

Application Number 07/2020/00440/FUL

Address Land off Carrwood Road, Lostock Hall

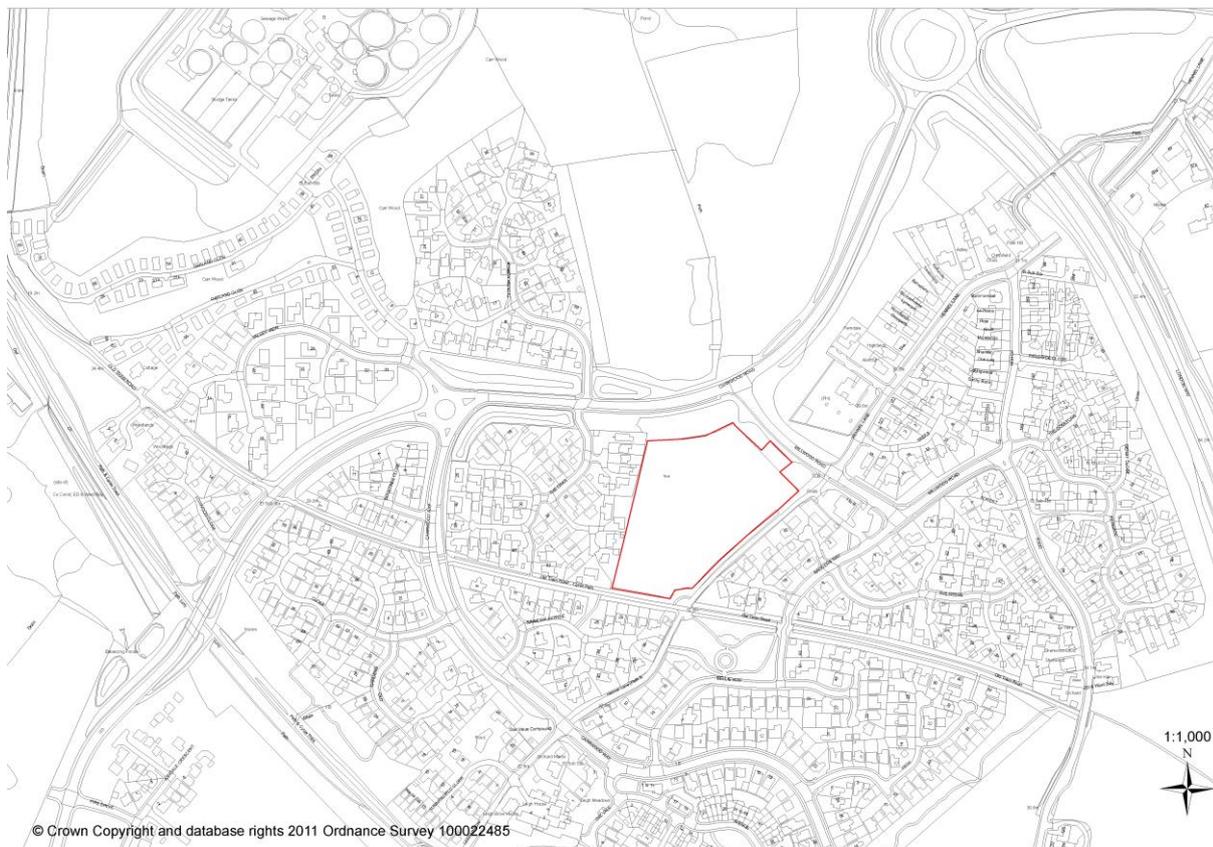
Applicant Lancet Homes

Agent Alec Drake
WSP
8 First Street
Manchester
M15 4GU

Development Residential development for the erection of 61 dwellings with associated works and infrastructure

Officer Recommendation That Members are minded to approve the application, and that the decision is delegated to the Planning Manager in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of a legal agreement to secure a financial contribution towards public open space and on-site affordable housing.

Date application valid 3.6.2020
Target Determination Date 2.9.2020
Extension of Time 21.12.2020



1. Report Summary

1.1. The Carrwood Road site is a 1.8-hectare parcel of land located in Lostock Hall and designated as 'existing built up area' by Policy B1 of the South Ribble Local Plan. To the north are Carrwood Road and a crescent shaped, Council owned (LCC/SRBC) woodland designated as Green Infrastructure by Local Plan Policy G7 and known as 'Walton le Dale County Woodlands'. East is Millwood Road with dwellings addressed on Badgers Way beyond; the Hunters Tavern lies north-east across its own car park. To the south are cycle paths and public right of way 7-2-FP76 which run along Hennel Lane, Old Tram Road, and residential properties, and to the west is residential development addressed as The Oaks. Properties in the area are characterised by a range of styles and types but typically are brick built in 'estate' style arrangements. Access is possible from Millwood Road but otherwise the site is enclosed on all sides by mature woodland; visibility into the site from outside being particularly restricted

1.2. There are no Tree Preservation Orders on or around the site. The area also lies within Flood Zone 1 (least likely to flood) but as the site exceeds 1ha in size a Flood Risk Assessment has been supplied.

1.3. The site was allocated in the 2000 Local Plan for school development, but current Education Authority opinion is that this is not now required; the site was re-allocated in the current Local Plan for development in principle on that basis. There is no other history for the land which is agricultural in nature. The Education Authority has no requirement for financial or other contribution towards school places should permission be granted for this site.

1.4. This application seeks permission in full for 61 dwellings. Of the 61 properties proposed, adopted policy requires 30% of these to be affordable housing in a mix of tenure. As the proposed development would result in a net gain of 5 dwellings or more a public open space contribution is also required. The applicant initially suggested that *'if plan policy requirements for S106 contributions were met in part or full that Carrwood Road scheme would be undeliverable on viability grounds'* but following protracted discussions between the Councils viability assessor and the applicants own, an offer of 20% has been made, in addition to provision of the additional 10% (either as housing stock or financial contribution) via a mechanism to be agreed with the Council. This approach is considered by Officers to be acceptable but can be secured by condition

1.5. Other than garden landscaping public open space has not been provided on site, but a full financial contribution of £122,854 towards off site public open space has also been offered in line with policy requirements.

1.6. It is this Councils opinion that for a development to be considered acceptable it must provide social and environmental benefits. The site is not needed to support the Councils five-year supply but having regard to the following commentary, and to the fact that whilst the site is not an allocated housing site it is within the existing built up area with a presumption towards development, Members must balance the benefits from market and affordable housing provision against the impacts resulting from development.

1.7. When taking into account the existing site boundary screening which would remain, and proposed dwelling placement, the proposed development is not considered to have an undue impact on the amenity of existing neighbouring properties, the character and appearance of the area or highways safety and capacity. Interrelationships between existing and proposed properties also comply with adopted separation guidance and the scheme is compliant with Local Plan Policy B1.

1.8. It is also Officers view that proposed development would not detrimentally affect the amenity or nature conservation value of the site. Although some loss of trees is inevitable to allow for the widened access and pedestrian walkway, mitigation in the form of

supplementary tree planting, well designed, effective landscaping and ecological compensation ensures protection of site biodiversity as a whole. In addition, the woodland in the north will not be adversely affected and as such development accords with the requirements of Policy G7 (Green Infrastructure) of the South Ribble Local Plan.

