

**Application Number** 07/2022/00457/FUL

Former Lostock Hall Primary School site  
Avondale Drive  
Lostock Hall  
Preston PR5 5BQ

**Applicant** Westchurch Homes Ltd

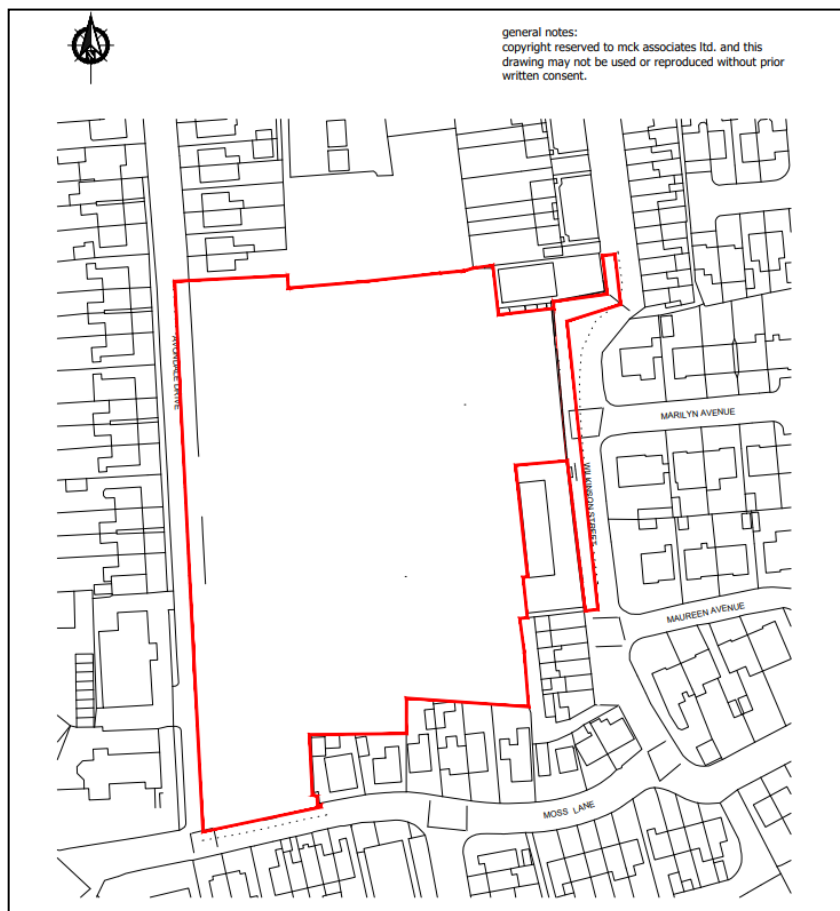
**Agent** Maybern Planning & Development  
Hurstwood Court Business Centre  
New Hall Hey Road  
Rawtenstall,  
Rossendale BB4 6HR

**Development** Erection of 50 Residential Units with access, parking, open space and landscaping infrastructure.

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

**Officer** Debbie Roberts

Date application valid 01.06.2022  
Target Determination Date 31.08.2022  
Extension of Time 12.10.2022



## **1. Report Summary**

1.1. The application site is the former Lostock Hall Primary School site accessed from Avondale Drive, Lostock Hall. The site covers roughly 1.5ha and is bound on all sides by primarily residential properties. St James Church and community centre face the south-west corner across Avondale Drive. Semi-mature trees are present along this boundary; none of which are formally protected.

1.2. The northern boundary is screened by what appears from the site to be a small wood but are the densely vegetated rear gardens of dwellings on Avondale Drive, Browndedge Road and Moss Street.

1.3. Former school buildings which ranged from single to three storeys were located to the south-west corner of the site but have recently been demolished. A detached pre-fabricated garage also abutted the eastern side (Moss and Wilkinson Streets) but has been demolished; vehicle access remains possible from this point. A small commercial building and Guide headquarters straddle the former garage site but are outside the site boundary.

1.4. Along the southern edge is Moss Lane; a predominantly residential street.

1.5. The whole development site is allocated by Policy D1 (New Development) of the South Ribble Local Plan.

1.6. In response to publicity 47 letters of representation have been received although many are multiples from the same person. Comments raised by statutory consultees have been dealt with either by amendments to the scheme or by condition

In policy and spatial separation terms the proposal is considered compliant, and having regard to the comments of statutory bodies and the following commentary, it is recommended that Members are minded to approve the application, and that the decision is delegated to the Director of Planning and Housing in consultation with Chair and Vice-Chair of the Planning Committee upon successful completion of a legal agreement to secure a financial contribution towards public open space and on-site affordable housing, and confirmation of agreement to drainage proposals from United Utilities.

### **Application Site and Surrounding Area**

1.7. The application site is the former Lostock Hall Primary School site on Avondale Drive, Lostock Hall. The site covers roughly 1.5ha and is bound on all sides by primarily residential properties. St James Church and community centre face the south-west corner across Avondale Drive.

1.8. Pedestrian access is from Avondale Drive (western side) and although semi-mature trees are present along this boundary, none are formally protected. Densely vegetated rear gardens provide full screening to dwellings along the northern side, and Moss Lane, Moss and Wilkinson Streets – primary residential – span the eastern and southern side. These streets are also home to a small commercial building and Guide headquarters

1.9. Former school buildings which ranged from single to three storeys were located to the south-west corner of the site. A double, detached pre-fabricated garage also lay on the eastern side. All site buildings have since been demolished and the site is open but secured by former school fencing.

