments that, due to the scale of the development, an arboricultural consultant should be appointed to provide site monitoring once the development is underway.

12.20.2 The Arboriculturist also requires conditions be imposed to ensure trees subject to preservation order TPO 2014 No 7 identified for retention, protective fencing should be erected in accordance with BS5837 2012 prior to development commencing and remain in-situ throughout the development. An inspection programme of the protective fencing should be established and recorded by the arboricultural consultant as part of their overall site monitoring. He also requires that, for trees T3, T18, T26, T37 and T38 existing ground levels should be retained within the RPA and excavated by hand. Any exposed roots should be immediately wrapped to prevent desiccation. Other required conditions include that all newly planted trees should be replaced by replanting on a like for like basis for a minimum of five years; a suitable mulching and watering programme in accordance with BS8545 2014; and that no machinery, tools and equipment should be stored within the RPA of any trees on site.

12.20.3 Finally, the Arboriculturist comments that trees identified to border the M61 Northbound should be changed from *Prunus padus* to a more suitable denser tree to act as an acoustic barrier, eg *Carpinus betulus* Frans Fontaine, or other suitable fast growing dense

canopy urban tolerant tree. The applicant was advised of this and has amended the Landscaping plan accordingly.

## 12.21 Noise

12.21.1 A Noise Impact Assessment report dated September 2017 has been submitted with the application which summarises that the site is subject to road noise from the M6 and M61 motorways and it is predicted that facades facing these noise sources will require acoustically enhanced glazing and acoustically attenuated background ventilation to achieve the internal noise level criteria. The assessment of internal noise levels indicates that with appropriately specified facade elements, the indoor noise criteria can be achieved. The scheme layout has been developed to maximise self-screening from the houses to reduce, wherever possible, the external noise levels in the proposed private gardens.

12.21.2 It should be noted that relevant guidance states that where the development is situated adjacent to a *'strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited'*.

12.21.3 A scheme of mitigation has been provided to reduce noise levels as far as is practically possible within the constraints of the land currently available for development. With this mitigation in place, noise levels at the rear gardens are predicted to be below LAeq,16h 59 dB in all cases, which is in-line with the agreed upper limit of LAeq,16h 60 dB in rear gardens.

12.21.4 The Noise Impact Assessment concludes that appropriate noise criteria are achievable for dwellings proposed on this site with consideration for the mitigation measures suggested within the document. A suitably worded condition should be included to ensure that all dwellings achieve the internal noise criteria recommended in BS 8233:2014.

12.21.5 The document has been considered by the Council's Environmental Health Department who comment that the impact of noise from the motorways is of concern. The applicant has undertaken extensive studies to reduce the impact from the motorways, and the latest report, including an increase in the number of properties (from that considered at pre-applications stage for 220 dwellings), appears to show a deterioration in some of the proposed garden areas with sound levels to be experienced above 60dB(A). This is not acceptable and the noise assessment should be looked at again to identify the reasons for these increases and what mitigation measures are required to reduce the levels. For clarification it was previously agreed that the design criteria for external areas is 50dB LAeq,16hr however it has been agreed that in line with BS8233: 2014 levels up to 60dB LAeq,16hr will be acceptable providing everything has been done to reduce sound levels as much as possible.

12.21.6 For internal sound levels the basic calculations suggest that the internal sound level in the worse affected rooms will be reduced from 70dB(A) to 38dB(A). Above the guideline 35dB(A). If more specific calculations have been used these need to be provided to demonstrate that the proposed glazing specification is adequate.

12.21.7 Therefore the EHO advised that further work be undertaken on the noise assessment to make this development acceptable in its entirety. As a result the Noise Assessment was updated and further details were submitted, including a boundary treatment plan to demonstrate 1.8m high acoustic fencing to the rear garden boundaries of properties affected. This achieves a decibel level within the guidelines and Environmental Health confirm the scheme is acceptable with the mitigation measures in place.

