

**Application Number** 07/2022/00034/FUL

**Address** Next To 249 Chapel Lane  
Longton  
Preston  
Lancashire  
PR4 4AD

**Applicant** Mrs Kathleen Anne Hesketh

**Development** Erection of detached dwelling with ground source heat pump, solar panel array and rainwater harvesting together with carbon offset planting of 18,500 trees and siting of temporary static caravan.

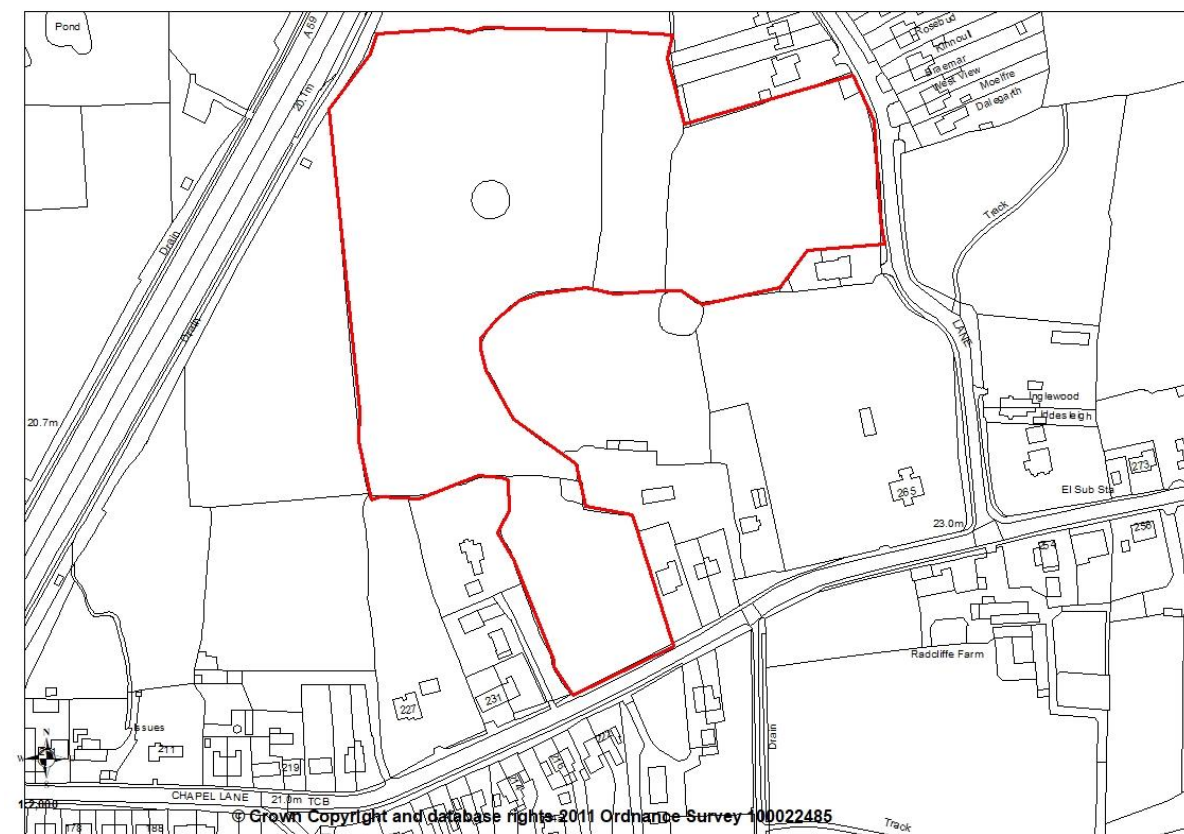
**Officer Recommendation** **Approval with Conditions**

Date application valid 19.01.2022

Target Determination Date 20.04.2022

Extension of Time

## Location Plan



## 1. Report Summary

1.1 The application proposes a unique carbon off-set project involving the erection of a detached dwelling with associated ground source heat pump ground mounted solar panels, rainwater harvesting together with the planting of 18,500 trees on land off Chapel Lane in Longton.

1.2 Permission in principle has been granted for the dwelling on part of the site between 233 and 249 Chapel Lane. However, in order to achieve a carbon neutral development. the applicant has extended the site which now stretches from Chapel Lane to the A59 Longton Bypass and is known as 'The Coppice'

1.3 The application proposes a unique carbon off-set project involving the erection of a detached dwelling with associated ground source heat pump ground mounted solar panels, rainwater harvesting together with the planting of 18,500 trees on land off Chapel Lane in Longton.