1.9. County Highways have fully assessed the application and have raised no objections to the proposed development in principle, confirming that the proposed use would not impact adversely on highways safety or capacity. Parking provision has been identified in line with Local Plan Policy F1, and vehicle charging points would be secured by condition

1.10. At the time of writing this report, and following full consultation, 27 letters of representation have been made. Late comments will be reported verbally at committee. Statutory consultee comments have been addressed either by amendments to the proposal, or by condition.

1.11. It is therefore recommended that 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 successful completion of a legal agreement to secure a financial contribution towards off-site public open space and on-site affordable housing.

2. Application Site and Surrounding Area

2.1. The Carrwood Road site is a 1.8-hectare parcel of land located in Lostock Hall and designated as 'existing built up area' by Policy B1 of the South Ribble Local Plan. To the north are Carrwood Road and a crescent shaped, Council owned (LCC/SRBC) woodland designated as Green Infrastructure by Local Plan Policy G7 and known as 'Walton le Dale County Woodlands'. East is Millwood Road with dwellings addressed on Badgers Way beyond. To the south are cycle paths and public right of way 7-2-FP76 which run along Hannel Lane, Old Tram Road and residential properties, and to the west is a residential development addressed as The Oaks. Properties in the area are characterised by a range of styles and types but typically are brick built in 'estate' style arrangements. The site is accessed from Millbrook Road but otherwise is enclosed on all sides by mature woodland; visibility into the site from outside is particularly restricted

2.2. There are no Tree Preservation Orders on or around the site which lies within Flood Zone 1 (least likely to flood)

3. Site Context / Planning History

3.1. Policy C3 (Community Services: School Sites) of the South Ribble Local Plan 2000 stated that there was a long-standing intention to provide a new primary school in the Walton Park area, but that *'the need for both sites and actual provision is a matter for further discussions with the County Council'*. During preparation of the 2012-2026 Local Plan however, LCC Education decided that there was no longer a need for schools on this site or at Holland House. As such the allocation was changed to its current B1 (existing built up area) status with a presumption towards development; all other considerations being acceptable.

3.2. There is no other planning history on this site

4. Proposal

4.1. The application seeks planning permission for the erection of 61 market and affordable dwellings with associated infrastructure.

4.2. Access to the site would be through the existing opening off Millwood Road in the north-east with some limited removal of existing hedgerow which is set well back from the road to accommodate sightlines. Mitigation for this loss however would be provided as detailed below. Pedestrian access would also be provided from the southern corner onto the junction of Hennel Lane and Old Tram Road.

4.3. Properties are modern, well designed and are expected to be constructed in quality materials to create a sense of place within the site itself, but which respects the wide variety of design seen in the surrounding urban streetscene. Materials suggested are a mix of red brick, with red and grey roof tiles, pale render and black/grey doors, windows and rainwater goods.

4.4. A site layout plan has been submitted which shows two-character areas in coordinating but distinct styles – ‘The Avenue’ (southern part of site) and ‘Shared Surface’ in the north. Overall 13 different but complementary house types are proposed; two and three storey, two to five bedroomed detached, semi-detached and terraced properties. Dwellings would benefit from rear and front gardens similar to that of surrounding estates. Through site landscaping is proposed but surrounding mature landscaping which screens the site on most sides is also to be retained.

4.5. Parking is provided where possible to the side of dwellings to reduce ‘car-centric’ street scenes, and streets include shared surface (concrete block paving to roads and courtyards) and more traditionally paved highways. The layout includes short cul-de-sac’s but also provides a circulatory route in line with the RTP1 requirement for dementia friendly development

4.6. Density proposed is approximately 34 dwellings per hectare – similar to that of adjacent estate developments. Phasing detail for the site has not been provided so it is assumed that the scheme will be built out in one phase.

5. Summary of Supporting Documents

5.1. The application is accompanied by the following:

Proposal drawings

House Type/Garage Plans (MPSL/Lancet Homes)

The Avenue (Prefix 19049/HT/TA..)

- H18 Special (05A) X18 (9, 10 & 11)
- D18 (01) NI-18 (07 & 08)
- D18/E18 (02) N2-18 (12 & 13)
- G18 (01 & 03) NT1 (16, 17 & 18)
- H18 (04) L18 (06)
- NT2 (14 & 15) Garage (19)
- 00A

Shared Surface (Prefix 19049/HT/SS..)

- NT1 (12 & 13) X18 (10 & 11)
- F2,F2, F318 (05 & 06) Garage (14)
- L18 (09) G18 (07)
- D18 (02) B18 (01)
- D18, E18 (03) F2-18 (04)
- H18 Special(08) 00A

- Boundary treatment layouts (19049/06B & 07B: MPSL/Lancet)

- Colour Street scene visualisation (19049/03B (MPSL/Lancet)
- Landscaping plan (748A-03D and 7484/04 Randall Thorpe)
- Location plan (19049/00)
- Materials (19047/05B)
- Planning layout (19049/01 Rev P7: MPSL/Lancet)
- Presentation layout (19049/02 Rev P7: MPSL/Lancet)
- Plot landscaping Sheets 1 & 2 (Lancet Homes)

- Air quality assessment (MCP2312: BWB May 2020)
- Community Infrastructure Levy documentation
- Construction management statement (TDB/01/02 Rev E 28.5.20/Tempus)
- Crime impact statement (APM0104.20.V1: May 2020)
- Design & Access statement (19049/01/DAS May 20: MPSL/Lancet)
- Draft planning statement (WSP/May 2020)
- Drainage strategy (May 2020 Rev A: Tempus)
- Dust Management Strategy (TDB/01/05 6.8.20: Tempus)
- Ecological advice (Bowland BOW17.1061)
- Energy assessment report (04/20/82905/ES1: Stroma)
- Flood risk assessment (3386-FRA Rev B: IGE Consulting)
- Materials schedule (The Avenue & Shared Surface)
- Phase 2 site investigation (70048078-11178(1) WSP)
- Preliminary risk assessment App A (70048078-11113(1) Oct 18 WSP), App B (4.7.20) and D (BGS Logs)
- Transport Statement (J324229 May 20: Mode)
- Tree protection plan (BTC1963 May 20: Bowland)
- Utilities statement (May 20 Rev A: Tempus)
- Viability (Grasscroft May 20)

6. Representations

6.1. Summary of Publicity

6.1.1. Four site notices and a newspaper advertisement have been posted, and 131 neighbouring properties consulted. Ward Councillors Bretherton and Campbell have also been notified.

6.1.2. In addition to pre-application advice, community engagement was undertaken by the applicant prior to submission as follows.

- Engagement with Council officers, residents, ward councillors and South Ribble Borough Council cabinet members.
- Community leaflet drop to approximately 265 properties, ward councillors and cabinet members (July 2016)
- Advert in the Leyland and Chorley Guardian;
- Manned telephone lines to enable those without internet access to engage
- Dedicated website (www.carrwoodroadhomes.co.uk) hosting a virtual public exhibition
- Dedicated phone and e mail addresses

In light of Covid-19 and to allow for the planning process to proceed the consultation strategy was revised. The scheduled hosted preview event with Members was replaced by an online, virtual exhibition (April 2020). A total of 19 responses were received; the majority being constructive with some suggestions for improvement. Many of the potential issues had been anticipated and addressed with the Council as part of the pre-application process. Other comments where relevant have been included in the final scheme.