12.21.8 Environmental Health require a number of condition be imposed in respect of noise to mitigate the impact on residential amenity during the construction phase of the development. These include details of the location of the site compound and storage yard as the noise from the compound has the potential to adversely affect the amenity of the local area; that no machinery, plant or powered tools be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 – 13:00 on Saturdays with no working anytime on Sundays or nationally recognised Bank Holidays; that no deliveries of construction materials or removal of construction waste outside the hours of 09:00 – 17:00 Monday to Friday with no deliveries or removal of waste at weekends or nationally recognised Bank Holidays; that details of any proposed Piling activities be submitted and these be limited to 09:30-17:00; that the mitigation measures identified in the submitted noise assessment be installed and maintained, including all fencing between individual property amenity areas.

## 12.22 Contaminated Land

12.22.1 A Phase 1 Geo-Environmental Desk Study dated August 2013 was submitted with the previously refused application and which recommended that a Phase II Intrusive site investigation be carried out. A Phase II: Ground Investigation Report dated 10/11/2014 Ref 14-464 was therefore submitted with this current application. The report makes a number of conclusions in respect of the ground conditions; groundwater, foundation option; ground contamination and also general comments.

12.22.2 Both reports have been considered by Environmental Health who do not raise any issues but require conditions be imposed in respect of the process for the development to follow should any adverse ground conditions being discovered once works commence and that Importation of Material be restricted.

## 12.23 Air Quality

12.23.1 An Air Quality Assessment Report by Wardell Armstrong dated August 2017 Ref CP11738 has been submitted with the application. The air quality assessment and sensitivity analysis were undertaken to consider the potential impact of development-generated vehicles on air quality at twelve existing sensitive receptor locations. The air quality assessment predicts that there will be a negligible impact on concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> at all twelve of the existing sensitive receptors considered in 2022. A slight impact is predicted at ESR 2 in 2027 for NO<sub>2</sub>. However, concentrations are still well below the air quality objective. A negligible impact is predicted for the remaining ESRs for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>, with the development in place. All predicted pollutant concentrations are below the relevant air quality objective.

12.23.2 The assessment has also predicted pollutant concentrations at five proposed receptor locations within the proposed residential development site. These receptor locations are representative of the proposed residential areas closest to main pollutant sources, considered to be vehicle emissions from the M6, M61 and Brindle Road. The air quality assessment and sensitivity analysis predicts that all on-site pollutant concentrations will be below the relevant air quality objectives.

12.23.3 The Report considers that specific air quality mitigation is not required as the impact associated with development traffic is assessed as being 'not significant'. However, general best practice measures at the site, which have positive effects for air quality could be included. These include welcome packs for future residents showing sustainable travel, public routes and public transportation options; Travel plan including site-specific measures to increase/improve sustainable travel; and low NO<sub>x</sub> boilers.

12.23.4 The report has been considered by Environmental Health who request a condition be imposed requiring the developer to carry out one year of air quality monitoring following 80% occupancy of the development. The location and timing of the monitoring is to be agreed with the LPA. They also require a condition to ensure that Electric Vehicle Recharge points be provided to every property to encourage the use of alternative fuel use for transport.

With the inclusion of these measures, the development is considered to be in accordance with Core Strategy Policy 30.

#### **12.24 Crime and Disorder**

12.24.1 The Police Architectural Liaison Officer comments that a development of this scale has the potential to create a significant increase in demand for police assistance and therefore security measures must be incorporated into the design in order to reduce opportunities for crime. These recommendations include the promotion of natural surveillance to allow clear views across the various pockets of public open space. Link footpaths should be avoided; back to back gardens help to keep the area secure and deter intruders; the avoidance of windowless elevations and blank walls immediately adjacent to the public open spaces; the various pockets of landscaping including the buffers should be designed so that trees will not grow to obscure lighting columns or impede natural surveillance as they mature; routes for pedestrians, cyclists and vehicles should be integrated to provide a network of supervised areas to reduce crime and anti-social behaviour; pedestrian/cycle links must be wide, straight, well lit, devoid of hiding places, overlooked by surrounding buildings and activities and well maintained so as to enable natural surveillance along the path and its borders; windows and doors should be PAS 24/2012 (16) certificated; ground floor glazing should be laminated and windows fitted with restrictors; rear gardens be secured with a 1.8m high close boarded timber fence; 1.8m high lockable gate should be fitted flush with the front of the building line to restrict access into private rear gardens; and illumination all external doors with a dusk till dawn light; car parking spaces should be illuminated. These measure should be incorporated into the development during the construction phase in order that the development accords with Policy 26 in the Central Lancashire Core Strategy.