1.4 The site is within the Green Belt where there is general presumption against inappropriate development. However, it is considered that the applicant has demonstrated very special circumstances which allow for this development in the green belt. Permission in principle was granted for the dwelling on part of the site between 233 and 249 Chapel Lane which remains extant. The proposal is for a carbon neutral development and the applicant has extended the site beyond what was submitted for the PIP application. The site now stretches from Chapel Lane to the A59 Longton Bypass and is known as 'The Coppice', hence this is a full planning application.

1.5 There are no objections to the proposal from neighbouring residents of statutory consultees. The proposal is considered to be policy compliant and is recommended for approval subject to the imposition of conditions.

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

2.1 The proposal refers to an area of Green Belt land located on the northern side of Chapel Lane close to the Longton by pass. There is ribbon development along this stretch of Chapel Lane. To the east is the inset village boundary of New Longton. To the west is the Longton bypass with the Longton village boundary beyond. Land to the north is open rural Green Belt land.

## **3. Planning History**

- 07/1999/0158 Formation of Access to Field Adjacent 233 Chapel Lane was approved.
- 07/2018/4893/FUL for a change of use of agricultural grazing land to equestrian use and the erection of a timber stable block, hardstanding, sand paddock, access track and creation of a new field access on Chapel Lane was submitted but never validated.
- 07/2021/00679/PIP for the Erection of 1 dwelling was refused on one ground:
- *"The proposal constitutes inappropriate land use in the Green Belt. It is not considered that the applicant has demonstrated very special circumstances to justify the proposal which would harm the character and openness of the Green Belt contrary to Green Belt policy. The benefits of the scheme insufficiently outweigh the harm to that landscape. As such, the proposed development is contrary to the National Planning Policy Framework and Policy G1 of the South Ribble Local Plan"*
- 07/2021/00839/PIP was an amended scheme to the previously refused application 07/2021/00679/PIP and sought Permission in Principle for the erection of 1 detached dwelling in a revised location was granted

## **4. Proposal**

4.1 This application proposes the erection of a detached dwelling with ground source heat pump, solar panel array and rainwater harvesting together with carbon offset planting of 18,500 trees and siting of temporary static caravan.

4.2 The proposed dwelling is to be a dormer bungalow and will measure 14.6m by 10m at ground floor and 14.6m by 7m at first floor with dormer windows to both the front and rear elevation. It will be sited fronting onto Chapel Lane with a detached garage to the its western side measuring 6m and 2.4m to eaves and 4.5m to ridge.

4.3 To the rear of the proposed dwelling would be a rainwater harvesting system Raintech Pro measuring 17.5m long by 2.7m with a 90,000 litre capacity. This will be an underground tank but requires planning permission as it constitute an engineering operation.

4.4 To the north-west, approximately 80m off the dwelling, a ground source heat pump will be installed. This would be underground but requires planning permission as it constitutes an engineering operation.

4.5 To the rear of this will be ground mounted solar panel system consisting of 3 blocks of 10kW panels covering an area of 226 square metres (22.6m x 10m x 0.8m). This would be a low profile mounted to a height of 800mm.

4.6 Not requiring planning permission but in association with the proposed dwelling, 18,520 trees will be planted. These will consist of 8,500 Oak woodland trees; 3000 woodland edge trees in a 300m by 10m wide strip; 300 evergreen trees to the strip boundary with the Longton bypass; 2300 mixed silviculture trees; 1500 willow silviculture trees; an orchard area consisting of 700 trees and 6 linear metres of hedgerow

## **5. Summary of Publicity**

5.1 Neighbouring properties were notified, and a site notice posted with one letter of representation being received, supporting the proposal, commenting:

- It's a fabulous idea, and exactly what I would do if I had the money.
- Would the applicant consider expanding the ground source heat piping to accommodate other homes in the local vicinity? Almost like a very small community scheme.
- There is the possibility of a T off the pipes to supply 237 and 235.
- It's something I would like to do but don't have the ground area.
- I understand a financial settlement for extra costs incurred would need to be made and I am happy to do that should the applicant be willing
- I also understand my neighbour at 233 chapel lane has volunteered me for some of the tree planting, under her supervision, and I am happy to bring a spade and some energy.

## **6. Summary of Consultations**

6.1 **County Highways** initially raised concerns with the existing access. The design and access statement claims: "*4.4. The site already has direct gated access to the public highway with good visibility splays measuring 2 metres by 43 metres in both directions and will be maintained as such in the interest of highway safety. This access would serve the dwelling/driveway direct off Chapel Lane.*" This gate is only a field gate onto the land. There is no vehicular dropped crossing onto the site.

6.2 Therefore, plans were requested of the proposed access and County Highways were re-consulted and advised they have no highway objections. The erection of a detached dwelling with ground source heat pump, solar panel array and rainwater harvesting together with carbon offset planting of 18,500 trees and siting of temporary static caravan, will have a negligible impact on highway safety or capacity.