6.2. Letters of Objection or Support

27 letters of objection and one which simply makes comments have been received. These are summarised as follows:

6.2.1. In Objection

Highways

- Out of date, inaccurate travel statement (May 2020) does not include impact from Cawsey link road
- Public transport is already over subscribed
- Traffic management needed on A6 roundabout at London Way – developer should finance
- Unacceptable increase in traffic on Walton Park
- More traffic to use Leyland Road
- Pedestrian access onto cycle way isn't needed
- Safety risk resulting from moved bus stop
- Lack of cycle paths

Design/Character

- Properties not in keeping with mostly detached properties surrounding
- No need for semi-detached and terraced properties
- Too high a density in relation to surrounding area
- Respondent '*didn't move to Walton Park to back onto semi-detached houses*'
- Lost privacy and view
- No provision for elderly or disabled
- Over development of the area – properties not needed as have a 5 yr supply

Environmental Impact

- Negative environmental impact / loss of wildlife
- Ground investigation report is flawed as it doesn't take into account the former land fill site which wasn't remediated as stated
- History of flooding on site
- Highly valued green space
- Air quality issues
- High Power gas line on Bellis Way will prevent development (*See HSE response at Para 7.5*)
- Trees and shrubbery are outside of the developer's ownership and must be retained
- The area needs to keep its Green Belt – *the site is not Green Belt*

Local Infrastructure

- Lack of schools and doctors – developer should pay for a new school via S106 agreement (*see LCC Education response at Para 7.7*)
- Delay development until new schools/doctors etc are available – *funding of such facilities is generally dependant on development in the area*
- Respondent questions when site was re-allocated from its former school allocation and why there was no public consultation
- Developer should pay for restoration/renovation of Walton Park playground for 25-50 years via S106 route

Other

- Negative social impact
- Evidence refers to properties in Lostock Hall not Walton Park
- Pre application consultation should happen again because of Covid 19
- Development is '*short sighted if only to aid economy*'

- Too great a use of retail and community facilities out of town where local services should be supported
- Loss of open space – site is not allocated for housing
- Lack of publicity
- Deed of covenant exists to retain site for community purposes or as public open space – *the site is private land not public open space*

In Support

- Grateful for tree lined boundaries being retained

6.2.2. *Officer Comment* – Highways, traffic management, schools’ provision and environmental issues have been assessed by the Councils consultees as the experts in their fields (see Section 7 below). A number of residents request that the site is retained for development of a school, but the fact remains that LCC Education neither want, nor are willing to pay for a school and without that commitment one cannot be provided.

6.2.3. A ground survey has been submitted and again assessed by the Councils specialist who recommends precautionary conditions for further mitigation and protection should contamination be found. A number of residents have requested monies from the developer to provide off site benefits via the S106 legal agreement process. The S106 regulations are very clear as to what the Council can and can’t ask for in terms of financial contributions and this has been factored into any ‘ask’ on the back of this proposal. Covenants are a civil matter outside of the planning system

6.2.4. *Covid 19* – representation has been made objecting to pre application consultation / submission at a time when public meetings are not possible. The developer and Council have undertaken full public consultation – as evidenced by the above responses – and planning decisions are being made during this period having regard in the usual way to all the evidence provided, and in line with adopted policy and Government guidance. Refusing to accept planning applications or postponement of decision making is not however an option afforded to the planning system under current legislation

7. Summary of Consultee Responses

7.1. **Cadent Gas** - comments relate to High and Intermediate Pressure Assets and confirms that Cadent Gas has a major accident hazard pipeline (Lostock Hall/New Inns) for which the building proximity distance is 8 metres. There are other restraints imposed on high pressure gas pipelines defined by the HSE which allow them to advise on the acceptability of new developments next to the pipeline; these are controlled through the HSE’s Planning Advice for Developments near Hazardous Installations (PADHI) process. The HSE may wish to apply more stringent criteria for Building Proximity, and Cadent recommended that they are formally consulted. When working in the vicinity of any Cadent Gas pipelines, Cadent safety standards must be strictly adhered to, but from the information provided Cadent are satisfied that proposed works will not directly affect the above pipeline. If the pipeline needs relocating or is found to be different on site however the applicant must contact Cadent Gas.

7.2. **Ecology Consultant** knows of no current reason to contradict the findings of the applicant’s ecological assessment subject to a number of conditions to ensure that implementation of the scheme provides suitable protection, mitigation and enhancement. Accompanying assessments indicate limited ecological constraints to prevent implementation of the proposal, and that the condition of the site has not substantively altered from earlier survey. Surveys for great crested newt were negative and the species does not represent a constraint on development. All other protected species and use of the grassland for nesting birds have been reasonably discounted. Precautionary conditions relating to nesting birds in trees and hedgerows however are felt necessary.

The ecologist appreciates that additional hedgerow has been proposed as a better visual screen; the same applies for native proposed trees adjoining woodland to the north – both of which would be secured by condition. In addition, provision of 6 bird/bat boxes is also requested.

7.3. Environment Agency / Local Lead Flood Authority – the site is within Flood Zone 1 (least likely to flood), but as the site exceeds 1ha in size a flood risk assessment has been provided. The Environment Agency has no comments on this occasion and the Local Lead flood authority has no objection subject to conditions relating to sustainable drainage.

7.4. Environmental Health request conditions are imposed re construction management, lighting and noise, contaminated land, biomass, cycle storage, importation of material and electric vehicle recharge points. A construction management plan has been provided but conditions relating to other matters would be imposed if approved. A second statement has also now been received and conditions relating to dust, construction management and lighting are also satisfied. The same plan suggests operation from 7.30am but this has been reduced to 8am in line with standard conditioning. EH also made comment re: invasive species and groundwater but these are assessed by the Councils ecologist and Environment Agency.

7.5. Health & Safety Executive – pre-application assessment via the HSE website shows that the site is within the consultation zone of a major pipeline. The HSE PADHI website ref HSL-200715164954-95 does not advise against development but does suggest discussion with Cadent Gas as the asset owner (see above)

7.6. Lancashire Constabulary note that the development has been designed in line with Secured by Design principles which is supported by Lancashire Constabulary. A number of other suggestions have also been made but which appear to have been included already.

7.7. Lancashire County Education confirms that an education contribution is not required from this development. If there was an education need a contribution would have been required and details of prospective/existing spend identified. This was not felt necessary on this site regardless of comments made by a number of residents who wish to maintain the site for school development

7.8. Lancashire Fire & Rescue offer generic advice which would be considered by LCC Highways and at construction stage by the building regulations assessor.

7.9. Lancashire County Council Highways notes that the site would be accessed from a new priority junction on Millwood Road; a classified 30mph road with a 2m wide footway running along the site's frontage. Sight lines from the proposed Millwood Road access are acceptable and fully achievable over the existing adopted highway and within the applicant's control. A bus stop (north of proposed access) is to be upgraded and relocated further north outside of visibility splays; this new location is acceptable to LCC Highways. A bus stop is also located to the South East on the opposite side of Millwood Road. As per pre application discussions LCC Highways request that this stop is also upgraded to a 'Quality Stop' standard. Dropped kerbs and tactile paving would need to be provided across the new junction and on Millwood Road to link with the bus stops.