#### **12.25 Other Issues**

12.25.1 A number of letters received from objectors to this application comment that planning officers have been underhand in carrying out meetings and 'secret talks' with the developers without the residents' action group being involved. As already indicated, pre-application discussion are confidential although the developer was always encouraged to consult with the community or at least involve the residents' action group.

12.25.2 Objectors comment that the planning department is not fit for purpose as they have not picked up on several inaccuracies in the supporting statement. However, during consideration of the planning application, inaccuracies are picked up with relevant matters being amended or reported in the Committee Report. Objectors also comment that correspondence from SRBC was sent out in holiday period with unreasonable tight deadlines. Again this is unfounded. The notification letters are sent out as soon as a planning application is valid and registered in order to inform neighbouring residents as soon as possible. The LPA have no control over when an application is submitted. The LPA are required under planning legislation to notify neighbouring residents by letter and/or by way of site notice giving 22 days for comment. In reality it is common practice that planning officers accept letters of representation up until the committee report is placed on the agenda and any received after that time are reported verbally to planning committee or on the update sheet. Therefore it is not accepted that the planning department has acted unreasonably in terms of its consultation.

### **13. CONCLUSION**

13.1 The application has been duly considered in light of the National Planning Policy Framework, the Central Lancashire Core Strategy and the South Ribble Local Plan and with reference to all the plans and documentation submitted, particularly the technical documentation, which has been considered by the appropriate statutory consultees.

13.2 Whilst it is recognised that there is a great deal of local opposition to the proposed development, there are no issues raised by statutory consultees that have not been remedied by amended plans/updated details or can be secured by the imposition of

conditions or included within the Section 106 Agreement. In considering the scheme against the relevant planning policies, it is officers' view that the scheme is acceptable and in compliance with those policies.

- 13.3 It must also be recognised that the application site is an allocated housing site and has been fully examined by the Inspector as part of the Local Plan process. The expectation is that such allocated site are to be brought forward for development in a timely manner. The application is providing a mix of 261 dwellings, including bungalows, which will go towards the LPA achieving its housing requirement of 417 dwellings per year. Thirty percent of these will be much needed affordable dwellings.
- 13.4 In view of the above, the application is recommended for approval subject to the imposition of conditions and subject to the successful completion of a Section 106 Agreement.

#### 14. **RECOMMENDATION**

- 14.1 That the Members be minded to approve the application and that the decision be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of the Planning Committee upon the submission of a Section 106 Agreement to secure the provision of on-site affordable housing, off-site highway improvements, and public open space

#### 15. **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 Dwgs TGDP/BRBB/LP1 Rev A Location Plan; TGDP/BRBB/PL2 Rev A Planning Layout; BRBB.TMP.01 Traffic Management Plan; 47646.02 Rev B Landscape Structure Plan; Housetype Plans: TGDP/BRBB/ALN; TGDP/BRBB/CHE; TGDP/BRBB/CLA; TGDP/BRBB/GIL; TGDP/BRBB/HAN; TGDP/BRBB/HAT; TGDP/BRBB/LON; TGDP/BRBB/MOS; TGDP/BRBB/RUF; TGDP/BRBB/SOU Rev A; TGDP/BRBB/TAU Rev A; TGDP/BRBB/WAR; TGDP/BRBB/WP2B; TGDP/BRBB/WP3B; TGDP/BRBB/WP3BC; TGDP/BRBB/WP3BT; LY-WD16 Lumley; SGD-01 Single/Double Garage; TGDP/BRBB.302.01 Rev B Boundary Treatment Plan; TGDP/BRBB.M&A Rev A Movement and Access Plan  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. During the site preparation and construction of the development, no machinery, plant or powered tools shall be operated, no process carried out and no deliveries taken at or dispatched from the site outside the following times of 0800 hrs to 1800 hrs Monday to Friday; 0900 hrs to 1300 hrs Saturday and 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
4. Prior to the commencement of any works on site, details of all piling activities, including mitigation measures to be taken, shall be submitted to and approved in writing by the Local Planning Authority. Piling activities shall be limited to between the hours of 09:30am and 17:00pm Monday to Friday and 09:30am to 13:00pm on Saturdays, with no activities permitted on Sundays and Bank Holidays.