6.3 Additionally, they have no objections to the proposed planting of 18,500 trees, so long as this is not on a commercial basis and should be conditioned this as such.

6.4 The required visibility splays for the proposed site are achievable. The parking falls in line with South Ribble Borough Council's parking policy. Therefore, County Highways have no objections providing conditions and highway note are included on the decision notice in respect of the visibility splays; surfacing of the access; surfacing of the car parking area; formation of the drop kerbs; wheel washing / mechanical road sweeping facilities; inclusion of electrical vehicle recharging point and an informative to advise the application that, under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out.

6.5 **Environmental Health** require a number of conditions in respect of the hours of construction; the hours of deliveries of construction materials or removal of construction waste; details of any piling activities; Contaminated Land; Contamination Found During Works; Importation of Material; Wheel Washing; Electric Vehicle Recharge Point

6.6 **Environment Agency** have no objection to the development as proposed, however they note that the applicant is proposing the use of a Ground Source Heat Pump and therefore provide the following advice:

*“The Environment Agency regulates open-loop ground source heating and cooling schemes. The proposed development will need:  
a groundwater investigation consent (section 32/3 of the Water Resources Act 1991) to drill and test pump  
a full abstraction licence (Water Resources Act 1991), if the volume of groundwater abstracted is greater than 20 cubic metres per day, and  
an exemption, if you meet the criteria for a low-risk activity, or environmental permit (under the Environmental Permitting (England & Wales) Regulations 2010) to discharge.  
The applicant is advised to contact the Environment Agency for pre-permit application discussions.”*

6.7 The EA also comment that there is no information in the application to indicate how foul drainage for the new property will be directed. In this case there is a foul sewer within 40 metres of the site boundary and therefore a connection with the mains would be the expected mode of disposal.

6.8 The EA also provide further details on Government guidance; Environmental Permitted Regulations; domestic effluent discharge from a treatment plant/septic tank; soakaways and non-mains drainage systems. This information can be included as an informative note on the decision notice.

6.9 **Local Lead Flood Authority (LLFA)** initially objected to the proposal as no Flood Risk Assessment had been submitted. They advised the objection could be overcome by undertaking a FRA which demonstrates that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

6.10 Following submission of a FRA, the LLFA were re-consulted and they confirm they withdraw their objection subject to the inclusion of a planning condition in respect of the submission of a Final Sustainable Drainage Strategy, based on the indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical

Standards for Sustainable Drainage Systems. They also confirmed that no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

6.11 The details of the drainage strategy to be submitted shall include, as a minimum;

- a) Demonstrate that the rainwater harvesting tank can accommodate the designed storm criteria (1 in 1 year, 1 in 30 year and 1 in 100 year + 40% climate change rainfall events) for the developed/impermeable area;
- b) Demonstrate the overflow measures for the rainwater harvesting system, including rates, volumes, overflow destinations and flow paths;
- c) Final sustainable drainage plans appropriately labelled to include, as a minimum:
- d) Plan identifying areas contributing to the rainwater harvesting tank;
- e) Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- f) How surface water will be managed during the construction phase to ensure no adverse impacts to water quantity or water quality, including areas outside the curtilage as necessary;
- g) Provide a maintenance plan outlining details of ownership, maintenance, operational and access requirements for the rainwater harvesting tank and any associated components.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

6.12 The LLFA also require informative notes to be included on the decision notice in respect of Ordinary Watercourse (Land Drainage) Consent; and Sustainable Drainage Systems;

6.13 **Arboriculturist** has no objections to the development. The proposal significantly increases net biodiversity and provides for long term retention and creation of deciduous woodland.

6.14 **Ecology** advise that no significant ecological constraints were identified by the developer's ecological consultant. Issues relating to great crested newts, nesting birds, invasive species and landscaping can be resolved via condition.

## **7. Policy Background**

7.1 **Policy G1: Green Belt** has a general presumption against inappropriate development and planning permission will not be given for the construction of new buildings unless there are very special circumstances. However, exceptions to this are buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it; the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building; the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

7.2 **Core Strategy Policy 28:** Renewable and Low Carbon Energy Schemes supports proposals for renewable and low carbon energy schemes and planning permission granted where the following criteria are met:

- (a) The proposal would not have an unacceptable impact on landscape character and visual appearance of the local area, including the urban environment;
- (b) The reason for the designation of a site with statutory protection would not be compromised by the development;

- (c) Any noise, odour, traffic or other impact of development is mitigated so as not to cause unacceptable detriment to local amenity;
- (d) Any significant adverse effects of the proposal are considered against the wider environmental, social and economic benefits, including scope for appropriate mitigation, adaptation and/or compensatory provisions.