1.10. The whole site is allocated by Policy D1 (New Development) of the South Ribble Local Plan. There are no public rights of way or protected trees on or around the site edges,

and the site is within Flood Zone 1 (least likely to flood). The north-west and south-west site corners are around 100m from the Tardy Gate Retail Centre Air Quality Management Area

## **2. Site Context / Planning History**

3.1 There are four applications on the site's history.

- ☐ 07/1992/0182 – extension and adaptation to form 26 place nursery. Approved April 1992
- ☐ 07/2002/1037 – erection of railings and gates. Approved Jan 2003
- ☐ 07/2007/0312/FUL – Demolition of buildings and erection of 36 dwellings. Withdrawn
- ☐ 07/2021/00799/DEM – Demolition of school and nursery. Prior approval not required. August 2021

## **3. Proposal**

3.1. The applicant seeks permission for erection of 50 no: two storey apartments, terraced and semi-detached dwellings with associated infrastructure. The 8 x 1-bedroom flats, 15 x 2 bed, 21 x 3 bed and 6 x 4 bed properties would all be affordable housing with a social housing/intermediate sale split (to be agreed).

3.2. The proposal provides for 6 complementary house types to be constructed in brick, with tiled roof and decorative render sections as per the approved materials plan.

3.3. Primary access would be from the western side off Avondale Drive, with a central 'T' shaped arrangement within the site. Eighteen properties would have private access from either Avondale Drive or Wilkinson Street. All estate roads would have pavements on either side, and pedestrian access would be possible onto Wilkinson Street in the east.,

3.4. Properties would include off road parking to the standards required of Local Plan Policy F1. Waste storage is possible to the rear of each dwelling, and a central bin store is proposed for the apartments. An electric vehicle charging point would be required to all properties with a private drive and to 10% of communal spaces; these would be secured by condition.

3.5. Public open space would be provided in the north-west corner – to be managed by the registered provider. Gardens to each property would also retain the 'green' feel of the overall site. Some trees would be removed but some retained, and mitigation has been identified for 31 tree replacements in addition to through site landscaping.

## **4. Summary of Supporting Documents**

4.1. The application is accompanied by the suite of documents identified by recommended condition 2

## **5. Representations**

### **5.1. Summary of Publicity**

5.1.1. Four site notices have been posted, and 100 neighbouring properties consulted. Ward Councillors Hughes, Mort and Trafford have also been notified

### **5.2. Letters of Objection or Support**

5.2.1. Forty-seven letters of objection have been received although many are multiples from the same residents, or multiples of the same photocopied letter.

### 5.3. In Objection

#### Highways

- ☐ Inadequate highway infrastructure already in bad state of repair
- ☐ Impossible to re-design highway layout to mitigate against issues
- ☐ Proposed layout funnels all traffic through Avondale Drive
- ☐ Traffic calming measures needed on surrounding roads
- ☐ State of existing road surfaces which will suffer further
- ☐ 'Disappointed' that Avondale Drive won't be widened
- ☐ Existing and assumed future congestion
- ☐ Roads surrounding used as a cut through to access Browndale Road without waiting at Tardy Gate lights, despite roads being access only
- ☐ Reduced pedestrian safety
- ☐ Impact from private driveways on Wilkinson Street

#### Residential Amenity

- ☐ Too many houses in already busy area
- ☐ Loss of privacy
- ☐ Noise pollution from new residents
- ☐ Air pollution issues - Lostock Hall is a clean air zone. Potential pollution
- ☐ Lack of play areas
- ☐ Bin store too close to Wilkinson Street properties
- ☐ Problems during construction
- ☐ Impact on J Seed business (Moss Lane)
  - o Parking issues
  - o Flooding
  - o Potential for new residents to object to early working hours

#### Design

- ☐ Badly designed layout with dominant parking provision
- ☐ Public open space reduces visual amenity because of proximity to rear gardens and parking areas
- ☐ Unbalanced mix of house types – suggestions made to adjust scheme and relocate apartments (two storey) away from existing houses
- ☐ Some re-use of reclaimed school features should be incorporated
- ☐ Discord with Chapter 12 (Achieving well-designed places) NPPF
- ☐ Over intensification of the site – Local Plan says no more than 30 houses
- ☐ Respondent requests certainty that electric charging points will be installed
- ☐ Lost privacy and light from 'overbearing' flats

#### Other

- ☐ One respondent supports affordable housing but suggests 100% should be social housing instead of social/intermediate split
- ☐ Affordable housing should not be 3 or 4 bedrooomed in this area. One and two beds are sufficient
- ☐ Affordable houses home too many children without schools to accommodate
- ☐ Lack of infrastructure (school places, doctors etc)
- ☐ Proposal site 'red edge' includes access to Guide Hut
- ☐ Resident requests the site should be a play area instead
- ☐ Lack of public consultation
- ☐ Proposal site edge includes land belonging to dance school
- ☐ Proposal '*fettters future development*' of dance school site so respondent request orientation change of properties to rear of dance school building
- ☐ Objection to fences around dance school
- ☐
- ☐ Path along dance school will encourage anti-social behaviour

- ☒ Request for deferral of committee to accommodate existing appointments
- ☒ Scheme is simply a money making idea and shouldn't be allowed

#### Environmental Issues

- ☒ Impact on wildlife and the environment including common toad and bats which are protected
- ☒ Elderly drainage system cannot cope
- ☒ Limited soakaway drainage options
- ☒ Previous and significant flooding on Wilkinson Street/Marilyn Avenue area
- ☒ Water wastage from 50 dwellings
- ☒ Flood risk assessment not fit for purpose

#### 5.4. Officer Comment In Response:

*5.4.1. Highways* – matters relating to highway design, and impacts arising from development have been considered by LCC Highways at Section 7. Parking standards within the site have been checked and are considered acceptable. As such each unit can accommodate vehicles within its own plot without compromising the wider area.