The new access and associated off-site works (pedestrian link, drop crossings and relocation and upgrading of bus stops) must be constructed under S278 legal agreement with LCC. Proposed internal layout (drawing 19049, rev p2, dated 05.06.2019) is agreeable, and proposed parking accords with adopted standards; both are acceptable to LCC Highways.

LCC's five-year personal injury accident data base indicates three slight incidents within the vicinity of the proposed site (at junction of Carrwood Road and Millwood Road). These

incidents follow no pattern and appear to be of a nature that would not be worsened by the proposed development.

The scope of the Transport Statement was agreed in advance with LCC highways and included utilising the agreed North West Preston Strategic Trip Rates. Taking into consideration the information shown within the Transport Statement LCC are of the opinion that the proposed development would not have a severe impact on the surrounding network / junctions. Representation received suggests that the transport assessment is flawed and does not take into account the new link road, but LCC confirm that they have assessed the report on this basis and are satisfied.

In conclusion, LCC Highways have no objections to the planning application and are of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. If approved. LCC request that conditions are included with regards to traffic management, highway improvements and legal agreements. Informative notes for the same are also recommended.

7.10. Lancashire County Council Public Rights of Way notes that a small amount of the red line boundary extends over the public footpath, but accepts that this may be a plotting error, and as plans don't indicate development there, providing work does not encroach on that temporarily or permanently there is no objection

7.11. South Ribble Arborist has no objection to the proposal subject to protection of trees identified for retention. He does have concerns that perimeter trees may have an undue impact upon the amount of available natural light throughout the year, but proposed mitigation planting to offset the widened access is welcomed.

7.12. South Ribble Economic Development confirm that they are happy for pre-commencement Employment Skills detail to be submitted if approved

7.13. South Ribble Strategic Housing acknowledges that all dwellings will meet Nationally Described Space Standards which is supported. Subject to agreement of the Councils viability assessor, Housing would be supportive of 20% on-site affordable housing with a 100% affordable rented tenure scheme as this would meet housing need. Delivering the 70/30 split required by the SPD would bring forward only a small number of shared ownership homes of which we have coming forward in greater numbers on sites elsewhere in the borough. Whilst the 20% is below the policy requirement, it represents a greater quality offer in delivering a 100% affordable rent scheme.

7.14. 20% affordable housing would be provided on site, with the 10% required to make the scheme policy compliant to be agreed by a mechanism to be agreed with the Council. Discussions between the Council, the applicant and land owner as to how this is best achieved are ongoing, but a fully compliant offer is tabled.

7.15. United Utilities have no objection subject to compliance with the approved drainage strategy

8. Material Considerations

8.1. Site Allocation

8.1.1. The site is designated under Policies B1 (Existing Built Up Area – main site) and G7 (Green Infrastructure – northern edge woodland) of the South Ribble Local Plan 2012-2026

8.1.2. Policy B1 allows for redevelopment in allocated areas where proposals comply with local plan requirements relating to access, parking and servicing; would be in keeping with

the character and appearance of the area and would not adversely affect the amenity of nearby residents.

8.1.3. **Policy G7** states that development will only be permitted on such lands where it can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area, and where alternative provision can be implemented within the same or another local site. Development should be sensitive to the area and have no adverse effects on the amenity or nature conservation value of the site.

8.2. Policy Background

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

8.2.1. *National Planning Policy Framework*

8.2.1.1. The NPPF (2019) at Para 11: provides a presumption in favour of sustainable development which for decision making means approving development which accords with the development plan unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the framework as a whole. Other NPPF chapters of interest are:

8.2.1.2. Chapter 5: Delivering a sufficient supply of homes - housing applications should be considered in the context of the presumption in favour of sustainable development. Large scale development should be well located and designed and supported by necessary infrastructure and facilities.

8.2.1.3. Chapter 8: Promoting healthy, safe communities – planning should promote social interaction including opportunities for people to meet e.g. through mixed use development, strong neighbourhood centres, street layouts and pedestrian and cycle connections within and between neighbourhoods. Communities should be safe and accessible and enjoy high quality public space.

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

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

8.2.1.6. Chapter 12: Requiring good design attaches great importance to the design of the built environment which contributes positively to making better places for people.

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

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

8.2.2. *Central Lancashire Core Strategy*

- 8.2.2.1. Policy 1: Locating Growth focusses growth and investment on well-located, brownfield sites within key service and urban areas of the Borough.
- 8.2.2.2. Policy 3: Travel encourages alternative, sustainable travel methods to reduce dependence on motor vehicles.
- 8.2.2.3. Policy 4: Housing Delivery provides for, and manages the delivery of new housing.
- 8.2.2.4. Policy 5: Housing Density aims to secure densities of development in keeping with local areas, and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the area
- 8.2.2.5. Policies 6: Housing Quality and 27: Sustainable Resources and New Development both aim to improve the quality of housing by facilitating higher standards of construction, greater accessibility and ensuring that sustainable resources are incorporated into new development.
- 8.2.2.6. Policy 7: Affordable Housing confirms a target of 30% affordable housing for housing developments of 15 dwellings or more. Specialist housing is exempt from this calculation
- 8.2.2.7. Policy 17: Design of New Buildings requires new development to take account of the character and appearance of the local area.
- 8.2.2.8. Policy 22: Biodiversity & Geodiversity aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area
- 8.2.2.9. Policy 26: Crime & Community Safety seeks to reduce crime levels and improve community safety by encouraging the inclusion of Secured by Design principles in new development.
- 8.2.2.10. Policy 29: Water Management seeks to improve water quality and flood management by appraising, managing and reducing flood risk in all new development.
- 8.2.3. *South Ribble Local Plan*
- 8.2.3.1. In addition to site allocation policies B1 and G7 (above), the following are also pertinent:
- 8.2.3.2. Policy A1: Developer Contributions – new development is expected to contribute towards mitigation of impact upon infrastructure, services and the environment, by way of Section 106 agreement and/or CIL contributions.
- 8.2.3.3. Policy F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.
- 8.2.3.4. Policy G10: Green Infrastructure states that all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development, in accordance with specific but flexible standards; effectively mirroring Para 73: of the NPPF
- 8.2.3.5. Policy G13: Trees, Woodlands and Development states that development will not be permitted where it affects protected trees and woodland. Where loss of the same is unavoidable however this policy accepts suitable mitigation.

8.2.3.6. Policy G16 –Biodiversity and Nature Conservation protects, conserves and enhances the natural environment at a level commensurate with the site’s importance and the contribution it makes to wider ecological networks.

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

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

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

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

8.2.6. *Central Lancashire Affordable Housing SPD* guides on a range of approaches to deliver affordable housing which meets local needs.

8.3. Impact of Development on Neighbouring Properties

8.3.1. The South Ribble Residential Design SPD suggests a minimum of 13m between any habitable first floor window and facing blank wall or gable, and 21m between any directly facing habitable room windows.