7.3 **Core Strategy Policy 29:** Water Management - Improve water quality, water management and reduce the risk of flooding through a number of measures, including

- (e) Minimising the use of potable mains water in new developments;
- 8. (g) Encouraging the adoption of Sustainable Drainage Systems;
- 9. (h) Seeking to maximise the potential of Green Infrastructure to contribute to flood relief.

## 10. **Material Considerations**

### 10.1 **Green Belt**

10.1.1 In line with the NPPF, Local Plan Policy G1 has a general presumption against inappropriate development and planning permission will not be given for the construction of new buildings unless there are very special circumstances. There are a number of exceptions to this: buildings for agriculture and forestry; provision of appropriate facilities for outdoor sport, recreation or cemeteries; the extension or alteration of a building; the replacement of a building; limited infilling in villages and limited affordable housing for local community needs; or redevelopment of previously developed sites. The only criteria listed above that could be a consideration is the limited infilling in villages.

10.1.2 A Permission in Principle application was granted in 2021 for a single dwelling on part of the site fronting onto Chapel Lane. PIP applications can only consider the location, development size and land use. In terms of land use, the delegated report advised: *“The proposal would introduce a detached dwelling and associated garage into a field that is currently open, **outside of the village** and in the Green Belt. However, the plot is of a significant size and this amended scheme retains the spatial openness of the Green Belt. Therefore, this amended scheme is now considered acceptable in terms of openness.”*

10.1.3 It is clear that the PIP established that the site is not within a village settlement and therefore cannot be considered as ‘limited infilling in villages.’ However, it did establish the principle of development on part of the application site for a new dwelling. The proposal now does not alter the position of the dwelling. Nevertheless, as it is considered that the proposed development does not fit into any of the criteria set out in Green Belt policy, very special circumstances would need to be demonstrated to allow for a new dwelling in this Green Belt location.

10.1.4 The very special circumstances include a number of low carbon measures such as a solar array, ground source heat pump, rainwater harvesting and the planting of 18,520 trees. Core Strategy Policy 28 supports proposals for renewable and low carbon energy schemes subject to a number of criteria being met and an assessment of each is carried out below:

### 10.2 **Impact on landscape character and visual appearance of the local area**

10.2.1 The application site's Landscape Character is classified as Coastal Plain and, although not nationally significant, the landscape characters of Central Lancashire are recognised as locally distinct and highly valued. Landscape is important in the way it contributes to an area's distinctiveness.

10.2.2 The site includes dense bramble scrub and tall ruderal herb/grasses to a ditch and wider more 'open' sections near to a pond within the site. The Extended Phase 1 Habitat Survey describes the site as follows:

*The site of the proposed development is largely composed of ley grasslands that are subdivided into four separate fields by tall overgrown hedgerows.*

*The grasslands are derived from sowing and are generally dominated by grass cultivars, however impeded drainage locally has allowed common native grasses to become established.*

*Nevertheless, the grasslands display very low species diversity.*

*Given the age of the leys, the grasslands are classified as 'improved' in the Phase 1.*

*The hedgerows on the site are native but defunct, i.e. not stock proof, and the outer boundaries have supplementary fencing to contain livestock. The hedgerows are tall with the internal hedges poorly structured and containing most gaps.*

*There is a large circular pond located in the larger of the four fields on site, and another pond off-site that directly abuts the southern site boundary. The ponds appear to be relict marl pits and are typical of the area.*

*The surrounding land is either residential/developed or is used as horse pasture.*

10.2.3 In terms of impact on landscape, the proposal includes the formation of a solar array which will be visible from Chapel lane. However, the proposed tree planting will screen to some extent, although it is recognised that solar panels cannot be fully screened as they require direct exposure to sunlight. It is considered that the visual appearance of the local area will not be compromised with the inclusion of this aspect of the development, particularly as the solar array is low lying, ground mounted system and the rainwater harvesting and ground source heat pump are below ground and will not have any impact. Tree planting will alter the landscape, but this aspect does not require planning permission and is considered to have a positive impact on the character and visual appearance of the area.

### **10.3 Designation of the site with statutory protection would not be compromised**

10.3.1 The site is within the Green Belt but has no other statutory protection. The submitted Ecological Appraisal advises:

- The site has no statutory wildlife or ecological designations.
- There are no statutory sites, (SSSI, SPA, SAC, NNR, LNR) within 1.8km of the site.
- The site has no Biological Heritage Sites (BHS) designations and the nearest BHS is Chapel Park Road approximately 480m from the site.
- There are no Section 41 (S41) Species of Principal Importance in England recorded on the site.
- The hedgerows and pond on the site are Section 41 Habitats of Principle Importance in England.
- Japanese knotweed and Indian balsam are present on the site.
- Collectively the habitats on site are of 'local' value.
- There are no buildings on the site and the on-site trees have 'negligible' bat roost potential.
- The hedge-lines and pond have at least 'moderate' foraging potential for bats locally.
- The water vole survey found no evidence of occupation in the ponds or ditches.
- There is a single pond and two ditches on site that have 'poor-below average' potential for GCN.
- A single off-site pond has 'poor' potential for GCN.
- Breeding bird interest is restricted to the hedgerows and pond and is evaluated as being of 'local' value.
- No evidence of current/historical badger occupation/use was found during the survey.
- None of the records supplied by LeRN relate to the site or within a 250m radius.
- Records (LeRN) of common pipistrelle and bluebell are the only protected species records within 500m of the site.

