

Application Number 07/2021/00113/FUL

Address Oaklands Convent
Moss Lane
Leyland
Lancashire
PR25 4SH

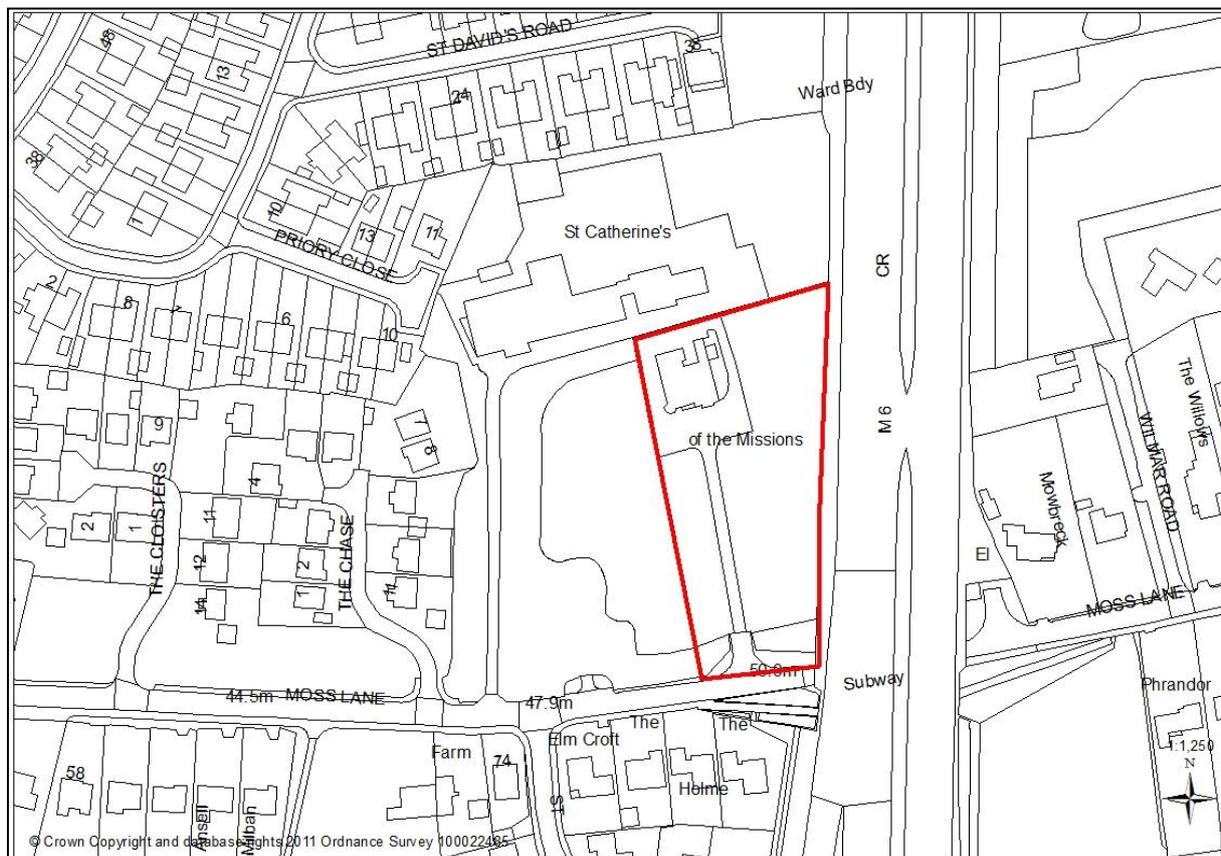
Applicant Mr Barry Woods
Corsa Construction

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

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

Officer Recommendation **Approval with Conditions**

Date application valid 05.07.2021
Target Determination Date 04.10.2021
Extension of Time 15.11.2021



1. Report Summary

1.1. This application refers to Oaklands, Moss Lane, Leyland – a former Convent building located to the north of a deep rectangular site (approx. 1.2 ha) designated under Policies B1 (Existing Built up Area – north-east quadrant) and G7 (Green Infrastructure – rest of site) of the South Ribble Local Plan. Access into the site is from Moss Lane; a wholly residential, but quiet suburban locale.

1.2. The site which is well screened on all sides sits to the south of St Catherine's School, west of the M6 motorway and east of the school playing fields beyond which are residential properties.