8.3.2. The closest residential properties are those in the west, east and south. South east are the rear gardens of properties on Badgers Way. These are between 23m and 28m away and screened by deep woodland/hedgerow which would be retained. South-west are the back gardens of 25-35 Simmons Avenue which would be 29m – 55m distant and again screened by shrubbery.

8.3.3. In the west are properties addressed onto The Oaks. In the main these are spatially compliant but where slightly substandard existing screening or the orientation of proposed and existing properties is such that loss of privacy or overlooking is very unlikely.

8.3.4. Officers are satisfied that the inter-relationships and spatial separation between proposed and existing neighbouring properties accords well to the sentiments of the South Ribble Residential Design Guide SPD, and are protective of residential amenity

8.4. Design, Character & Appearance

8.4.1. Site Allocations Policy G17 (Design Criteria for new development) seeks to ensure new development relates well to neighbouring buildings and the extended locality, that layout, design and landscaping of all elements of the proposal are of a high quality; providing interesting visual environments which respect local character, reflect local distinctiveness, and offer appropriate levels of parking and servicing space in line with Policy F1 (Parking Standards) of the same document. Core Strategy Policy 17 (Design of New Buildings) effectively mirrors these criteria.

8.4.2. In consideration of the above, local distinctiveness and character of the area have been assessed. This part of Lostock Hall is a relatively modern mix of predominantly detached properties in estate style configurations, although semi-detached, terraced and apartment properties are also present in the wider estate. To the centre of the estate is the proposal site; an obvious extension to residential development without detriment to existing housing stock. Existing and suggested screening to the site would ensure that impact by way

of visual intrusion to and from the site would be negligible. The proposed material schedule also ensures that materials relate well to the local area.

8.4.3. Para 72 of the NPPF notes that the supply of large numbers of new homes can often be best achieved through planning for larger scale development – including significant extensions to existing settlements provided they are well located and designed, and supported by the necessary infrastructure and facilities. Policy B1 also acknowledges that the development of sites such as this provide the opportunity to make best use of existing services and utilities.

8.4.4. Whilst in the overall context of Walton Park this proposal is not significant, it is large scale and extends an existing settlement sized area of residential development. Existing infrastructure is present and can be connected to, and there are established community facilities in the area. The principle of development of the site was established by both 2000 (Policy C3: School Sites) and 2012 (Policy B1 with presumption towards development) Local Plans, and although for a different purpose than originally proposed the site was never one suggested for preservation as an open space.

8.4.5. The proposed layout plan demonstrates similar levels of garden space to surrounding residential properties, and that a development of this size can be accommodated on this site without resulting in a detrimental impact on the character and appearance of the area through overdevelopment and intensification of the urban fabric. Woodland to the north and surrounding dense shrubbery also offers a level of visual amenity for residents.

8.4.6. In terms of the detailed design of the development, Para 122 of the NPPF stresses the importance of securing well-designed, attractive and healthy places. The proposal has been designed to respect its surroundings but to introduce a more up to date approach to material use. Having regard to the details provided by Section 4 (above) the proposal is considered policy compliant in design terms

8.4.7. Whilst the proposal is for development of an undeveloped site, this land is not public open space, does not have formal public access and does not otherwise have recreational value. The landowner could at any point restrict access to users of the land but has until now been relaxed about its use. It is acknowledged however that a site such as this, even when private and not accessible for recreational use, does impact on the character of other nearby spaces and public routes. In recognition of this, the proposed landscaping and layout have been designed to relate effectively with the wider area whilst retaining the majority of boundary vegetation; in itself a notable feature.

8.5. Highways Considerations, Suitability of Access and Parking Arrangements

8.5.1. The application is accompanied by Transport Statement (J324229 May 20: Mode) which concludes that the proposal provides access to a range of sustainable transport options (below), and that there are no severe transport impacts resulting from development. See LCC Highways comments in response to this report (above).

8.6. Sustainability

8.6.1. One of the core principles of the NPPF is to ensure developments include opportunities to promote walking, cycling and public transport. It is considered that the proposed layout offers maximum permeability for pedestrians and cyclists; the offer also benefitting from the following:

8.6.2. *Community Facilities* – There are nine high schools within 3 miles of the site and seven primary schools within 1 mile. 3 GP surgeries sit within a one-mile radius, there are 7 dentists a little over a mile away and local shops present on Millwood Road at 0.1-mile

distance. The Capitol Centre is 1.2 miles to the north-west and Preston and Lostock Hall town centres are 2 miles and 1.6 miles respectively away.

8.6.3. *Sustainable Transport Modes* - In order to encourage public transport patronage from the proposed development and make facilities more attractive, both bus stops adjacent to the proposed new access on Millwood Road would be upgraded to Quality Bus standard. A public footpath/cycleway runs on an east-west alignment along the southern boundary of the site and provides for an off-road route into Preston. A proposed link has been shown on the submitted plans running between plots 13 and 14 and this link is acceptable to LCC Highways. Preston, Bamber Bridge and Lostock Hall railway stations are less than 1.5 miles from the site entrance.

8.6.4. *Public Rights of Way* – none within the site but PROW 7-2-FP76 skirts the southern site edge

8.6.5. In terms of being sustainable development this proposal is considered to be more than acceptable.

8.7. Natural Environment, Ecology and Ground Conditions

8.7.1. The application is accompanied by Ecological Assessment (EA) (Bowland BOW17.1061), Tree protection (AIA), boundary treatment and landscape plans (BTC196/3.5.20, 19049/06 & 07 and 748A-03/1 and 2 of 2)

8.7.2. *Trees* – The AIA recommends removal of a moderate group of trees (G1) to construct the new vehicle access, along with a relatively small number of low-quality trees in the same group located in the site boundary in order to construct units 13 and 14 and a pedestrian footpath to connect with the adjacent public footpath. In respect of these projected impacts it is noted that some of the trees in groups G1 and G2 are understood to be under the ownership and management of the South Ribble Borough Council. Although necessary to remove trees in order to develop the site, it is noted that the site landscaping scheme, as prepared by Randall Thorp (drawing no.748A-03/04) provides for 955 new trees and 1916 new shrubs, the delivery of which would increase both species and age diversity within the site boundaries and the neighbouring highway verges and, in turn, adequately compensate for the identified necessary losses. Landscaping would be secured by condition. Both the Councils arborist and ecologist are satisfied with this approach

8.7.3. *Ecology* –The site does not contain any protected species, or habitats of national or local importance, and apart from peripheral woodland is of limited value to wildlife. The report affirms that measures to augment site biodiversity whilst retaining connectivity throughout green infrastructure areas could include suitable landscaping and additional enhancement measures; several of which have been suggested. Conditions to this effect have been included.

8.7.4. The Carrwood Road site is not considered to be a sensitive area in ecological terms and is below the threshold for Environmental Impact Assessment. There are no other features of obvious landscape value on the site

8.7.5. A precautionary contaminated land assessment has been requested by Environmental Health and a condition for the same is recommended should this permission be granted.