*5.4.2 Residential Amenity* - reports provided relating to construction management – which in planning terms is deemed a temporary nuisance, noise and air quality have been assessed by Environmental Health at Section 7 below, although the Air Quality Management Area is located at Tardy Gate 100m away and does not cover this site or extended area.

*5.4.3 Design* – Local Plan Policy D1 provides for development of this site but is clear in appended Table 1 that the 30-unit suggestion for this site is an '*estimated number of dwellings*'. It does not at any point guarantee a minimum or maximum quantity but is a starting point which may vary depending on the type and size of properties needed to align with the wider streetscene. Electric vehicle charging points would be required to all properties with a private driveway, or to 10% of communal parking spaces as required by condition. Design in general is considered at Section 8.3

*5.4.4. Environmental Issues* – the accompanying ecological and flood risk assessments have been considered at Section 7 below.

*5.4.5. Other* – Public consultation by the planning department has taken place in accordance with current regulations, although given the timeframe within which the applicant has developed the proposals (from contract discussions with Homes England), this scheme was not subject to pre-submission public consultation as encouraged by the Councils Statement of Community Involvement. This process however is not mandatory and overall, Officers are confident that the Council has fulfilled its statutory duty where public consultation is concerned.

*5.4.6.* Issues relating to land ownership and registry are a civil matter outside of this process, and the future development of a site where planning permission does not already exist cannot be given credence. Should the dance school site come forward for planning permission in the future this will be assessed in the normal way. Separately, applications are assigned to a planning committee agenda once all matters are considered resolved by officers; deferral at the request of a resident is not possible.

*5.4.7. Agent of Change Principle* - NPPF Para 187 states that '*planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse*

*effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed'. This issue is true of both J Seed's business and the dance school which should not expect to suffer as a result of proposed development. The fundamental ability for this site to be developed as housing land however has been examined and found sound by the Inspectorate during adoption of the Local Plan. Acoustic fencing to prevent noise transfer to or from the dance school has been proposed and agreed by the Councils' Environmental Health officers' but is not acceptable to the occupants of the school. Whilst amenity must be considered for the school, the current owner of the proposal site may erect fences regardless without planning permission and this must be given considerable weight in the planning balance. Subject to fencing being suitable as a sound mitigation measure therefore, its erection alone should not be used as a reason to refuse an already allocated housing site; particularly as fencing is permitted development. As noted above both highways and noise issues are considered by the relevant consultees as experts in their fields, and with both businesses – as with all developments – there also has to be an element of 'buyer beware' to future occupants.*

## **6. Summary of Responses**

**6.1. Lancashire County Council Highways** - further to re-consultation of 11 August 2022 LCC have the following comments to make:

*'The applicant appears to have addressed the majority of points raised in my previous observations (apart from cycle storage and EV charging which can be covered by conditions) and there are no highway objections subject to the conditions included below.*

*The access and reinstatement work associated with the former school, are acceptable. These works will need to be constructed under a section 278 agreement of the Highways Act, and I must stress to the developer that the demand to enter into section 278 agreements with Lancashire County Council as the highway authority is extremely high. Enquiries are being dealt with on a first come first served basis. As such all developers are advised to seek to enter into Section 278 agreements at a very early stage.*

*The internal residential roads appear to be designed to provide 5.5m carriageway widths with 2m wide footways provided on both sides of the road throughout the site. This would be acceptable to LCC for adoption under a s38 agreement.*

*The proposed pedestrian link between the site and Wilkinson Street would be suitable for adoption if provided with both lighting and drainage. It would be prudent to include a bollard at each end of the route to prevent vehicles entering the path.*

**6.2. Lancashire Constabulary** - as recommended by Lancashire Constabulary Designing Out Crime Team, the principles of Crime Prevention Through Environmental Design have been incorporated into the accompanying Crime Impact Statement (P Martin). In addition, it is recommended that the scheme is built to achieve Secured by Design (SBD) certification; an informative note to this effect has been added to the recommendation.

**6.3. Lancashire County Education** - An education contribution is not required at this stage in regard to the proposed development

**6.4. Ecology Consultant** - The accompanying ecology survey notes that appropriate surveys were undertaken prior to, and following demolition of school buildings. They recommend either that trees are retained or suitably replaced, and that roosting opportunities (bats and birds) are installed, in addition to 'hedgehog highways' at the base of all fencing. The proposal also has the potential to impact upon nesting birds for which a precautionary condition is required.