1.3. The application proposes demolition of the existing Convent building and recently constructed foundations, and erection of 66-bed care home, with associated works and landscaping. Permission was granted in 2016 and 2017 to provide extension of the existing building to create 35 and 46 care home bedrooms respectively, but the Convent has since been left to deteriorate to such a level that its use is not now viable. Anti-social behaviour as a result of this neglect is now also of concern

1.4. The proposed development is not considered to be of detrimental impact on the amenities of neighbouring properties, the character and appearance of the area or highways safety and capacity. It therefore appears to comply well with Local Plan Policy B1 (Existing Built Up Area).

1.5. It is the Officers view that proposed development would not detrimentally affect the amenity or nature conservation value of the site. Although some loss of trees occurred prior to the initial application, mitigation in the form of supplementary tree planting and well designed, effective landscaping ensures general protection of site biodiversity. In addition, the proposal site which is in private ownership does not constitute a community recreational need, and for these reasons, the proposal also accords well to the requirements of Local Plan Policy G7 (Green Infrastructure)

1.6. Following full consultation, representation has been made by three residents. Statutory consultees have also fully assessed the application and raise no objections subject to the imposition of conditions and inclusion of informative notes.

1.7. Developer contributions in this case are not required (see discussion below).

1.8. The proposed development is deemed to be in accordance with the National Planning Policy Framework, and relevant policies of the South Ribble Local Plan 2012-2026, Central Lancashire Core Strategy and south Ribble Residential Design Guide (as identified below) and is recommended for **approval subject to imposition of conditions**.

2. Application Site and Surrounding Area

2.1. 'Oakland's', Moss Lane (The Convent) is a late Victorian/Edwardian detached villa (c1910), occupied since the 1950's by The Sisters of Our Lady of the Mission following its vacation by the Poor Clare Order of nuns. The property was used by The Sisters as a school and residence until February 2016, and although little altered until recently was in good condition.

2.2. The Convent has a very large front garden accessed from Moss Lane, but narrow side and rear amenity spaces resulting from the construction of the M6 through what was Convent land. St Catherine's Primary School abuts the site in the north. The schools playing fields beyond which are 'The Chase' and Priory Close (residential) sit in the west, and the M6 lies

immediately east. In the south opposite the access is a short row of detached dwellings and an underpass through to the eastern side of Moss Lane (now Chorley Borough).

2.3. A Tree Preservation Order (TPO 1/2016) was placed on the site in 2016 and now covers a large oak (western edge) and a row of trees facing Moss Lane. The eastern boundary is also well screened by mature trees which are to be retained.

2.4. The rectangular site is primarily designated under Policy G7 (Green Infrastructure) of the Local Plan 2012-2026, although the north-eastern quadrant sits within land allocated as Existing Built Up Area (Policy B1) with its presumption towards development – all other material considerations being acceptable.

2.5. The property is within a particularly sustainable location, with immediate access to a cycle route and public right of way 9-9FP18 (Moss Lane to Leyland Way). It is 0.4 miles from Leyland Railway Station (8 minutes' walk) and 0.8m from Leyland Town Centre (15 min walk).

2.6. *Background Information:* The applicant originally sought pre-application advice from this Council for a range of schemes; some of which involved demolition of the Convent and complete re-development of the site. As a result, and following discussions with the Victorian and 20th Century Societies, the Borough Historian, Civic Society representative and an independent Conservation Specialist, the decision was made to apply to have the property formally listed by Historic England.

2.7. Historic England concluded that *'Oaklands clearly remains locally valued for the positive contribution of its external appearance, including its (truncated) mature garden setting and for historical and communal interest as a former school and Convent. These may be appropriately recognised through local designation (local list), and although this assessment should not be taken to undermine the local significance of the house, Oaklands is not considered to meet the criteria for national listing'*. Following this response, the former applicant agreed to work towards a development scheme which retained the original building at its centre, but the properties recent deterioration and issues relating to anti-social behaviour must be given considerable weight in any determination made.

3. Site History

3.1. There are 10 applications on the history of this site; the most relevant of which are:

☐ 07/2016/0654/FUL (as discharged 2016/1023/DIS and 2017/0065/DIS) - approved by committee October 2016 for conversion of existing Convent to create a 35 bedroomed residential care home together with two storey side extensions, additional car parking and landscaping. Scheme implemented and remains extant

☐ 07/2017/1054/FUL (as varied 2017/1065/VAR) for conversion of existing convent to create 46 bedroomed care home together with two storey side extensions, additional car parking and landscaping – approved April 2017. Conditions have not been discharged and the permission expired on the 1st May 2021

4. Proposal

4.1. The application proposes demolition of the Convent and erection of a 66 bedroomed care home for the elderly, together with landscaping and associated works. The Convent currently covers 428m² over two floors, whilst the proposal would result in an additional 3101m² of floor space over three floors (1643m² more than approved over 3 floors) The basic structure however would remain approximately the same as previously approved in height, size and footprint, although it would project slightly further forward into the deep front garden.

