

**Application Number** 07/2022/00692/REM

**Address**  
Danesway  
52 Hall Lane  
Longton  
Preston  
Lancashire  
PR4 5ZD

**Applicant** Mr and Mrs Howe

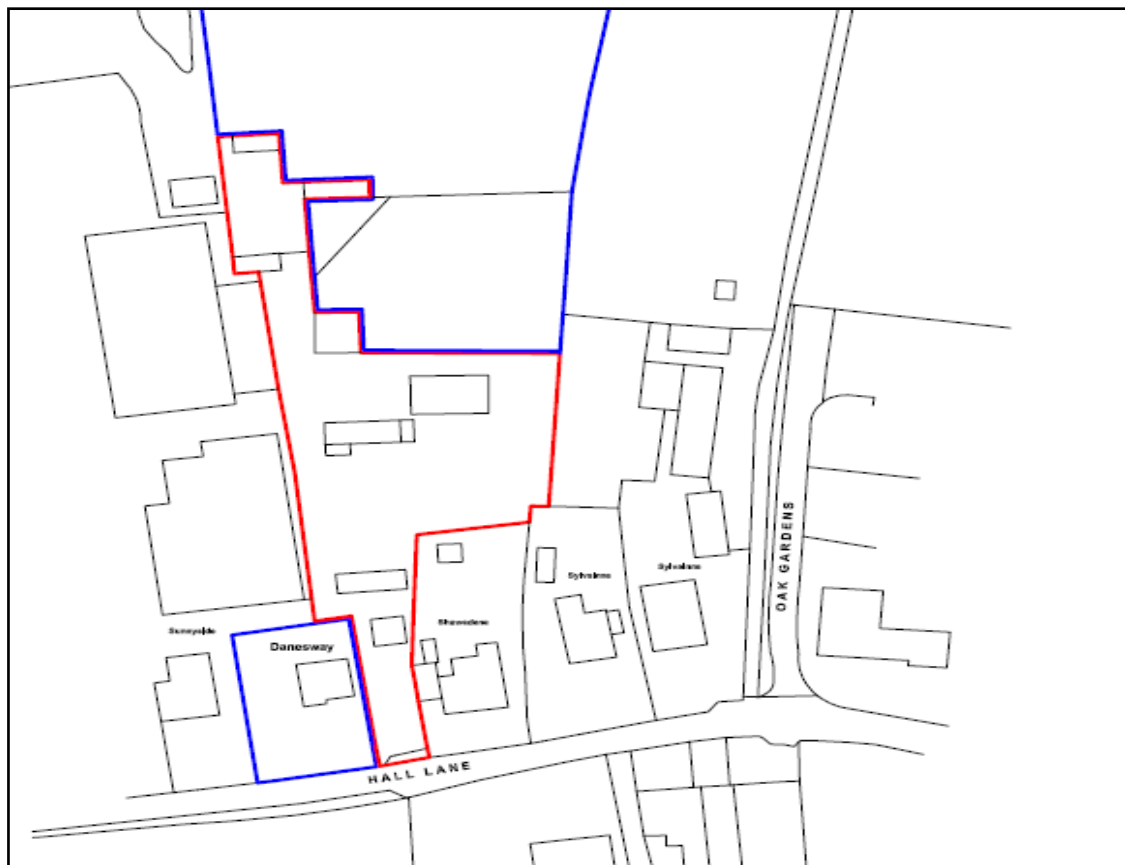
**Agent**  
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Farington House  
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**Development** Reserved Matters application for details of Access, Appearance, Landscaping, Layout and Scale for the erection of 2 dwellinghouses following outline approval 07/2019/7582/OUT (Amended Plans)

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

Date application valid 11.08.2022  
Target Determination Date 06.10.2022  
Extension of Time 09.12.2022

**Location Plan**



## **1. Summary**

1.1 The application has been called to committee for determination by the local ward councillors following concerns raised by residents.

1.2 The application is for the reserved matters of access, appearance, landscaping, layout and scale following the granting of outline planning permission.

1.3 There is no vernacular style in the area as existing buildings are a complete mix of housetypes. Although modern in design, the proposed dwellings will not look out of keeping with the character and appearance of the area. Additionally, they are set back from Hall Lane and partially obscured by existing dwellings.

1.4 There are no objections from County Highways. However, there are a number of objections from neighbouring residents.

1.5 The proposed development meets all the normally required spatial separation distances and is in accordance with relevant policies in the Local Plan. The application is therefore recommended for approval subject to the imposition of conditions.

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

2.1 The application relates to land to the rear of the residential property 'Danesway' located on the northern side of Hall Lane in Longton. The site consists of a number of buildings comprising a garage, three workshops, three stable buildings and a games room, all of which are used as ancillary buildings to the residential dwelling.

2.2 The site is within the Green Belt with residential properties along Hall Lane. Immediately to the west is a nursery with a number of glasshouses adjacent the application site. There is a small residential development to the east known as Oak Gardens. Land to the north is open and rural in nature.