10.3.2 Therefore, the only consideration in respect of statutory protection is whether the proposed development would have a detrimental impact on the Green Belt and its openness. This is fully considered in the Green Belt section of this report, above.

### **10.4 Noise, odour, traffic or other impact of development**

10.4.1 The proposal will not have any undue impacts in terms of noise, odour, traffic generation or other potential impacts. The proposed dwelling is a modest sized 3-bed dormer bungalow and only domestic vehicle trips are anticipated. County Highways raise no objections, commenting that the proposed development will have a negligible impact on highways safety or capacity. However, County Highways do advise that they have no objections to the proposed tree planting, but this must not be on a commercial basis. As this application is for a residential dwelling, they require a condition to ensure it remains so.

## 10.5 Social and economic benefits

10.5.1 There are no particular wider social and/or economic benefits, only those to the applicant in terms of low cost energy and water bills. However, the planting of 18,520 trees will have a positive impact on the environment and is in line with the Council's aim to plant 110,000 trees in the Borough.

10.5.2 The Rainwater Harvesting system will re-use surface water from the site by storing it in a 90,000 litre capacity tank. This will decrease the amount of water purchased from utility company and therefore reducing bills for the applicant. However, another benefit is that RWH systems help with storm water retention and attenuation, in that it can be captured and held on site which will reduce the volume of water discharged to the main drainage system, thus reducing flood risk. Additionally, RWH systems are energy efficient and environmentally friendly, requiring no chemicals for water treatment. Treatment is done by filtration.

10.5.3 The solar array will provide energy to the property, resulting in reduced electricity bills. Solar panels produce renewable energy and are therefore environmentally friendly, cutting the carbon footprint of the dwelling.

## 10.6 Trees

10.6.1 Not requiring planning permission but in association with the proposed dwelling, 18,520 trees will be planted. These will consist of 8,500 Oak woodland trees; 3000 woodland edge trees in a 300m by 10m wide strip; 300 evergreen trees to the strip boundary with the Longton bypass; 2300 mixed silviculture trees; 1500 willow silviculture trees; an orchard area consisting of 700 trees and 6 linear metres of hedgerow.

10.6.2 The Council's Arboriculturist has no objections to the proposal and considers the proposal significantly increases net biodiversity and provides for long terms retention and creation of deciduous woodland.

## 10.7 Ecology

10.7.1 A Preliminary Ecological Appraisal dated August 2021 was submitted with the application which has been duly considered by the Council's Ecological Advisors, Greater Manchester Ecology Unit. GMEU advise that no significant ecological constraints were identified by the developer's ecological consultant. Issues relating to, great crested newts, nesting birds, invasive species and landscaping can be resolved via condition. In more detail, GMEU comment as follows:

### Great Crested Newts

*The site was assessed as low risk for great crested newts, with no change since the previous survey. The new development is however further from the ponds than the previous application, with an offence very unlikely even if great crested newts were present. Reasonable avoidance measures have however been recommended and GMEU have no objection to them being applied as they will benefit any other amphibians and small mammals potentially present on the site. Therefore, they recommend a condition is applied to any permission to ensure the development is carried out in accordance with the reasonable avoidance measures for great crested newts contained in the Preliminary Ecological Appraisal, Pennine Ecological revised August 2021 Section 3.24.*

### Nesting Birds



*A section of hedgerow will be lost which is potential bird nesting habitat. All British birds' nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. Therefore, a condition is required to ensure no works to trees, shrubs or hedgerows shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance.*

#### Invasive Species

*A small area of Japanese knotweed and stands of Himalayan balsam were located on the site. There was some evidence that the Japanese knotweed had been treated since the previous survey but was still present. Species such as these are included within this schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. GMEU recommend a condition is applied to any permission requiring the submission of a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam and Japanese knotweed.*

#### Contributing to and Enhancing the Natural Environment

*Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development will result in the loss of a small area of improved grassland and a section of hedgerow to facilitate access. Large areas of tree planting are proposed that will significantly enhance the long-term biodiversity value of the site even if some is managed for carbon as opposed to wildlife.*

10.7.2 GMEU do however note that the native woodland planting, woodland edge and hedge includes some species not native to Lancashire such as Hornbeam, Beech and Field Maple, though accept all are widely planted in particular beech. GMEU are also unsure if large leaf lime is native to Lancashire being more of a lime loving species. Small-leaved lime whilst also probably not locally native would be a better choice as certainly found in parts of Lancashire. However, these are not objections and just issues if the aim is to create a woodland and a landscape typical of this part of Lancashire.