4.2. The proposed development would take a 'T' shaped form measuring 42m wide x 38m deep at the widest points. It would have a ridge height of between 9.5m and 11m, and, and eaves which would stand at around 8.2m. The staggered gabled and pitched roof sections provide for an interesting design which would be constructed in red brick, pale render and grey zinc with grey roof tiles; similar to other care facilities approved in recent years in this Borough.

4.3. The ground floor would include 14 en-suite bedrooms, kitchen, ancillary, bathroom and reception space (western side), a coffee shop and hairdresser, and communal dining and lounge areas. Levels two and three would accommodate 26 en-suite bedrooms per floor, quiet lounges, dining/communal space, assisted bathrooms and ancillary rooms.

4.4 On first and second floors only one bedroom and a stairwell would be immediately adjacent to the M6, with bedrooms on the eastern side being further from the acoustic bund installed for the earlier scheme. At ground floor kitchens lie along this side. Bedrooms to the rear would face the rear of the school at 8m from the common boundary and 15m from the school itself as previously approved

4.5. A small car park (16 spaces including 2 mobility) would be to the west of the proposed entrance accessed from the existing roadway off Moss Lane. Electric vehicle charging points would be secured by condition for 10% of all spaces. Cycle storage has not been identified but is possible to the rear. There is also space for waste storage at the rear. The existing driveway would be retained

4.6. Protected trees to the frontage and western side are shown to be retained, and a landscaping plan provided showing additional tree planting to the rear and formalised gardens. Conditions to secure the same are felt necessary. On the eastern side is an acoustic earth mound/bund with a requirement for it to be topped by a 2m high, close boarded acoustic wooden fence (condition to previous approval), but otherwise the site is secured by boundary fencing. Whilst not ideal, the bund is visible only from the Convent itself and rooms at the rear of St Catherine's School, and was approved as part of the earlier scheme following recommendations of an acoustic specialist to mitigate against noise issue from the adjacent motorway.

4.7. The applicant suggests that the facility would employ 20 full time and 35 part time staff members.

4.8. Being mindful of Members previous concerns that the building would not be used in the future for the applied purpose, a condition to restrict to use as a residential care home for the elderly (over 55 age group) has been included.

5. Supporting Documents

5.5. The application is accompanied by a suite of documents noted in recommended condition 2

6. Representations

6.5. Summary of Publicity

6.5.1. Two site notices and newspaper advertisement have been posted, and 14 neighbouring properties consulted.

6.6. Letters of Objection

6.6.1. Three letters of objection received which in addition to material considerations below refer to matters beyond the remit of this planning application – namely existing parking

issues on Moss Lane and to the adjacent school, state and use of the adjacent subway and anti-social behaviour. Anti-social behaviour has been an ongoing issue which is in the hands of the Police, and highway issues have been considered by LCC Highways. Comments do however include

Highways

☐ Proposal will result in excessive parking by staff, visitors and construction vehicles on Moss Lane – request for LCC to review Moss Lane before development

Amenity

☐ Need for tree planting between rear bedrooms and the school

☐ Query re demolition management – particularly relating to the school

6.7. Letters of Support

6.7.1. None received

Officer Comment: Parking for staff, visitors and construction vehicles would be within the Convents own grounds and is more than adequate. In fact, during earlier site visits construction (on the earlier approval) was well underway yet resulted in no on-road, construction vehicle parking of any kind.

7. Summary of Responses

7.1. **Chorley Borough Council** has no objection

7.2. The Council's **Ecology Consultant** assessed the accompanying documentation. Comments are as follows:

Bat & Bat Roosts – The Preliminary Bat Survey appears to have used reasonable effort to assess the building externally for the presence of bats and the likelihood that the building would be used at other times by bats. The report recorded no evidence of present or historic usage but concluded that the main building had moderate potential to support roosting, which could also include winter hibernation. Additional activity surveys were required due to the moderate potential of the building. These appear to have used reasonable effort and personnel, whilst undertaking the survey in the appropriate weather conditions.