The Councils Ecologist states that the Preliminary Ecological Appraisal found the site to have some but limited ecological interest, with the interest being largely restricted to trees and scrub on the site's edges. The scrub and some trees will be lost with replacement trees and new native hedgerows included in the landscaping scheme. Precautionary conditions relating to nesting birds, and one requiring Biodiversity Enhancement Measures are recommended

**6.5. Economic Development** - An Employment and Skills Statement in line with the Central Lancashire SPD has been provided and assessed by the Councils Economic Development Team who confirm that it only makes reference to the intention to discuss the specific numbers of the apprenticeships, training opportunities, placements etc. which our SPD requires. There are no details directly related to the size and value of the project, as set out in the appendix of the SPD which should be included. ED are satisfied however that this can be achieved via pre commencement condition

**6.6. Environment Agency** – no comment

**6.7. Environmental Health** - The north-west and south-west corners of the school site are within close proximity of an Air Quality Management Area (AQMA3 100m away on Tardy Gate). An Air Quality Assessment has been provided which predicts that the site will not have a detrimental impact on local air quality either during or post construction. Mitigation in relation to vehicle emission is therefore not required. Environmental Health have no objection to this or the development in general but have concerns that commercial activity associated with Greens Dance Centre may adversely affect future residents of properties that border onto the Centre due to excessive noise. A condition to require pre commencement noise mitigation therefore is recommended as are conditions relating to piling, vehicle chargers, and construction management

**6.8. Lead Local Flood Authority** – following a detailed amended scheme, LLFA wishes to withdraw its objection to the above application which will be acceptable subject to the inclusion of conditions relating to sustainable drainage and management.

**7.7 South Ribble Arborist** - The applicants Tree Survey notes that of seventeen trees, two tree groups and three hedgerows assessed five category C (low quality) trees would be removed to facilitate development. Three category C trees within the developable area would be removed for tree health reasons or because of their limited life span, and three category U trees (unsuitable for retention) are recommended for removal regardless of the development proposals. The report considers that trees to be removed offer only limited general visual or amenity value, but that the site can accommodate extensive and widespread new planting within proposed gardens, within the public open space to the north west corner and throughout the development area. The Councils Arborist agrees with these comments subject to tree protection measures for all trees to be retained. He notes that it is proposed to remove 11 trees in total, 3 because of their poor condition and 8 to facilitate the development, but that all these trees bar one are part of the group in the site centre. None are exceptional specimens though collectively they do provide a moderate level of public visual amenity. The most important trees are the trees in the north west corner fronting Avondale Drive.

**6.9. Sports England** – as the school field is no longer being used as a playing field, has not been used as a playing field in the last 5 years and is not allocated as a playing field in the Local Plan, Sports England do not need to be consulted.

**6.10. United Utilities** - Following UU's review of the submitted proposed drainage layout included in Drainage Strategy, Rev; 006 Ref: XLRD32450, Dated May 2022 (Sutcliffe) they confirmed that whilst the proposals are acceptable in principle, there was insufficient information on the detail of the drainage design as there is ongoing on-site ingestion of the

existing public sewers. Should planning permission be granted UU have requested a pre commencement condition relating to sustainable drainage.

Following review of a subsequent technical note UU advise that a request has been sent to their own Planning Liaison team to update their response. Although this was sent on the date of agenda closing, UU confirm that they now agree the most appropriate point of discharge for this site is to the combined sewer in the junction of Moss Lane and Avondale Drive, where the previous school discharged. As such, the recommendation to approve includes a caveat that this is subject to receipt of final agreement to drainage details from UU.

## **7. Material Considerations**

### **7.1. Principle Of Development**

7.1.1. The whole site is allocated by Policy D1 (New Development) of the South Ribble Local Plan. The plan aims to focus and prioritise development in the urban areas of South Ribble so as to maximise access to services, sustainable travel options and infrastructure.

7.1.2. The proposal site has been assessed through the Local Plan process and is considered to be in a suitable location for housing and related infrastructure, with a reasonable prospect of being brought forward for development. Identified as 'Site Z' the developable area has a suggested allocation for 30 dwellings, although this is neither minimum nor maximum, and would be subject to levels of density and types of property in line with the surrounding area. Policy D1 confirms that '*since the closure of the school the open space is no longer in use*' but does state that '*the development must provide for an appropriate area of on-site open space to mitigate against the loss of the school playing field*'

7.1.3. Separately, the site – other than the former school area, hardstanding used as playground and a strip of land to the rear and side of adjacent houses on Moss Lane and Wilkinson Street separated by a fence – is also allocated by the Local Plan Policy G7 as Green Infrastructure.

7.1.4. Policy G7 seeks to protect and enhance existing Green Infrastructure. Development will not be permitted in areas allocated by this policy unless alternative provision of similar or better community facilities can be provided within the locality; or it can be demonstrated that the site is not required to satisfy a local recreational need. Developers should also demonstrate that the schemes public benefits would outweigh any loss of amenity or nature conservation value of the site.

7.1.5. In light of the D1 housing allocation the principle of development to meet housing need – subject to all other matters being appropriate – is accepted. The land is also identified on the Councils brownfield register as a suitable, urban redevelopment area. The proposed 50-unit development in its current form would exceed the nominal figure of 30 shown in the Local Plan but would be an efficient use of land in line with NPPF Chapter 11 (below). The sites G7 green infrastructure allocation sits alongside this, but as the site has not been in community use for many years, does not satisfy a recreational need – it is not a designated sports pitch or facility, public open space or accessible, and any natural loss would be suitably mitigated, the only loss of amenity likely is a visual one which is limited already because of railings and trees which partially screen the site.