10.7.3 GMEU have no objections to the detail of the landscaping being conditioned as whilst for areas this large they are now usually requesting Defra metric v3, given it is not yet mandatory and the development will clearly achieve a net gain it would be unreasonable unless the applicant was trying to demonstrate exceptional gains to request a metric. As such a condition is proposed to ensure the development and particularly the tree planting, is carried out in accordance with the proposal and secure replacement planting should any trees die within 5 years.

10.7.4 It must also be noted that the Council's Arboriculturist has no objections to the proposal and considers the proposal significantly increases net biodiversity and provides for long terms retention and creation of deciduous woodland.

## **10.8 Drainage**

10.8.1 The Environment Agency have considered the proposals and have no objection to the development. However, they note that the applicant is proposing the use of a Ground Source Heat Pump and therefore provide the following advice:

10.8.2 The Environment Agency regulates open-loop ground source heating and cooling schemes. The proposed development will need:

- a groundwater investigation consent (section 32/3 of the Water Resources Act 1991) to drill and test pump
- a full abstraction licence (Water Resources Act 1991), if the volume of groundwater abstracted is greater than 20 cubic metres per day, and
- an exemption, if you meet the criteria for a low-risk activity, or environmental permit (under the Environmental Permitting (England & Wales) Regulations 2010) to discharge.

10.8.3 The applicant is advised to contact the Environment Agency on 03708 506 506 for pre-permit application discussions. Further guidance can be found at: <https://www.gov.uk/government/publications/new-ground-source-heating-and-cooling-scheme-form-and-guidance-notes>.

10.8.4 The Environment Agency Good Practice Guide relating to the installation and operation of open and closed loop ground source heating and cooling systems can be found on the Ground Source Heat Pump Association website at: [http://www.gshp.org.uk/pdf/EA\\_GSHC\\_Good\\_Practice\\_Guide.pdf](http://www.gshp.org.uk/pdf/EA_GSHC_Good_Practice_Guide.pdf).

10.8.5 In respect of Non-Mains Drainage. The EA advise that there is no information in the application to indicate how foul drainage for the new property will be directed. In this case there is a foul sewer within 40 metres of the site boundary and therefore a connection with the mains would be the expected mode of disposal.

10.8.6 Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

- Connection to the public sewer
- Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
- Septic Tank

10.8.7 Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

10.8.8 The Environment Agency advise the applicant that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form they would carry out an assessment and it can take up to 4 months before they are in a position to decide whether to grant a permit or not.

10.8.9 The Environment Agency also advise:

*Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone. A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.*

*Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.*

*Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.*

*Further advice is available at: Septic tanks and treatment plants: permits and general binding rules*

10.8.10 This information can be included as an informative on the decision notice. However, it must be noted that the application forms at Question 11 do advise the foul sewage will be disposed of to the main sewer.

10.8.11 The Lead Local Flood Authority initially advised that, as no Flood Risk Assessment had been submitted, they would object to the proposal. Under the Flood and Water Management Act 2010 the LLFA is the responsible 'risk management authority' for managing 'local' flood risk which refers to flood risk from surface water, groundwater or from ordinary watercourses. The LLFA is a statutory consultee for major developments with surface water drainage, under the Town and Country Planning (Development Management Procedure) (England) Order 2015. It is in this capacity the response was compiled.

10.8.12 Footnote 55 of Paragraph 167 of the NPPF requires applicants to submit a site-specific FRA when development more than 1 hectare (ha) in flood zone 1 is proposed, which considers all sources of flooding to and from the development. The submitted flood map only considers fluvial flooding, not surface water flood risk (or any other sources of flooding).

10.8.13 The LLFA advised the applicant could overcome their objection by undertaking a FRA which demonstrates that:

- 1) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- 2) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- 3) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- 4) any residual risk can be safely managed; and
- 5) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

10.8.14 Initially, no FRA was requested when the application was first submitted as approximately two thirds of the site is not part of the development requiring planning permission and has only been included in the red edge site plan as the applicant advises it is necessary to tie the land to the proposed dwelling. Following the LLFA's comments, a FRA was requested and received and the LLFA were re-consulted.