Activity surveys recorded emergence/re-entry on two of three occasions where common pipistrelle bats were recorded utilising roosting points in 3 locations around the roof. Other bat species were recorded foraging and commuting in the immediate vicinity at the time of the surveys. It is therefore considered that the Convent is a bat roost under the definition of the Conservation of Habitats & Species Regulations (Amendment (EU Exit) (2019).

The bat roosts are in a part of the site which will be subject to complete demolition, therefore, as identified in the activity survey report some form of Protected Species licence (PSL) will be required from Natural England, to derogate from the provision of the legislation in order to implement the proposals should an application receive permission.

In order to provide for derogation three tests, exist, which the Local Planning Authority should have regard to in their decision making: -

o That the action is for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;

o that there is no satisfactory alternative; and

o that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range

Any application for a Natural England Protected Species Licence will also require the submission of a reasoned statement regarding the consideration of all three tests.

The Report indicates the presence of small numbers of widely distributed frequent bat species of bat at an occasional/transitional roost but of low conservation status. GMEU concur with this current assessment.

GMEU are of the opinion that the favourable conservation status (the third test) of the species can be maintained via the implementation of mitigation measures. The Mitigation Strategy (Section 6) includes proposed mitigation to be implemented via the PS Licence, and this adequate for planning purposes and demonstrates the approach that will be used in the Natural England Licence application.

Officers have considered the 3 tests separately and whilst the convent has been purposely left to fall into disrepair, it is now in such a state that its removal would assist with preserving public health or safety. There is no satisfactory alternative at this late stage, but subject to a Natural England licence, both GMEU and Officers are satisfied that the action authorised will not be detrimental to the maintenance of the species concerned

Landscape & Biodiversity Enhancement - proposals retain Public Open Space to the front and this area is reinforced with planting of native species. This is acceptable. The built schemes internal configuration shows ornamental shrubs and small trees which will provide various benefits to biodiversity. Cotoneaster is proposed and this should be a non-invasive variety which is not listed on Schedule 9 (W&CA) as Invasive Non-Native Species and should not be planted. The scheme does not demonstrate any specific biodiversity enhancement and GMEU suggest that the landscape proposals seek to provide 7 bat/bird/other features of value to biodiversity within the landscape proposals.

7.3. Economic Development are happy for Employment & Skills Assessment to be secured by condition

7.4. Highways England have no objections but request that conditions are attached to any grant of consent to ensure the safety and integrity of the motorway, and that there is no post-development redress with regards to motorway noise. As these are beyond the remit of this planning application, the request has been included as informative notes. For consistency, precautionary notes raised during the earlier approved scheme have also been included

7.5. Lancashire Constabulary - the detailed Design and Access Statement submitted with this application incorporates a crime prevention and security section. This provides details of proposed security measures which are acceptable based on the risk associated with the development. A number of informative notes are also proposed relating to security issues outside of the planning process remit

7.6. Lancashire County Council's Flood Advisor - The Lead Local Flood Authority originally objected to this application, but revised drainage information sees this objection withdrawn subject to the imposition of relevant drainage conditions

7.7. Lancashire County Council Highways has no objection

7.8. South Ribble Arborist - The application is accompanied by a tree appraisal. Four trees categorised as class 'U' trees due to their poor condition are recommended for removal. Two of these are on the eastern boundary and two to the front. One other tree is also to be removed because of its growth lean towards the M6. A number of moderate value, small trees would be retained but these would not constrain, or be affected by development. Protected trees would be retained and protected. The Councils Arborist has no objections and is of the opinion that proposed landscaping is acceptable but recommends conditions re: root and tree protection.

7.9. **South Ribble Environmental Health** has no objection subject to the imposition of conditions with regards to construction management, electric vehicle charging points, pre-commencement glazing confirmation and contaminated land. They also concurred with the findings of the acoustic assessment but requested a condition to ensure construction in line with those findings.

7.10. **United Utilities** - 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. Further to review of the Sustainable Drainage Strategy Report - Dated: 16/02/2021, UU note foul flows are proposed to discharge into a 300mm public combined sewer and surface water flows are proposed to drain into an unknown public surface water sewer located within Moss Lane. According to UU mapping records, there are no records of a public surface water system located within this part of Moss Lane, that said, there does appear to be a culverted watercourse located a short distance South West of the proposed site. In the absence of robust evidence demonstrating that the surface water destination hierarchy has been fully explored and exhausted (including an assessment of ground conditions), together with uncertainty surrounding the current surface water proposals, UU request pre commencement conditions and advisory notes. Revised information and revised conditions have been provided by the Lead Local Flood Authority which also cover UU's requirement

8. Material Considerations

8.1. Site Allocation

8.1.1. The north-eastern section of the site on which the majority of proposed built development would stand, is designated under Local Plan Policy B1 (Existing Built Up Area). The remainder of the site which is to remain relatively undeveloped is separately allocated as G7 (Green Infrastructure)

8.1.2. Policy B1 allows for redevelopment in allocated areas provided that proposals would comply with requirements of the local plan 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 (a) alternative provision can be implemented within the same or another local site, (b) retention of the site is not required to satisfy a recreational need in the local area, and where (c) development would not detrimentally affect the amenity or nature conservation value of the site.