8.8. Construction Standards, Water Management and Noise

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

appropriate. An Energy Statement supports the confirming that the development will adopt an energy efficient approach. The development will include Solar Photovoltaics (PV) provision in order to exceed the required construction level, whilst other measures such as high efficiency boilers and low energy lighting will also be installed

8.8.2. *Water Management/Utilities* - In addition Core Strategy Policy 29(e) (Water Management) seeks to improve water quality and flood management in areas such as Lostock Hall. There is no existing drainage infrastructure on site, but there is an extensive sewer and surface water drainage network on all sides. The accompanying utilities statement demonstrates the proposals suitability in respect of utilities in accordance with guidance provided by utility providers.

8.8.4. *Noise* - The proposed development will be located within an existing built up area, with significant separation and screening between the site and nearby highways. The proposed residential use is in keeping with the dominant use of the local area and will not generate significant or unusual noise impacts. Notably, proposed homes will be at least 95m away from the nearby public house, with two strands of trees approximately 15m to 20m wide in the intervening space. The existing pub is close to a large number of properties with a much smaller, exposed separation of as little as 20m. It is reasonable therefore to assume that there will be no harmful relationship between the site and this existing business in noise terms, and that for these reasons, the proposed development will have no harmful impact in respect of noise; either generated by the development or from existing noise sources. The amenity of existing and future residents of the site and surrounding area will be protected in this regard.

8.9. Financial Viability Appraisal/Developer Contributions

8.9.1. Local Plan Policy A1 (Developer Contributions) expects that most new development will contribute towards mitigation against impact on infrastructure, services and the environment. Contributions would be secured where appropriate through planning obligations (Section 106 agreement) and/or Community Infrastructure Levy. The NPPF however (Para 34) states that any such contributions should not undermine the deliverability of the plan, and whilst this site is not specifically allocated for housing in the Local Plan it has an in-principle presumption towards development

8.9.2. A financial viability report has been submitted in support of the application and has been assessed by Trebbi; an independent viability consultant appointed by the Council. The report was commissioned to demonstrate that the scheme could not afford to meet all of the planning policy requirements of the development plan i.e. 30% affordable housing and financial contribution towards public open space of £122,854

8.9.3. Para 57 of the National Planning Policy Framework (NPPF) says that *'where up to date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for viability assessment at the application stage'*.

8.9.4. The National Planning Policy Guidance (NPPG) further states that *'to define land value for any viability assessment, a benchmark land value should be established on the basis of the existing land use value of land plus a premium for the landowner' i.e. 'the minimum return a reasonable landowner would be willing to sell land while allowing sufficient contribution to fully comply with policy requirements (Para 013)'*. NPPG in addition (Para 002) says that *'landowners and site purchasers should consider policy requirements when agreeing land transactions'* and that *'abnormal costs including those associated with treatment for contaminated sites or listed buildings, or costs associated with brownfield phased or complex sites should be taken into account when defining the benchmark land value'* (Para 012).

8.9.5. Para 018 of the same guidance thereafter states that *'policy requirements should be clear so that they can be accurately accounted for in the price of the land'* but that *'such policies should not undermine the deliverability of the plan'* (NPPF Para 34). *'Any potential risk is accounted for in the assumed return for developers at the plan making stage. It is the role of developers not plan makers to mitigate these risks, and the costs of compliance with policy requirements should be accounted for in the benchmark land value. Under no circumstances will the price paid for land be relevant justification for failing to accord with relevant policies in the plan'(NPPG 018)*

8.9.6. Grasscroft on behalf of the applicant when initially referring to both a full market housing scheme and that with 30% affordable units found that viability assessment *'clearly demonstrates that viability is a significant issue in the current case and the scheme is at the very margins of viability prior to application of any on site affordable housing or financial contribution. Viability is therefore a material consideration'*

8.9.7. Trebbi however felt that the value of the land had been elevated and the aspirations of both land owner and developer have been set too high. No balance was struck as required by NPPG Para 010 which states that *'in plan making and decision-making viability helps to strike a balance between the aspirations of developers and landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permission'*. Calculations had initially been addressed in such a way that they were not considered compliant with the NPPF but discussions have been ongoing between all parties throughout the planning process and the applicants assessor finally suggested a compromise figure of 15% affordable housing. The applicant has overridden this and made a commercial decision to offer 20% in addition to full public open space and non-negotiable CIL contributions. The remaining 10% would also be provided but discussion as to the mechanism (e.g. housing on or a financial contribution towards off site provision) remains underway. On agreement of that mechanism Officers are satisfied with the approach and in policy terms the offer would therefore be compliant; a decision would not be issued until such time as an appropriate legal agreement has been completed.

8.9.8. NPPF Para's 55 & 56 are clear that planning obligations (contributions) must only be sought where they are necessary to make the development acceptable in planning terms, and that they should be kept to a minimum. It is this Councils opinion – as evidenced by its adopted policy – that in order for a development to be considered acceptable it must provide social and environmental benefits. The Local Plan which has been through a thorough examination process is found sound and as such its contents, while negotiable, are also felt appropriate. The plan has been in existence since 2012 and guidance is well defined in terms of what is and isn't acceptable for a scheme of this nature. Pre-application advice also clearly set out the financial and social obligations of the proposal so that these objectives were clear. The proposal received however contributes towards the Councils five-year housing supply, upkeep of its green spaces and much needed affordable housing.

8.10. Five Year Supply

8.10.1. The NPPF (Para 11) states that applications that accord to an up to date development plan shall be approved without delay unless the application of the NPPF provides clear reason for refusing development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

8.10.2. Having regard to the Councils housing supply calculations, and housing delivery expectations, your Officers are comfortable that the Council can justify a five-year supply of housing land, and as the site in question is not allocated specifically for housing or included in those calculations it is not needed to support that supply need. Without a full complement of policy compliant obligations there is no reasonable justification for approval of this site.

Subject to the aforementioned mechanism and subsequent legal agreement however, members may decide that the benefits seen from speculative housing development on an unallocated site would significantly and demonstrably outweigh the harm caused by that development. NPPF Para 11 which forms the basis of sustainable development should therefore be given considerable weight in the decision-making process, but it is Officers opinion that the harm is outweighed by the benefits in this case.

8.10.3. *Affordable Housing - Core Strategy Policy 7 (Affordable and Special Needs Housing)* requires that sites of 15 dwellings or more would provide a minimum of 30% on or off-site affordable housing, or where not feasible an off-site contribution towards housing elsewhere.

8.10.4. This application seeks permission in full for 61 dwellings. Of the 61 properties proposed, adopted policy requires 30% of these to be affordable housing in a mix of tenure. As the proposed development would result in a net gain of 5 dwellings or more a public open space contribution is also required. The applicant initially suggested that if plan policy requirements for S106 contributions were met in part or full that Carrwood Road scheme would be undeliverable on viability grounds, but following protracted discussions between the Councils viability assessor and the applicants own, the offer of 20% with the 10% shortfall to be achieved off site is felt by Officers to be acceptable.