10.8.15 The FRA confirms the site is in a 'Very Low' flood risk area. It also explains that an underground rainwater harvesting system which holds up to 90,000 litres would be used to collect all surface water run off created by the proposed dwelling. This would then be used within the dwelling such a toilet flushing, gardening. It would also be used to support a small amount of livestock and for watering the trees. The rainwater harvesting system would include a controlled outflow in the event of overflowing and this would be in the form of slow or calculated release to either a field drain or the combined sewer.

10.8.16 The LLFA confirm that they withdraw their objection subject to a condition being imposed in respect of the submission of a Final Sustainable Drainage Strategy, based on the indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. They also confirmed that no surface water shall be allowed to discharge to the public foul sewer, either directly or indirectly. The LLFA also require informative notes to be included on the decision notice in respect of Ordinary Watercourse (Land Drainage) Consent; and Sustainable Drainage Systems.

## **11. Conclusion**

11.1 The proposal for a residential dwellinghouse with detached garage on this Green Belt site has been fully assessed in terms of relevant planning policies. Although the dwelling would represent inappropriate development in the Green Belt, it is considered that the Very Special Circumstances demonstrated by the applicant, namely the carbon off-set in the form of the solar array, the ground source heat pump, the rainwater harvesting and particularly the planting of 18,520 trees demonstrate those Very Special Circumstances. It must also be recognised that a Permission in Principle for part of the site is currently in place. As such the application is recommended for approval subject to the imposition of conditions.

## **12. RECOMMENDATION:**

12.1 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 submitted approved plans Dwg 801506 Ground Floor Plan; 801500 First Floor Plan; 801569 Elevations; 801564 Roof Plan; 801021 Garage; Coppice Project Carbon Offset Site Plan (no reference); 801416 Vehicular Access Point.  
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development
3. That before the new access hereby permitted becomes operative visibility splays measuring 2 metres by 43 metres are to be provided in both directions, measured along the centre line of the new access point from the continuation of the nearer edge of the existing carriageway, to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.  
REASON: To ensure adequate visibility at the site access in the interest of highway safety.
4. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other hard material to be approved by the Local Planning Authority.  
REASON: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to road users.
5. No use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.  
REASON: To allow for the effective use of the parking areas.
6. No building or use hereby permitted shall be occupied or use commenced until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway (and/or verge) fronting the site in accordance with the approved plans and the Lancashire County Council Specification for Construction of

Estate Roads, to be retained in that form thereafter for the lifetime of the development.

REASON: In the interests of pedestrian safety and accessibility.

7. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.  
REASON: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.
8. An electric vehicle recharge point shall be provided to the property, prior to occupation. This shall consist of as a minimum a 7kWh charging rate and an electrical socket located externally (or in the garage if available) in such a position that a 3 metre cable will reach the designated car parking spaces. A switch shall be provided internally to allow the power to be turned off by the residents.  
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.
9. During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at any time on Sundays or nationally recognised Bank Holidays.  
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy
10. No deliveries of construction materials or removal of construction waste shall be undertaken outside the hours of 09:00 - 17:00 Monday to Friday. No deliveries or removal of waste shall be carried out at weekends or nationally recognised Bank Holidays.  
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy.
11. Prior to the commencement of any works on site, details of all piling activities shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to 09:30-17:00 Monday to Friday with no activity Saturday, Sunday or nationally recognised Bank Holidays.  
Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy.
12. Prior to the commencement of any works on site, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
  - (a) A full desk study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases, in line with BS10175:2011 +A1:2013.
  - (b) If the desk study identifies potential contamination and/or ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and/or ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied buildings, 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 be approved in writing by the LPA prior to the start of the site investigation survey.

(c) A remediation statement, detailing the recommendations and remedial measures to be implemented within the site.

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

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

Reason: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990, in accordance with Policy 17 of the Central Lancashire Core Strategy

13. 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 is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 of the Central Lancashire Core Strategy

14. Prior to the importation of any subsoil and/or topsoil material into the proposed development site, information supporting the suitability of the material shall be submitted to the Local Planning Authority for approval in writing.

The information submitted shall include details of the material source, sampling methodologies and analysis results, which demonstrates the material does not pose a risk to human health as defined under Part 2A of the Environmental Protection Act 1990.

REASON: To ensure that the site is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 of the Central Lancashire Core Strategy

15. The development shall be carried out in accordance with the reasonable avoidance measures for great crested newts contained in the Preliminary Ecological Appraisal, Pennine Ecological revised August 2021 Section 3.24 as already submitted with the planning application and agreed in principle with the LPA prior to determination.