8.1.4. It is the Officer's view that several factors in combination result in the proposals compliance with criterion b) and c) of Policy G7, and therefore not requiring to satisfy criteria a). Firstly, the proposal site is in private ownership and is not required to satisfy a community, recreational need, and secondly, evidence provided confirms that proposed development would not detrimentally affect the amenity or nature conservation value of the site. In fact, proposed and retained landscaping ensures a well-designed development which would benefit rather than be of detriment to the biodiversity offer of the site, whilst protecting the extended green network. For these reasons the minor elements of the proposal which sit within this section of the site are considered to accord with the requirements of Policy G7 of the Local Plan.

8.2. Relevant Policy

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

8.2.1. National Planning Policy Framework 2021

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. Para 62 notes that within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to ... older people... and people with disabilities

8.2.1.3. 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

8.2.1.4. 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.

8.2.1.5. Chapter 12: Achieving Well Designed Places attaches great importance to the design of the built environment which contributes positively to making better places for people.

8.2.1.6. 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.

8.2.1.7. 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. Highways and Parking

8.3.1. The Town & Country Planning (Use Classes) Order 1987 identifies residential care and nursing homes as being in Use Class C2 (Residential Institutions).

8.3.2. In line with Local Plan Policy F1 (Parking Standards), Appendix 4 of the South Ribble Local Plan states that parking provision for C2 uses would be 1 parking space per 5 bedrooms, of which 3 bays or 6% are disabled parking; in this case 14 spaces (including 2 disabled). The application provides for 16 standard and 2 designated mobility spaces, but within an area of hardstanding more than capable of significant additional parking and manoeuvring space. As such the proposal is fully compliant with adopted parking standards. Furthermore, the highways authority has no objection to the proposal.

8.3.3. Parking standards for C2 use are much lower than those required for standard C3 dwelling house accommodation (roughly 25%). This reduced parking capacity has been accepted on the basis of the C2 use, but to prevent future alternative uses which would not be policy compliant it is felt necessary to restrict use of the building as a care home for the over 55 age group by condition.

8.4. Design and Character of the Area

8.4.1. Local Plan 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 Leyland is a relatively traditional, sub-urban street with some new but appropriately designed property. This vernacular continues along Moss Lane West – disrupted only by the motorway.

8.4.3. Although in the main the facility offers a functional, simple design, it does so with a contemporary nod to the Convents traditional appearance. Set back within the deep, well screened site at the cul-de-sac of Moss Lane, impact by way of visual intrusion to and from the site is not anticipated.

8.4.4. This particularly sustainable site is within easy reach of both community and public transport facilities, sits well within its own environment and where possible, retains and augments existing green infrastructure. Proposed changes also serve to prevent further deterioration and misuse of the disused Convent site in the long term.

8.5. Noise Impact

8.5.1. The application is accompanied by Noise Impact Assessment (Sound Advice: Feb 2021/revised Sept 21) which proposes mitigation measures including an earth bund, acoustic fence and noise-deadening construction methods.

8.5.2. The report has been assessed by South Ribble's Environmental Health team who subject to construction in compliance with the above have no objection on noise grounds.

8.6. Impact Upon Neighbours

8.6.1. The most rearward part of St Catherine's School sits approx. 15m to the north but is screened by 2m fences and would be subject to proposed landscaping if approved. Proposed bedroom windows to the first and second floors would be in the main view beyond the one and a half storey, flat roofed school building. A previous approval for bedrooms at this distance remains extant

8.6.2. Properties in the west enjoy 84m separation in addition to screening from the existing Convent, and those to the south lie 120m away. Although dwellings in the east are only 75m away they are separated by the M6 motorway.

8.6.3. Impact by virtue of overlooking, loss of privacy or general residential amenity as a result of this proposal is therefore considered negligible.