### **7.2. Additional Policy Background**

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

#### **7.2.2. *National Planning Policy Framework 2021***



☐ The NPPF at Para 11: presumes 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 marked interest are:

☐ 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. Para 73 in addition states that *'the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities'*

☐ 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

☐ 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 to make the most of available land, but development should also reflect its surroundings. Para 120 states that planning decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains. Decisions should also give substantial weight to the value of using suitable brownfield land within settlements for homes and promote and support the development of under-utilised land and buildings; especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively.

☐ 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. Para 131 notes that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning decisions should take the opportunity to incorporate trees in developments and to take appropriate measures to retain existing trees wherever possible.

☐ 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.

☐ 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

### 7.2.3. Central Lancashire Core Strategy

☐ Policy 1: Locating Growth focusses growth and investment on well-located, brownfield sites within key service and urban areas of the Borough.

☐ Policy 3: Travel encourages alternative, sustainable travel methods to reduce dependence on motor vehicles.

☐ Policy 4: Housing Delivery provides for, and manages the delivery of, new housing.

☐ 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

☐ 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.

☐ 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

☐ Policy 17: Design of New Buildings requires new development to take account of the character and appearance of the local area.

☐ Policy 22: Biodiversity & Geodiversity aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area

☐ 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.

☐ Policy 29: Water Management seeks to improve water quality and flood management by appraising, managing and reducing flood risk in all new development.

#### 7.2.4. *South Ribble Local Plan*

☐ In addition to site allocation policies D1 and G7 (above), the following are also pertinent:

☐ 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.

☐ Policy F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.

☐ 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

☐ 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.

☐ 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.

☐ 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.

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

7.2.5. *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.

7.2.6. *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

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

### 7.3. Other Matters

#### 7.3.1. *Design, Character and Appearance, and Relationship with Neighbouring Properties*

7.3.2.1. *Design* - Policy G17 supports redevelopment where proposals are in keeping with the areas character and appearance, and where it would not adversely affect the amenity of nearby residents, or highways and pedestrian safety. The South Ribble Residential Design SPD echoes these sentiments but in a more prescribed manner. The wider area is characterised by traditional dwellings in a range of heights, but typically semi-detached properties of a similar design. The proposal whilst introducing modern design and methods of construction complements these properties. Amenity space is similar to those surrounding, and although landscaping on site is limited to the area of open space in the corner, the site has until recently been a disused, previously developed area with only the remainder of playing fields for visual benefit. The proposal although introducing more built development should not be detrimental, but should fit seamlessly into the streetscene

7.3.2.2. *Spatial Separation* - The South Ribble Residential Design SPD states that there should be 21m between directly facing habitable room windows, and 13m between any habitable room window and facing blank wall or gable (Paras C1.8 and C3.7 respectively). Any proposal would need to be able to achieve the required minimum separation. Para C6.11 of the same SPD states that any windows located to habitable rooms at first floor should be located a minimum of 10 metres from any facing neighbouring boundary/garden to protect the privacy of any facing private amenity space; para DG01 supports this by saying that proposals should not result in an unacceptable loss of private amenity space.

7.3.2.3. Properties around the site edges enjoy suitable spatial separation. Those on the eastern side would have between 23 and 43m distance across Moss and Wilkinson Streets. Properties on Moss Lane (south) also would have 21m – 22m separation, and dwellings on Avondale Drive would be between 23m and 30m from the proposal; many would also be well screened by existing and proposed landscaping/trees. In the north the blank side of Plot 42 would be 5m from the side elevation of the single storey Guide building but existing trees and proposed fencing would screen some of the Guide building windows which appear to be obscurely glazed and narrow. Plot 50 would also be 15m from the side elevation (landing window) of no 19 Avondale Drive. ‘Mossfield’ and ‘St James Vicarage’ are 55m and 76m respectively from the northern site boundary.

7.3.2.4. Within the site proposed dwellings are also policy compliant other than 3 plots which are slightly substandard (less than 1m shortfall). When taking into account existing and proposed boundary treatments, and the orientation of individual properties however loss of amenity to or from these dwellings is not anticipated.

#### 7.3.3. *Sustainable Development*

7.3.3.1. One of the core principles of the NPPF is to ensure that development is sustainable include opportunities to promote renewable energy sources, and alternatives to vehicle use including walking, cycling and public transport. Whilst the proposed layout offers maximum permeability for pedestrians and cyclists it also benefits from the following:

7.3.3.2. *Community Facilities* – There are three high schools within 1.5 miles of the site and ten primary schools within the same distance; two of which are less than 350m away. Three GP and four dental surgeries sit within a one-mile radius, and there is a retail centre at Tardy Gate roughly 350m away.

7.3.3.3. *Sustainable Transport Modes* – There are bus stops on Browndge Road and Watkin Lane (adjacent) and throughout the wider area, and a cycle route 185m north on Watkin Lane. Public footpaths surround the site on all sides. Lostock Hall, Bamber Bridge and Leyland railway stations are 200m, 1.1miles and 1.9 miles from the site entrance. The junction with the M65 motorway lies 0.6m south-east

7.3.3.4. *Public Rights of Way* –none within the site but public right of way 7-2-FP-74 runs south-east on Moss Lane

7.3.3.5. *Construction Standards* - Any approved dwelling must be constructed to at least Code for Sustainable Homes Level 3 with a minimum19% energy efficiency uplift. Waste storage has been provided to the rear of each dwelling remises, and an electric vehicle charging point identified for each property with a drive; 10% of communal parking spaces also provide for charging points which would all be secured by condition. The applicant has provided an energy statement which shows that they are exploring renewable energy options in order to achieve the Code requirement.