16. No works to trees, shrubs or hedgerows shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

17. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Himalayan balsam and Japanese knotweed should

be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

18. The approved landscaping scheme shall be implemented in the first planting season following the granting of planning permission. The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the Local Planning Authority. 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 and Policy G8 in the South Ribble Local Plan
19. The development hereby approved shall be used only for purposes incidental to the use of the dwelling house and shall not be used for any commercial, industrial or business purpose.  
REASON: In the interests of residential amenity in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan
20. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.  
The detailed sustainable drainage strategy shall be based upon the indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.  
The details of the drainage strategy to be submitted for approval shall include, as a minimum;
  - a) Demonstrate that the rainwater harvesting tank can accommodate the designed storm criteria (1 in 1 year, 1 in 30 year and 1 in 100 year + 40% climate change rainfall events) for the developed/impermeable area;
  - b) Demonstrate the overflow measures for the rainwater harvesting system, including rates, volumes, overflow destinations and flow paths;
  - c) Final sustainable drainage plans appropriately labelled to include, as a minimum:
    - i. Plan identifying areas contributing to the rainwater harvesting tank;
    - ii. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
  - d) How surface water will be managed during the construction phase to ensure no adverse impacts to water quantity or water quality, including areas outside the curtilage as necessary;
  - e) Provide a maintenance plan outlining details of ownership, maintenance, operational and access requirements for the rainwater harvesting tank and any associated components.The sustainable drainage strategy shall be implemented in accordance with the approved details.  
Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.
21. Foul and surface water shall be drained on separate systems.  
REASON: To secure proper drainage and to manage the risk of flooding and pollution.

## **RELEVANT POLICY**

### **Local Plan Policy G1: Green Belt**

### **Core Strategy Policy 28: Renewable and Low Carbon Energy Schemes**

### **Core Strategy Policy 29: Water Management**

## **Informative Notes**

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings.aspx>

2. Ground Source Heat Pump - Advice to applicant

The Environment Agency regulates open-loop ground source heating and cooling schemes. The proposed development will need:

- o a groundwater investigation consent (section 32/3 of the Water Resources Act 1991) to drill and test pump
- o a full abstraction licence (Water Resources Act 1991), if the volume of groundwater abstracted is greater than 20 cubic metres per day, and
- o an exemption, if you meet the criteria for a low-risk activity, or environmental permit (under the Environmental Permitting (England & Wales) Regulations 2010) to discharge.

The applicant is advised to contact the Environment Agency on 03708 506 506 for pre-permit application discussions. Further guidance can be found at: <https://www.gov.uk/government/publications/new-ground-source-heating-and-cooling-scheme-form-and-guidance-notes>.

The Environment Agency Good Practice Guide relating to the installation and operation of open and closed loop ground source heating and cooling systems can be found on the Ground Source Heat Pump Association website at: [http://www.gshp.org.uk/pdf/EA\\_GSHC\\_Good\\_Practice\\_Guide.pdf](http://www.gshp.org.uk/pdf/EA_GSHC_Good_Practice_Guide.pdf).

3. Non-Mains Drainage - Advice to applicant

There is no information in the application to indicate how foul drainage for the new property will be directed. In this case there is a foul sewer within 40metres of the site boundary and therefore a connection with the mains would be the expected mode of disposal.

Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
4. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission.



This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: Septic tanks and treatment plants: permits and general binding rules

#### 5. Ordinary Watercourse (Land Drainage) Consent

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent from the Lead Local Flood Authority if you want to build a culvert or structure (such as a weir or outfall) or carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

As a minimum, the applicant will be expected to:

- o Carry out studies of the existing culvert/watercourse condition and capacity;
- o Undertake an examination of the downstream condition and implications of the development proposal, and;
- o Restrict discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 1 in 1-year rainfall event and the 1 in 100-year rainfall event should never exceed the peak greenfield runoff rate for the same event.

As per Lancashire County Councils Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent to applications that seek to culvert an existing ordinary watercourse. This is in line with Environment Agency guidance on protecting watercourses.

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Information on the application process and relevant forms can be found here:

<https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse/>

For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given. The applicant must obtain land drainage consent from Lancashire County Council before starting any works on site.

#### 6. Sustainable Drainage Systems: Advice & Further Information

Further information and advice on SuDS can be found in:

- o CIRIA C687 - Planning for SuDS - Making it Happen
- o CIRIA C753 - The SuDS manual
- o CIRIA C635 - Designing for exceedance in urban drainage: good practice
- o CIRIA C698 - Site handbook for the construction of SUDS
- o HR Wallingford SR 666 - Use of SuDS in high density developments
- o National Planning Policy Framework and Planning Practice Guidance

This response does not cover highway drainage, matters pertaining to highway adoption (s38 Highways Act 1980) and/or off-site highway works (s278 Highways Act 1980). Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the relevant highway authority.

The applicant is encouraged to discuss the suitability of any overland flow routes and/or flood water exceedance with the relevant highway authority should they have the potential to impact the public highway network and/or public highway drainage infrastructure (either existing or proposed).