8.7. Developer Contributions

8.7.1. Local Plan Policy A1 (Developer Contributions) expects all new development to contribute towards mitigation of impact upon infrastructure, services and the environment by way of Section 106 agreement and/or CIL contributions. The Central Lancashire Open Space SPD and CIL Regulations however offer a specific exemption for care facilities, whilst the Central Lancashire Affordable Housing SPD and NPPF Para 64 solely target market rather than institutional housing or that purpose built for the elderly. As this use would be secured by condition such a contribution in this case is not required.

9. CONCLUSION

9.1. It is Officers opinion that the proposed demolition of the former Oaklands Convent, Moss Lane, Leyland and erection of 66 bedroomed rest home, with ancillary landscaping and parking provision would be in keeping with, but protective of the area, the immediate street scene and the extended environs. It should not result in detrimental impact upon the amenities of neighbouring properties, and impact upon highways safety is not anticipated.

9.2. The proposed development therefore is deemed to be in accordance with the National Planning Policy Framework, and relevant policies of the South Ribble Local Plan 2012-2026, Central Lancashire Core Strategy and south Ribble Residential Design Guide (as identified above) and is recommended for approval subject to imposition of conditions.

RECOMMENDATION:

Approval with Conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the approved plans and suite of documents as follows:
 - o Arboricultural Impact Assessment (20979/A2-AIA Indigo)
 - o Accommodation schedule 1634/SRD/CW
 - o Bat Survey & Preliminary Roosting Assessment (Ecology Service 21006/Feb 2021/June 21)

- o Design & Access Statement Rev E (Keith Dickinson)
- o Noise Impact Assessment (Sound Advice 4.2.21)
- o Planning Statement (Baltic Feb 21)
- o Proposed Landscaping Plan (18.2.21 Indigo)
- o Sustainable Drainage Strategy (Tunstall Smith King/Lumax Rev B 17.9.21)

Proposal drawings (Keith Dickinson Architects)

- o Proposed site plan (200/I)
- o Location plan (LP)
- o Existing site plan (100/A)
- o Proposed elevations (205/C-)
- o Ground floor plan (201/I)
- o 1st floor plan (202/E-)
- o 2nd floor plan (203/E-)

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

3. Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended) Paragraph 3(1) or any provision equivalent to this in any statutory instrument revoking and re-enacting this Order, the use of the premises shall be restricted to the use applied for - namely residential care home for the elderly (over 55 age group), unless the prior consent of the Local Planning Authority is obtained.

REASON: To enable the Local Planning Authority to retain control over the impact of the development on residential amenity and/or highway safety in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

4. No development shall commence in any phase until a detailed, final surface water sustainable drainage scheme for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage scheme shall be based upon the site-specific flood risk assessment and indicative sustainable drainage strategy submitted and sustainable drainage principles set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

Those details shall include, as a minimum:

- a) Confirmation that an agreement is in place to discharge surface water into the combined sewer.
- b) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, finished floor levels in AOD with adjacent ground levels. Final sustainable longitudinal sections plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, with adjacent ground levels. Cross section drawings of flow control manhole and attenuation pond inlets/outlets.
- c) Cross section drawing of attenuation pond with 1 in 1 year, 1 in 30 year and 1 in 100 year + climate change water levels.
- d) The drainage scheme should be in accordance with the principles of the Tunstall Smith King Sustainable Drainage Strategy for Our Lady of the Missions Oakland, Leyland revision B dated 17th September 2021 and should demonstrate that the surface water runoff and volume shall not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- e) Sustainable drainage flow calculations (1 in 1, 1 in 2, 1 in 30 and 1 in 100 + climate change).
- f) Plan identifying areas contributing to the drainage network

- g) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,
- h) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- i) Breakdown of attenuation in pipes, manholes and attenuation pond.

The scheme shall be implemented in accordance with the approved details prior to first use of the care home.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

5. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

Reasons

- 1. To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere;
- 2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

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

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed

is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

7. Foul and surface water shall be drained on separate systems.
Reason: To secure proper drainage and to manage the risk of flooding and pollution

8. 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. The fencing shall be constructed and located in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. Fencing shall comprise a metal framework. Vertical tubes will be spaced at a maximum interval of 3m. Onto this, weldmesh panels shall be securely fixed with scaffold clamps. Weldmesh panels on rubber or concrete feet should not be used. The site manager or other suitably qualified appointed person will be responsible for inspecting the protective fencing daily; any damage to the fencing or breaches of the fenced area should be rectified immediately. 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

9. The approved landscaping scheme shall be implemented in the first planting season following completion of the development or first occupation/use, whichever is the soonest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority, in compliance with BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations. This maintenance shall include the watering, weeding, mulching and adjustment and removal of stakes and support systems, and shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of similar size to that originally planted.
REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy, Policy G13 and Policy G17 in the South Ribble Local Plan 2012-2026

10. Prior to the commencement of development hereby approved, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
 - a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on & off-site contamination and ground gases.
 - b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part IIA, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property.
The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the start of the site investigation survey.