7.3.3.6. *Water Management* – Core Strategy Policy 29(e) (Water Management) seeks to improve water quality and flood management in areas such as Lostock Hall. The site is within Flood Zone 1 (least likely to flood) and a flood risk assessment has been provided. There is an extensive sewer and surface water drainage network on all sides and following sequential assessment against the statutory drainage hierarchy it has been decided to utilise existing infrastructure. Infiltration – the preferred surface water disposal option – is not viable due to unsuitable ground conditions.

7.3.3.7. Details provided by residents relating to past flooding issues were provided to the applicant prior to revision of drainage proposals requested by the LLFA and UU. These plans are now considered acceptable to LLFA and in principle to UU

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

#### 7.3.4. *Developer Contributions*

7.3.4.1. Local Plan Policy A1 (Developer Contributions) expects that most new development will contribute towards mitigation against impact on infrastructure, services and the environment. Contributions would be secured where appropriate through planning obligations (Section 106 agreement) and/or Community Infrastructure Levy.

7.3.4.2. *Affordable housing* – a minimum of 30% of properties on any development exceeding 15 dwellings must be affordable as per the requirements of the Central Lancashire Affordable Housing SPD. This development offers 100% of affordable housing which would contribute significantly towards the annual requirement, whilst allowing for affordable development elsewhere. The offer which the applicant has agreed would be secured by S106 agreement, would be delivered for, and managed by an experience registered provider and exceeds the policy requirement.

7.3.4.3. *Community Infrastructure Levy* – CIL is payable on most new developments, but is not payable on apartments or affordable units

7.3.4.4. *Public Open Space* - The NPPF states that ‘*access to high quality open space makes an important contribution to the health and wellbeing of communities*’. This is supported by Core Strategy Policy 24 (Sport and Recreation) which sets out ways of ensuring that everyone has the opportunity to access good sport, physical activity and recreation facilities. As such, all new residential development resulting in a net gain of 5 dwellings must provide sufficient green infrastructure to meet the recreational needs of the development in accordance with specific but flexible standards laid down in the Central Lancashire Open Space and Playing Pitch SPD.

7.3.4.5. Although there is woodland at the northern end it amounts to 0.39ha less that would be required on site. To provide the full amount however would be of limited value in this location but would disrupt the sites compliant layout, and as such the offer as it stands for on-site provision on a relatively small site is felt to be acceptable. A financial contribution of £88,700 towards off site provision however has been agreed - £20,000 towards Central Park and £68,700 towards playing pitch provision. This would be secured by S106 agreement

## **8. Conclusion**

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

### 9.2. Material Considerations In Favour of Development Include:

- Delivery of 50 (100%) affordable housing units in an area of evidenced need
- Public open space contribution of £88,700
- Contribution towards 5-year housing land supply
- Average density of approximately 35 dwellings per hectare with appropriate spatial separation and access
- ☐ Retention of existing trees and shrubbery, and augmentation of the same
- ☐ No objection from the Councils statutory consultees
- ☐ Well designed, sustainable development which is protective of existing residents and within reach of existing infrastructure
- ☐ Ecological mitigation

### Material Considerations Against Development include:

- Loss of open, partially green site may affect the areas visual character and appearance
- Increased noise and traffic generation

9.5. Members are asked to consider the value of retaining this previously developed school site which is now fairly untidy against the implications and benefits of developing the site for residential purposes.

9.6. Officers believe that it has been demonstrated that the site is not needed to satisfy a recreational or educational need in the local area. The land is private, and the school which was closed for some time has since been demolished. Playing fields are open visually but secured and offer no real amenity value to residents other than their greenness which without future maintenance cannot be assured. Retention and proposed enhancement of habitats on the site however suggests a scheme which would not detrimentally affect nature conservation value. The proposal site is allocated for residential development, and the scheme before you is considered to be a well-designed, spatially acceptable development which would offer no less visual amenity than the existing site; particularly when taking into account the surrounding street scene. For these reasons the proposal is considered to accord with the requirements of Policy G13, 16 and 17 of the South Ribble Local Plan 2012-2026.

9.7. The Councils statutory consultees have appraised the situation and have either recommended conditions to any approval or have no objection. The proposed affordable housing and public open space requirements of the Core Strategy have been addressed and the benefits seen from provision of 50 affordable homes in a variety of tenure must be given considerable weight in the planning balance. The Councils Housing Officer supports the affordable offer for this locality

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

**RECOMMENDATION:**

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

**RECOMMENDATION:**

Approval Subject to a S106 Agreement.

**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 with reference to the following approved plans and suite of documents:
  - o Air Quality Assessment (102812/V2 27.4.22 Miller Goodall)
  - o Arboricultural Impact Assessment (BTC2467 May 2022)
  - o CIL documentation
  - o Crime Impact V1 May 22
  - o Energy Statement (R3005 May 22 Focus)
  - o Flood Risk Assessment (LRD32450/3 May 22 Sutcliffe)
  - o Drainage Strategy (LRD32450/3 Issue 6 August 22(Sutcliffe)
  - o Ground investigation report, and desk studies Parts 1 thru 4 (42374/Nov 19 Ian Farmer)
  - o Planning, Design and Access Statement (18-093 Maybern)
  - o Preliminary Ecological Assessment (AECOM V2/May 22)
  - o Transport Statement (J326661 May 22: Mode)
  - o Indicative street furniture amendments - drawing number: J32-6661-PS-003