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

5. No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the Local Planning Authority. If any contamination is found, a report specifying the measures to be taken, including timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 28 days of the report being completed and approved in writing by the Local Planning Authority.  
REASON: To ensure that the site investigation and remediation strategy 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
6. Prior to the importation of any subsoil and/or topsoil material into the proposed development site, a Desk Study shall be undertaken to assess the suitability of the proposed material to ensure it shall not pose a risk to human health as defined under Part IIA of the Environmental Protection Act 1990. The soil material shall be sampled and analysed by a Competent Person. The details of the sampling regime and analysis shall be submitted to and agreed in writing by the Local Planning Authority prior to the work taking place.  
A Verification Report which contains details of sampling methodologies and analysis results and which demonstrates the material does not pose a risk to human health shall be submitted to the Local Planning Authority for approval in writing.  
REASON: To protect human health and the environment in the interests of residential amenity in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the South Ribble Local Plan 2012-2026
7. Prior to first occupation of the development hereby approved, an Electric Vehicle Recharge point shall be provided to the dwelling. This shall consist of as a minimum a 13 amp electrical socket located externally or in the garage, in such a position that a 3 metre cable will reach the designated car parking space(s). A switch shall be provided internally to allow the power to be turned off by the resident(s) which if located externally shall be fitted with a weatherproof cover. The EVR shall be maintained and retained at all times thereafter for its intended use.  
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. Prior to the first occupation of the development hereby approved, the mitigation measure identified in the Noise Impact Assessment by Capita dated September 2017 Ref CS/075958-04 R04 Revision B, shall be installed within the development and maintained at all times thereafter.  
REASON: In the interests of the amenity of the future residents of the development and to be in accordance with Policy 17 of the Central Lancashire Core Strategy

9. No part of the development hereby approved shall commence until a scheme for the construction of all site access, emergency access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.  
REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to be in accordance with Policy G17 in the South Ribble Local Plan 2012-2026.
10. Prior to first occupation of any part of the development hereby approved, the highway improvement works should be constructed in accordance with the approved details. The required highway improvement works include:  
a) Provision of a new access point from Brindle Road in accordance with Drawing No. SCP/17246/F01.  
b) Provision of mobile SPiD signs at appropriate locations along Brindle Road in accordance with Dwg SCP/17246/F02.  
c) Safety improvement markings at the junction of Brindle Road and Bank Head Lane in accordance with Dwg SCP/17246/F03.  
d) Improvement to the existing east and west bound bus stops to Quality Bus Standard in accordance with Dwg SCP/17246/F02.  
e) Enhancement of existing weight restriction signs along Brindle Road and Bank Head Lane  
f) Provision of an uncontrolled pedestrian crossing on Brindle Road in accordance with Dwg SCP/17246/F02.  
REASON: In the interests of highway safety and to promote the use of sustainable travel modes and in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
11. Prior to construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan to include method and details of construction; including vehicle routing to the site, construction traffic parking and the proposed temporary closing of any roads or streets. No construction traffic or deliveries to enter/exit during the network peaks or to wait on the public highway. Such a Construction Plan to be implemented and adhered to during the construction of the development.  
REASON: To maintain the operation of local streets and the through routes in the area during construction, particularly during peak periods.
12. The approved Residential Framework Travel Plan Ref JI/17246/TP/0 dated June 2017, must be implemented in full in accordance with the timetable contained within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for a minimum of 5 years.  
REASON: To ensure that the development provides sustainable transport options in accordance with Policy 3 in the Central Lancashire Core Strategy.
13. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.  
REASON: In the interest of highway safety in accordance with Policy G17 in the South Ribble Local Plan 2012-2026
14. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul water shall be drained on a separate system. No building shall be occupied until the

approved foul drainage scheme has been completed to serve that buildings, in accordance with the approved details.