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

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

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

REASON: To ensure before commencement on site 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

11. Prior to any 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 ensure before importation of materials on site that materials are suitable, to protect human health and the environment in the interests of residential amenity and in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the South Ribble Local Plan 2012-2026

12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) proposed suitable times of construction which take into account the safe and practical operation of the St Catherine's Primary School.
- b) parking of vehicles of site operatives and visitors
- c) loading and unloading of plant and materials
- d) storage of plant and materials used in constructing the development
- e) location of site compound
- f) suitable wheel washing facilities for vehicles leaving site. Details also to include mechanical sweeping of roads adjacent to the site.
- g) measures to control the emission of dust and dirt during construction
- h) measures to control the emission of noise during construction
- i) details of external lighting to be used during construction
- j) a scheme for recycling/disposing of waste resulting from demolition and construction works
- k) anticipated delivery times

REASON: To ensure prior to development on site that works will safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

13. No development pursuant to this application shall commence until a detailed construction plan working method statement (including Risk Assessment Method Statement) relating to site development, earthworks and drainage alongside the M6 motorway has been submitted to and agreed in writing by the local planning authority in consultation with Highways England.

REASON: To ensure prior to development on site that works will safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Local Plan 2012-2026 Policy G17

14. Prior to commencement of works, details of glazing specifications to be employed as part of the development shall be submitted to, and agreed in writing by the Local Planning Authority. These shall be in line with the findings/recommendations of the approved Noise Impact Assessment (Sound Advice. Ref AbramOaklands: June 2016/revised Sept 21), and following completion but prior to first occupation, confirmation that the agreed glazing and ventilation systems have been installed shall be submitted to, and agreed in writing by the Local Planning Authority.

REASON: To ensure prior to commencement on site that proposed works will safeguard the amenities of neighbouring properties in accordance with Policy 17 in the Central Lancashire Core Strategy and Local Plan Policy G17

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

16. If the presence of bats, barn owls, great crested newts or other protected species is detected or suspected on the development site at any stage before or during development or site preparation, works must not continue until Natural England has been contacted regarding the need for a licence.

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

17. Removal/Salvage of materials or demolition of the convent hereby approved which supports roosting common pipistrelle bats, shall not in any circumstances commence unless the Local Planning Authority has been provided with a licence issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) 2019, authorising the specified development to go ahead;

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 2012-202

18. 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

19. 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

20. Prior to first occupation of the proposal hereby approved, three bat and four bird roosting opportunities in line with those recommended by the approved ecology report Ecological Appraisal (Ecology Services ref: 21006/21040 June 21). Once installed these shall be 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

21. The development hereby approved shall not be brought into use until the waste storage area denoted on approved plans has been provided. The approved facilities shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

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

22. Prior to first occupation of the development hereby approved, the associated parking spaces shall be drained and surfaced with a material to be agreed by the Local Planning Authority. This area shall be retained at all times thereafter and shall not be used for any purpose other than the parking of vehicles.

REASON: To ensure the provision and retention of adequate on-site parking in the interests of residential amenity and highway safety as required by Policy F1 and Policy G17 in the South Ribble Local Plan 2012-2026

23. Prior to first occupation of the development hereby approved, details of the acoustic fencing and earth bund to be erected along the eastern boundary shall be provided to, and approved in writing with the Local Planning Authority. Both shall be installed before first occupation of the development and shall be retained and maintained at all times thereafter.

REASON: To ensure the provision and retention of adequate screening in the interest of amenity and to accord with Policy 17 in the Central Lancashire Core Strategy

24. Prior to first occupation of the development hereby approved, a minimum of 10% of the communal parking spaces identified on approved site plan 200/I (Keith Dickinson) be fitted with Electric Vehicle Recharge points, including adequate charging infrastructure and cabling and specifically marked out for the use of Electric Vehicles

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

25. Prior to commencement of works on site, details of future employment and skills 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.