Plans

Westchurch Prefix 1019-  
Boundary treatment (BT01/B)

Hard landscaping (H101/B)  
Materials plan (MT01/C Westchurch)  
Proposed planning layout (PL01/B (colour and greyscale))  
Waste management (WM01/B)

MCK

House types

- o Balmoral (1239-BAL-114)
- o Burghley Alt 2 (614A2-113/C)
- o Burghley Alt 2 MB (614A2-BUR-116/C)
- o Gosford EHG (912-GOS-111/E)
- o Haddon (872-HAD-113/E)
- o Haddon (872-HAD-114/E)
- o Haddon MB (872-HAD-116E)
- o Haddon MH (872-HAD-117/E)
- o Lyme (1051-LYM-110/A)
- o Lyme EBH (1051-LYM-114)
- o Lyme MB (1051-LYM-116/A)
- o Lyme MH/MB (1051-LYM-117)
- o Petworth (950-PET-114/E)

Location plan (21-140/SL01/C MCK)

Topographical survey (2256/P 1 and 2 of 2 :40Seven)

Landscape proposals (6874.01/A TBA)

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. Prior to first occupation of the first apartment, the communal waste bin store shall be provided as per approved plan WM01/B and 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
4. Prior to commencement of development of first dwelling above ground hereby approved details of future employment and skills in line with the Central Lancashire Employment and Skills SPD and Appendix 1 of the same document shall be submitted to, and approved in writing by the Local Planning Authority. Once approved the assessment shall be adhered to thereafter unless agreed in writing with the Local Planning Authority  
REASON: To identify skills shortages, and to ensure that there are the necessary employment and skills opportunities in local areas in accordance with Central Lancashire Core Strategy Policy 15 .
5. Prior to first occupation of each dwelling hereby approved, a storage area for 4 wheeled bins shall be provided to the rear of that property and 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
6. 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.
- 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 before development commences that construction methods 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

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

REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate

8. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

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

9. 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

10. Prior to commencement of works on site details of all piling activity 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.

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

11. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment, surface water sustainable drainage strategy and Sustainable Drainage Pro-forma LRD32450 issue 006 produced in August 2022 by Sutcliffe and the updated drainage technical note and sustainable drainage pro-forma produced on 15th September 2022 by Westchurch Homes. The measures shall be fully implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

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.

12. 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 surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment and indicative surface water 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. 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) Sustainable drainage calculations for peak flow control and volume control for the:
- i. 100% (1 in 1-year) annual exceedance probability event;
  - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
  - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels;
  - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
  - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
  - v. Finished Floor Levels (FFL) in mAOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150mm+ difference for FFL, and 300 mm+ for the properties numbered 38-44;

- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
  - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
  - c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
  - d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
  - e) Evidence of an agreement in principle with the Water and Sewerage Company to connect to the on-site surface water sewer.
- 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

13. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority. The details of the plan to be submitted for approval shall include for each phase, as a minimum:
- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
  - 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 plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.
- Reasons 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 surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework
14. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual 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 in writing by the Local Planning Authority. The details of the manual to be submitted for approval shall include, as a minimum:
- a) A timetable for its implementation;
  - b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
  - c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
  - d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
  - e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
  - f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and

g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water 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 sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

15. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason 5 To ensure that surface water 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 the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework

16. The new estate road junction between the site and Avondale Drive shall be constructed in accordance with Lancashire County Council's Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

17. Prior to the commencement of the development hereby approved, a scheme for the construction of the site access points and highway works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved details prior to the first occupation of the development. The highway scheme details to include the removal of all school signs (Avondale Road approach from north), School road lining, bollards and barrier associated with the former school use.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. And secure completion of the approved highway works.

18. No development of any dwelling above ground level shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality. Note: It is recommended that to discharge the condition the local planning authority should seek to require a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and

details of a private management and maintenance company confirming funding, management and maintenance regimes

19. Prior to first occupation of each dwelling the parking spaces associated with that dwelling shall be drained and surfaced with a material to be agreed by the Local Planning Authority. These areas shall be retained at all times thereafter and shall not be used for any purpose other than the parking of vehicles. Communal spaces for the apartments shall be provided prior to first occupation of the first apartment.  
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
20. Prior to first occupation of each dwelling with an independent driveway hereby approved, one Electric Vehicle Recharge point shall be provided to that dwelling. Once installed the charger shall be maintained and retained thereafter unless with the prior approval of the local planning authority.  
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
21. Prior to first occupation of the last apartment hereby approved, one Electric Vehicle Recharge points shall be provided to the communal apartment parking area. Once installed this shall be maintained and retained thereafter unless with the prior approval of the local planning authority.  
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
22. Prior to the first occupation of each dwelling hereby approved, secure cycle storage facilities shall be provided for that dwelling and thereafter retained.  
Reason: - to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.
23. Prior to first commencement of works on site the acoustic fencing between plots 29-34 and the dance studio (eastern boundary) shall be erected. Once erected this shall be retained and maintained as an acoustic fence to the agreed standards thereafter.  
REASON: In the interest of the amenity of nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and National Planning Policy Framework.
24. Before any site activity (construction or demolition) is commenced in association with the development, barrier fencing shall be erected around all trees to be retained on the site which has been agreed by the local planning authority. Metal scaffold framework, protective fencing placed at a maximum interval of 3m in accordance with BS5837-2012 should be erected prior to development commencement and remain in-situ throughout the development. 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 and any damage rectified immediately. The fencing will remain in place until completion of all site works and then only removed when all site traffic is removed from site. Clearly legible weatherproof signage, stating "Protected Trees - Exclusion Zone" shall be attached to the fencing 1.5m from the ground, facing out of the Tree Protection Zone located at regular intervals along the fence line.  
Permission for access into the RPA should be agreed in writing with the local authority prior to entry. Existing ground levels should be retained within the RPA and excavated by hand and any exposed roots immediately wrapped to prevent desiccation. Roots over 25mm diameter should only be removed following consultation with an arboricultural consultant. Prior to backfilling roots should be surrounded with topsoil or sharp-sand or inert granular fill before the soil is replaced