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

15. Prior to commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewer system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

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

16. For the full period of construction, facilities shall be available on-site for the cleaning of the wheels of vehicles leaving the site. Such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

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

17. Prior to occupation of the development, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include, as a minimum:

a) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

18. Trees subject to Tree Preservation Order (TPO) 2014 No 7 identified for retention (Dwg 4746.02 Rev A shall be protected for the duration of the development, including the erection of protective fencing in accordance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. No access shall be permitted into the identified Root Protection Areas without first obtaining the agreement in writing from the Local Planning Authority. No machinery, tools and equipment shall be stored within the RPA or any trees on site. No tree shall be pruned, cut down, uprooted, topped, lopped or wilfully damaged or destroyed including the cutting of roots without the previous written consent of the Local Planning Authority. Any tree subject to these actions or that are removed without such consent or are dying or are being significantly damaged or becoming seriously diseased during that period shall be replaced with trees of such size and species as will be agreed with the Local Planning Authority.

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

19. For trees T3, T18, T26, T37 and T38 existing ground levels should be retained within the Root Protection Areas and excavated by hand. Any exposed roots should be immediately wrapped to prevent desiccation. Wrapping should be removed prior to backfilling. Roots smaller than 25mm diameter should be pruned with a suitable sharp tool. Roots over 25mm diameter should only be removed following consultation with an Arboricultural consultant. Prior to backfilling roots should be surrounded with topsoil or sharp sand or inert granular fill before the soil is replaced. No access shall be permitted into the identified Root Protection Areas without first obtaining the agreement in writing from the Local Planning Authority. No machinery, tools and equipment shall be stored within the RPA or any trees on site.

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

20. The approved Landscaping Structure Plan 4746.02 Rev A 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

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

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

22. 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

23. 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.

24. Prior to commencement of any works on site, the location of the site compound and materials storage area shall be submitted to and agreed in writing by the Local Planning Authority.

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

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

REASON: The spread of invasive plants is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment recurs

26. The developer shall carry out one year of air quality monitoring following 80% occupancy of the development. A scheme for the location and timing of the monitoring shall be first agreed in writing with the Local Planning Authority and following completion of the one year of air quality monitoring, a report of the results shall be submitted to the Local Planning Authority.

REASON: In the interests of future residents of the development and to be in accordance with Policy 30 in the Central Lancashire Core Strategy.

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

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

16. **RELEVANT POLICY**

**National Planning Policy Framework**

**Central Lancashire Core Strategy**

Policy 2 Infrastructure

Policy 3 Travel

Policy 4 Housing Delivery

Policy 5 Housing Density

Policy 7 Affordable and Special Needs Housing

Policy 17 Design of New Buildings

Policy 22 Biodiversity and Geodiversity

Policy 23 Health  
Policy 25 Community Facilities  
Policy 26 Crime and Community Safety  
Policy 27 Sustainable Resources and New Developments  
Policy 29 Water Management

### **Supplementary Planning Documents**

Affordable Housing  
Open Space and Playing Pitches

### **South Ribble Local Plan**

A1 Policy A1 Developer Contributions  
D1 Allocations of housing land  
F1 Car Parking  
G8 Green Infrastructure and Networks Future Provision  
G10 Green Infrastructure Provision in Residential Developments  
G11 Playing Pitch Provision  
G13 Trees, Woodlands and Development  
G16 Biodiversity and Nature Conservation  
G17 Design Criteria for New Development  
H1 Protection of Health, Education and Other Community Services and Facilities

### **Informative Notes**

1a. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

1b. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Director at County Hall, Preston PR1 0LD, in the first instance, to ascertain the details of such an agreement and the information to be provided.

1c. The applicant is advised that adoption of certain new elements within the public highway attract commuted sums to cover the additional maintenance burden of non-standard features. Commuted sum calculations will be based upon the approved engineering designs and form part of the financial element of section 278 and 38 Agreements.

2. All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). If bats are found at any time during the demolition works as part of the scheme hereby approved, then work should cease immediately and advice sought from a suitably qualified bat worker.