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

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 2012-2026

- A1 Policy 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

Supplementary Planning Documents

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

Note:

Other application Informative

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

2. Highways England Note 1: General

- o There shall be no direct vehicular or pedestrian access of any kind between the site and the M6 motorway
- o There shall be no works relating to construction of the care facility which requires any temporary closure to traffic of the M6 motorway.
- o There shall be no encroachment of the site or any boundary feature onto motorway land owned by the Highways England Company Ltd under title LAN68116

Highways England Note 2: Embankment/Existing Structures

- o Existing site levels should be maintained, and no surface water flow shall be allowed to head in the direction of the motorway boundary. There shall be no development on, or adjacent to the M6 motorway embankment that shall put the embankment or earthworks at risk
- o The existing motorway boundary fence shall not be altered in anyway and any damage to it sustained during construction shall not be left uncorrected by the applicant.

Highways England Note 3: Proposed Landscaping/Earthworks

- o No drainage from the proposed development shall connect into the motorway drainage system, nor shall the drainage from the site run off onto the M6 motorway

- o There shall be no planting or obstruction of the surface of the site within 1m of the motorway boundary fence so as to establish a buffer zone for maintenance
- o There shall be no planting of species that when mature, shall be of a height that should they fall down, could fall onto the motorway carriageway.
- o Access to the site along a one metre strip of land adjoining the motorway boundary for the purposes of maintaining the M6 motorway boundary fence, motorway embankment or motorway boundary landscaping planting shall not at any time be withheld to Highways England and its representatives.
- o Any measures (such as additional fencing) should be installed within the applicant's land and at the applicant's expense and be no closer than one metre from the motorway fenced boundary.

Highways England Note 4: Noise

- o The applicant shall not ignore the need to ensure that effective steps are taken to mitigate the impact of noise emanating from the M6 motorway upon the development to the satisfaction of the local planning authority; such steps being entirely independent of the M6 motorway and implemented at the expense of applicant on land under their ownership/control.
- o Highways England shall not at any time be responsible for mitigating the effects of noise from the motorway in respect of this new development.

3. Lancashire Constabulary Note:

The development shall be designed, and a security analysis compiled with reference to the following:

1. Secured by Design - The scheme should be developed to Secured by Design security standards; an evidence based police preferred security scheme that designs out opportunities for crime at new build developments.

2. CCTV - Full CCTV coverage of main communal entrance and circulation areas is required. Car parking areas should be covered by CCTV. The images recorded must be good quality and clear in all lighting conditions therefore digital, day/night capable systems are advised. Data should be stored securely for a 30 day period before being destroyed if not required.

3. Physical Security - Security Rated (SR) PAS 24/2016 windows with restrictors should be fixed on all ground floor opening windows to deter theft and burglary offences. Glazing should be laminated to P1A standards.

4. Doors should be certificated to PAS 24/2016 standards or an equivalent security standard such as Loss Prevention Standard (LPS) 1175 Issue 7/8. Internal doors in high risk areas such as the drugstore should also be Security Rated to a standard such as PAS 24/2016 or LPS 1175 Issue 7/8. These doorsets should also be covered by CCTV and linked to an alarm system.

5. An access control system should be fitted throughout the development including the main entrance. External doors should be operated by access control system and individual rooms fitted with a system where residents can control door release with an audio or visual identification system.

6. Boundary treatments should restrict access into private areas. The height and design should be sufficient to deter intruders, 1.8-2m high is recommended. Landscaping at the front and side of the development must be no more than 1 metre high so as not to restrict natural surveillance.

7. Lighting - A lighting scheme should be devised that provides an even spread of illumination.

8. Construction Site Security - The site should be secured throughout the construction phase with security measures, including a; robust 2.4m high anti-climb weld mesh perimeter fence with matching lockable gates; a monitored alarm system (with a response provision) for site cabins where tools, materials and fuel could be stored; and a monitored and/or recorded HD digital colour CCTV system, accredited with either National Security inspectorate (NSI) or Security Systems & Alarm inspection Board (SSAIB) approval. Any onsite CCTV recording equipment must be stored securely and located within an alarmed building/cabin.

4. Lead Local Flood Authority Note: For the avoidance of doubt, this response does not grant the applicant permission to connect to the United Utilities combined sewer and, once planning permission has been obtained, it does not mean that a connection agreement will be given. The applicant should obtain a Connection Agreement from United Utilities before starting any works on site.

5. General Note: Parking

In the interests of highways safety and residential amenity, the applicant may wish to actively encourage staff, occupants and visitors of the facility hereby approved to park within the rest home grounds (as identified by the 'red edge' on approved site layout plan 200/l (Keith Dickinson) e.g. noted within rest home promotional materials, during staff training etc.