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

25. A scheme for the Biodiversity Enhancement Measures, as set out in Para 3.1 of the Preliminary Ecological Appraisal Report (AECOM Ltd: May 2022), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter

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

26. 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

27. External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities within the site or trees and hedgerows in the area. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Professionals guidance Bats and Artificial Lighting in the UK 08/18).

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

28. The approved landscaping scheme shall be implemented in the first planting season following completion of each phase 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

29. 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 surveys confirming the presence of such species details of measures, including timing, for the protection or relocation of the species shall be submitted to and agreed in writing by the Local Planning Authority and the agreed measures implemented.

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

## **RELEVANT POLICY**

### **NPPF National Planning Policy Framework**

## **Central Lancashire Core Strategy**

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

## **South Ribble Local Plan**

- A1 Policy A1 Developer Contributions
  - D1 Allocations of housing land
  - 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
- Residential Extensions Supplementary Planning Document  
Open Space and Playing pitch  
Affordable Housing (Supplementary Planning Documents)

## **Note:**

### Other application Informative

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

2. Lancashire Constabulary Note: In addition to the approved Crime Impact Statement, in order to create safe and secure environments, it is recommended that the scheme is built to achieve Secured by Design (SBD) certification. As stated in the CIS report, Secured by Design is the police preferred security specification and SBD certified schemes have been proven to experience less vehicle crime, burglary and criminal damage resulting in safer places for the people of Lancashire. Should the applicant wish to develop the scheme to achieve Secured by Design certification the Lancashire Constabulary Designing Out Crime Team can support them from the application stages through to certification. Please contact [alo@lancashire.police.uk](mailto:alo@lancashire.police.uk)

3. Highways Note 1: The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk), in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number. Please be aware that the demand to enter into section 278 agreements with Lancashire County Council as the highway authority is extremely high.

Highways Note 2: The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the developer's expense.

Highways Note 3: The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk) or on 01772 533433.

Highways Note 4: This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system

4. United Utilities Note 1: Not all public sewers are shown on the statutory utility records. The applicant should be made aware that the proposed development may fall within the required access strip of a public sewer and make contact with a Building Control body at an early stage. South Ribble Building Control can be contacted on 01772 625420

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

United Utilities Note 3: It is the applicant's responsibility to demonstrate the exact relationship between any assets that may cross the site and any proposed development

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

6. LLFA Note :

Accepted approaches to calculating discharge rates and attenuation requirements

Approach 1 (Full site area discharge rate and attenuation): The SuDS is designed based on the full site area. A consistent approach is applied in line with the SuDS Manual (C753), whereby the 'full site area' is used to calculate the discharge rate and attenuation volume. o The discharge rate from the site post-development is the same as the greenfield runoff rate from the full site area. o The attenuation storage requirements must be based on the full site area, including both permeable and impermeable areas. o A volumetric runoff coefficient of 1 must be applied to the impermeable area. o Appropriate volumetric runoff coefficients for the permeable areas must be selected and justified by the applicant (the contribution of runoff from such areas may vary depending on factors including the site geology and soil type, site gradient, event size and antecedent conditions). 6 o Allowances for climate change must be applied. o Allowances for urban creep must be applied (a 10% increase in the impermeable area only).

Approach 2 (Impermeable area only discharge rate and attenuation): The SuDS is designed based only on the impermeable site area. A consistent approach is applied in line with the SuDS Manual (C753), whereby the 'impermeable site area' is used to calculate the discharge rate and attenuation volume. o The greenfield runoff rate for the full site area is pro-rata'd based only on the impermeable site area to provide the post-development discharge rate. o The attenuation storage requirements must be based only on the impermeable area. o A volumetric runoff coefficient of 1 must be applied to the impermeable area. o Allowances for climate change must be applied. o Allowances for urban creep must be applied. The advantage of approach 2 is that the requirements under the Design and

Construction Guidance are met, allowing for the system to be offered for adoption by an appropriate Water and Sewerage Company.

Informative 02 - Permeable Paving

a) Driveways Any permeable paving used on driveways must not be included as part of the hydrological calculations. Occupants may change driveways to non-permeable materials in future which has the potential to increase surface water runoff which was previously unallocated for in the design of the sustainable drainage system.

b) Removal of Permitted Development Rights Where permeable paving is included in the hydrological calculations of a development proposal the Local Planning Authority is advised to consider the removal of permitted development rights for permeable paving.

d) Highway It should be noted that permeable paving on the highway must be agreed with the Highway Authority if the applicant intends to have the highway adopted following construction. Please contact the Highway Authority on: [highways@lancashire.gov.uk](mailto:highways@lancashire.gov.uk) What this response DOES NOT cover 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).