8.10.5. *Public Open Space - The NPPF states that 'access to high quality open space makes an important contribution to the health and wellbeing of communities'*. This is supported by Core Strategy Policy 24 (Sport and Recreation) which sets out ways of ensuring that everyone has the opportunity to access good sport, physical activity and recreation facilities. As such, all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development in accordance with specific but flexible standards laid down in the Central Lancashire Open Space and Playing Pitch SPD. Although the site is surrounded by tracts of woodland in lieu of on-site provision a full off-site open space contribution of £122,854 towards Central park and playing pitches at Vernon Carus has been offered

8.10.6. With regard to on-site provision the applicants statement says *'The proposed development does not include the provision of on-site open space. It is recognised that residential development would typically benefit from on-site open space. However, the excellent availability of local open space and a design and layout which relates very well to these spaces means that there will be suitable access to open space for residents. The NPPF applies great weight to using sites such as this site for new homes, in a way which makes best and most efficient use of the land. In this respect, it would be inefficient to include open space on site and it is likely that if it were included, it would by definition be a very small space and residents would likely prefer existing superior open space provision. Therefore, the balanced consideration is that the development proposals represent the best and most efficient use of land whilst ensuring that residents will have good access to local open space'*.

8.10.7. It is correct that the proposed development will benefit from excellent links to existing local open space and the pedestrian and cycle routes which connect them. Notably, the creation of the pedestrian and cycle connection at the southern edge of the site will provide access to immediately adjacent public space. the more extensive Walton Park and connected green space some 230m to the south. These spaces are connected by a network of off-road routes to Walton-le-Dale, Bamber Bridge and Preston. The fact remains however that all developments need to be policy compliant and off-site contribution ensures that this is the case.

8.10.8. *Community Infrastructure Levy - CIL* which is non-negotiable is payable on approved properties (discounting apartments and affordable properties) at the current rate of £65 x1.427 per square metre of floor/garage space. Liability has been assumed for the total of

£583,707.22 – calculated on the basis of 61 dwellings but this would be amended to take into account affordable housing provision.

9. Conclusion

9.1. Planning Balance

9.2. Due to the detailed and complex arguments associated with this application, both harm and benefits are summarised below. Due weight can then be applied by Members to the pros and cons in the decision-making process, to determine whether material considerations have been demonstrated in order to depart from the policy requirements of the Local Development Plan.

9.3. Material Considerations In Favour of Development Include:

- Delivery of affordable housing units in an area of need with support from the Council's Strategic Housing officer.
- Considerable CIL contribution to support local infrastructure
- Public open space contribution of £112,130.61
- Contribution towards 5-year housing land supply
- Average density of approximately 34 dwellings per hectare with appropriate spatial separation and access
- Retention of existing trees and shrubbery, and augmentation of the same
- No objection from the Councils statutory consultees
- Well designed, well screened sustainable development which is protective of existing residents and within reach of existing infrastructure
- Ecological mitigation
- Bus stop improvements

9.4. Material Considerations Against Development include:

- Loss of green space may affect the visual character and appearance of the area
- Affordable housing provision to be agreed as detailed below – Officers are satisfied however that this is achievable
- Increased noise and traffic generation

9.5. Members are asked to consider the value of this land locked, green but almost invisible from outside site against the implications and benefits of developing the site for residential purposes.

9.6. Officers believe that it has been demonstrated that the site is not needed to satisfy a recreational need in the local area. The land is private, and whilst the landowner has been relaxed about allowing informal recreational use of the land, he is within his rights to refuse entry. Retention and enhancement of screening habitats on the site for wildlife suggests a scheme which would not detrimentally affect nature conservation value but ensures a well-designed, spatially acceptable development which would offer no less visual amenity than the existing site. For these reasons the proposal is considered to accord with the requirements of Policy G13, 16 and 17 of the South Ribble Local Plan 2012-2026.

9.7. Although not allocated in the local plan for housing, the site is within the existing built up area where Policy B1 offers an in-principle presumption towards development where all other plan policies are complied with. It is considered on that basis that this site would be appropriate for residential use; particularly when taking into account surrounding uses, existing infrastructure and the adjacent highways network. Arguably however the proposal is not needed to support the five-year housing supply target. The scheme submitted for determination is likely to impact visually, but existing and proposed landscaping should prevent this from being excessive. The Councils statutory consultees have appraised the situation and have either recommended conditions to any approval or have no objection. The

proposed affordable housing and public open space requirement of the Core Strategy have been addressed and the pros and con's of affordable housing provision must be given considerable weight in the planning balance. The Councils Housing Officer however supports the affordable offer as a better option for this locality than a higher level of properties but in a different mix

9.8. The proposed development is deemed to be in accordance with relevant policies of the National Planning Policy Framework, Central Lancashire Core Strategy, South Ribble Local Plan 2012, South Ribble Residential Design SPD and Central Lancashire Affordable Housing, Open Space and Playing Pitch SPD's. It is therefore recommended that Members be minded to approve the application and that the decision be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of the Planning Committee upon the successful completion of a Section 106 Agreement to secure a financial contribution towards off site public open space and details of on-site affordable housing and open space.

RECOMMENDATION:

That Members are minded to approve the application, and that the decision is delegated to the Planning Manager in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of a legal agreement to secure a financial contribution towards public open space and on-site affordable housing.

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 shall not begin until a scheme for the provision of no less than 30% affordable homes or its agreed equivalent to include type, tenure and location on or off the site has been approved in writing by the Local Planning Authority. The affordable housing shall thereafter be provided in accordance with the approved scheme.

REASON: To ensure the provision of affordable housing on-site in accordance with Policy 7 of the Central Lancashire Core Strategy and the Affordable Housing Supplementary Planning Document.

3. The development hereby permitted shall be carried out with reference to the following approved plans and suite of documents:

House Type/Garage Plans (MPSL/Lancet Homes)

The Avenue (Prefix 19049/HT/TA..)

- H18 Special (05A) X18 (9, 10 & 11)
- D18 (01) NI-18 (07 & 08)
- D18/E18 (02) N2-18 (12 & 13)
- G18 (01 & 03) NT1 (16, 17 & 18)
- H18 (04) L18 (06A)
- NT2 (14 & 15) Garage (19)
- 00A

Shared Surface (Prefix 19049/HT/SS..)

- NT1 (12 & 13) X18 (10 & 11)
- F2,F2, F318 (05 & 06) Garage (14)
- L18 (09) G18 (07)
- D18 (02) B18 (01)
- D18, E18 (03) F2-18 (04)

- H18 Special(08) 00A
- Boundary treatment layouts (19049/06D & 07B: MP SL/Lancet)
- Colour Street scene visualisation (19049/03B (MP SL/Lancet)
- Landscaping plan (748A-03D and 7484/A4/04D Randall Thorpe)
- Location plan (19049/00)
- Materials (19047/97/05B)
- Planning layout (19049/01 Rev P7: MP SL/Lancet)
- Presentation layout (19049/02 Rev P7: MP SL/Lancet)
- Plot landscaping Sheets 1 & 2 (Lancet Homes)
- Air quality assessment (MCP2312: BWB May 2020)
- Community Infrastructure Levy documentation
- Construction management statement (TDB/01/02 Rev E 8.8.2020/Tempus)
- Crime impact statement (APM0104.20.V1: May 2020)
- Design & Access statement (19049/03/DAS Sept 20: MP SL/Lancet)
- Planning statement (WSP/May 2020)
- Drainage strategy (May 2020 Rev A: Tempus)
- Dust Management Strategy (TDB/01/05 6.8.20: Tempus)
- Ecological advice note(Bowland BOW17.1061)
- Energy assessment report (04/20/82905/ES1: Stroma)
- Flood risk assessment (3386-FRA Rev B: IGE Consulting)
- Materials schedule (The Avenue & Shared Surface)
- Phase 2 site investigation (70048078-11178(1) WSP)
- Preliminary risk assessment App A (70048078-11113(1) Oct 18 WSP)
- Transport Statement (J324229 May 20: Mode)
- Tree protection plan (BTC1963 May 20: Bowland)
- Utilities statement (May 20 Rev A: Tempus)
- Viability, additional response evidence and final response to Trebbi (Grasscroft)
- Trebbi viability assessment comments
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

4. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority and LLFA. Those details shall include

a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, finished floor levels in AOD with adjacent ground levels. Final sustainable longitudinal sections plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, with adjacent ground levels. Cross section drawing of the flow control manhole.

b) The drainage scheme should demonstrate that the surface water run-off shall not exceed 10 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

c) Sustainable drainage flow calculations (1 in 1, 1 in 2, 1 in 30 and 1 in 100 + climate change).

d) Plan identifying areas contributing to the drainage network

e) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,

f) A plan to show overland flow routes and flood water exceedance routes and flood extents.

- g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- h) Breakdown of attenuation in pipes and manholes.
- i) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

REASON: To ensure that the final drainage designs are appropriate following detailed design investigation and to prevent flooding by ensuring a satisfactory storage and/or disposal of surface water from the site, and to reduce the risk of flooding to the proposed development elsewhere and to future users in accordance with Policy 29 in the Central Lancashire Core Strategy

5. Prior to commencement of works on site, details of future employment and skills at the Carrwood Road site as explained by, and in line with the Central Lancashire Employment and Skills SPD and Appendix 1 of the same document shall be submitted to, and approved in writing by the Local Planning Authority. Once approved the assessment shall be adhered to thereafter unless agreed in writing with the Local Planning Authority

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

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

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

7. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at South Ribble Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A Report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.

Should no adverse ground conditions be encountered during site works and/or development, a Verification Statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building(s), which confirms that no adverse ground conditions were found.

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

8. 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 confirm before work commences on site that imported sub and/or topsoil will be protective of human health and the environment, and 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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no development of the type described in Classes A-H Part 1 of Schedule 2 of that Order shall be undertaken without the express permission of the local planning authority.

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

10. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. Prior to the commencement of construction of the first dwelling details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet 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

11. 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.

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

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

13. During construction and site clearance, no machinery shall be operated, no processes carried out or deliveries taken at or dispatched from the site outside the following times:

0800 hrs to 1800 hrs Monday to Friday

0800 hrs to 1300 hrs Saturday

No activities shall take place on Sundays, Bank or Public Holidays.

REASON: To safeguard the living conditions of nearby residents particularly with regard to the effects of noise in accordance with Policy 17 in the Central Lancashire Core Strategy

14. The approved landscaping scheme shall be implemented in the first planting season following completion of the development or first occupation/use 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

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

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

16. Prior to commencement of piling works, details of piling activity shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to 0800 – 17:00 Monday to Friday.

REASON: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and G17 of the South Ribble Local Plan

17. Prior to first occupation of the first dwelling 6 no: bird and/or bat roosting opportunities within the site shall be provided. Once installed these shall be maintained and retained thereafter.

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

18. If the presence of bats, barn owls, great crested newts or other protected species is detected or suspected on the development site at any stage before or during development or site preparation, works must not continue until consultation with a qualified ecologist as to the need for a Natural England licence or other precautionary works.

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

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

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

20. Approved boundary treatments around the site edges shall be installed prior to first occupation of the first dwelling hereby approved. Boundary treatments around each plot shall be erected before first occupation of that plot and retained thereafter. Boundary treatments should be raised from ground level by 0.15 to 0.20 metre or suitably sized gaps should be left at strategic points.

REASON: In order to retain habitat connectivity for Species of Principal Importance, such as amphibians and hedgehogs in line with Local Plan Policy G16 (Biodiversity and Nature Conservation)

21. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within and surrounding the site, or trees and hedgerows in the area. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

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

22. Prior to first occupation of each dwelling hereby approved, waste and refuse storage facilities for that dwelling shall be provided.

REASON: To safeguard the character and visual appearance of the area and to safeguard the living conditions of any nearby residents particularly with regard to odours and/or disturbance in accordance with Policy 27 in the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

23. Prior to first occupation of the dwellings hereby approved, one Electric Vehicle Recharge point shall be provided to all dwellings with one or more off-street parking space/garage space integral to the curtilage of the property.

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

23. No part of the development hereby approved shall commence until a scheme for the construction of the site access and associated off site highway improvements (Bus stop relocation, Bus stops upgraded to Quality Bus standard (x2), Footway link, Dropped kerbs and tactile paving provided across Millwood Road to link with the bus stop) has 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.

24. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 23 has been constructed in accordance with the scheme details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

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

South Ribble Local Plan

- A1 Developer Contributions
- B1 Existing Built-Up Areas
- F1 Car Parking
- G7 Green Infrastructure Existing Provision
- G10 Green Infrastructure Provision in Residential Developments
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development
- SPD Residential Extensions Supplementary Planning Document
- SPD Open Space and Playing pitch
- SPD1 Affordable Housing (Supplementary Planning Documents)

Note:

Other application Informative

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

Highways Note: The applicant is advised that the new site access and associated off site highway improvements (Bus stop relocation, Bus stops (x2) upgraded to Quality Bus standard, Footway link, Dropped kerbs and tactile paving provided across the Millwood Road to link with the bus stops), will need to be constructed under a section 278 agreement of the 1980 Highways Act. 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 is advised to contact the Lancashire County Council before works begin on site

United Utilities Note 1: Not all public sewers are shown on the statutory utility records. The applicant should be made aware that the proposed development may fall within the required

access strip of a public sewer and make contact with a Building Control body at an early stage. South Ribble Building Control can be contacted on 01772 625420

United Utilities Note 2: A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. Please contact UU on 0845 7462200 regarding water mains/public sewers or 0870 7510101 to access a fully supported mapping service.

It is the applicant's responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development.

United Utilities Note 3: 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. We would ask the developer to consider the following drainage options in the following order of priority:

a) An adequate soak away or some other adequate infiltration system (approval must be obtained from local authority/building control/environment agency) or where that is not reasonably practical

b) A watercourse (approval must be obtained from the riparian owner/land drainage authority/environment agency; or where this is not reasonably practicable

c) A sewer (approval must be obtained from United Utilities)

To reduce the volume of surface water drainage from the site we would promote the use of permeable paving on all driveways and other hard standing areas including footpaths and parking areas.

The applicant is advised that under the terms of the Wildlife and Countryside Act 1981, Wild Mammal (Protection) Act 1996 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds, roosting birds or other protected species, or to inflict unnecessary suffering to wild animals. The work hereby granted does not override the statutory protection afforded to these species or provide defence against prosecution under this act, and you are advised to seek expert advice if you suspect that any aspect of the development would disturb any protected species

Local Lead Flood Authority Note: For the avoidance of doubt, the LLFA response does not grant the applicant permission to connect to the United Utilities surface water sewer and, once planning permission has been obtained, it does not mean that permission for the new connection will be given. The applicant should obtain permission from United Utilities **before** starting