## **3. Planning History**

- 07/1993/0238 Two Storey Extension to Front and Side with other Alterations and Single Storey Extension to Rear. APV 30/06/1993
- 07/2004/0424 Erection of detached garage/store following demolition of existing garage/store. APV 28/05/2004
- 07/2019/7582/OUT Outline application for the erection of 2no. dwellings with associated works following demolition of existing outbuildings (all matters reserved) Approved

## **4. Proposal**

4.1 This application is for the reserved matters of Access, Appearance, Landscaping, Layout and Scale for the erection of 2 dwellings following outline approval 07/2019/7582/OUT which established the principle of development of this site.

4.1 The proposed dwellings will each measure 11m by 10.3m wide at ground floor and 12.9m by 6.7m at first floor, creating an overhang above an external area and an attached car port.

4.3 Access to the site is off Hall Lane via an existing access. The two dwellings which are to be sited adjacent to each other, will have their principle elevations facing north and each will have a tarmac driveway leading to a covered parking area.

4.4 The dwellings will be detached two storey dwellings constructed primarily of white and grey render. The dwellings are contemporary in design with flat roofs and large windows. A patio area will be constructed around the perimeter of each dwelling and garden space is proposed to surround the dwellings on all sides.

4.5 The site layout has been amended since first submission as a less than 10m rear garden length had been provided for plot 2. The amended plans bring plot 2 further northwards and moves plot 1 further to the west to achieve a 10m long rear garden and also a 13m spatial separation distance between the two dwellings.

4.6 A further amendment was then submitted in response to neighbours' concerns and the originally proposed first floor roof terraces for both plots have now been removed.

## **5. Summary of Publicity**

5.1 Neighbouring properties were notified and a site notice posted with 8 letters of representation being received, objecting on the following grounds:

- Site plan shows a considerable footprint change to that shown on approved outline site plan 07/2019/7582/OUT
- Proposed site plan does not display 'sensitive design' and does not 'avoid any detrimental impact on neighbouring properties by virtue of overlooking or overshadowing'.
- Should be considered as a new planning application submission, superseding or voiding that of the 2019 planning approval
- Not a sensitive design. The dwellings are not in the same design of any of the other properties on Hall Lane.
- There are already enough houses on what is an unadopted, single track lane that is already struggling with the amount of traffic it receives.
- There will be no parking for contractors and delivery vans
- Delivery drivers have nowhere to drop off materials and also no means to be able to turn round and constantly block the road
- They also turn round on residents private drives causing them to sink under the weight or churning up their tarmac
- Hall Lane has a dreadful surface.
- The build will have harmful effects on the natural environment and the wild life that lives in and around it.
- The low level overhead power cables only can warrant single story dwellings.
- Large executive dwellings will overlook, offering lack of privacy to neighbours.
- Sightline for access is across neighbours property, with neighbours hedge line exceeding 1 metre
- In the past approximately fifteen years about 20 new houses have been built on this country lane destroying green belt land, essential habitats for endangered species such as newts, hedgehogs and bats.
- More houses means more people with more cars that need space to park and this resultant traffic puts pedestrians, cyclists and horse riders at increased danger of accidents.
- The property is completely out of keeping with the existing houses and opens the doors to further developments which could overlook existing properties.
- There is a powerful ecological and environmental impact which should not be disregarded.
- Overlooking issues are compounded by the addition of first floor roof terraces, constitute a definite case of overlooking adjoining properties and hence jeopardising their privacy.
- The De Pol letter (08/08/22) states or implies a number of highly contentious matters including the absence of a dwelling style along Hall Lane (without exception)
- Includes a likeness between Hall Lane and Chain House Lane where there is virtually no similarity

- Proposed plans are an estimated 50% bigger and closer footprint to residential properties Shawedene and Sylvainne by virtue of reduced garden length.
- The proposed South facing full length elevated glass windows will be compromising and encroaching the privacy of dwellings and gardens of residential dwellings Shawedene and Sylvainne by overlooking and overshadowing.
- floor plan changed to consider from the proposed eastern elevation windows, 'being small and obscurely glazed', which are facing green belt land, redesigning floor plan for the small and obscurely glazed windows to the south elevation, offering sensitively design to avoid any detrimental impact on neighbouring properties Shawedene and Sylvainne dwellings reducing intrusiveness, overlooking and overshadowing.
- proposed refuse bin location will consist of approximately 6 reuse bins with proposed placement being against residential dwelling Shawedene will have a detrimental impact to neighbours at Shawedene entertainment area and garden enjoyment.
- Makes no mention of building materials which will be used for construction of the dwellings. Most properties on Hall Lane are of a similar character, age and are of red brick structure and pitched roofs.
- Application states: 'existing hedges of the access point will be reduced to a height of 1m'. The privet hedge to the right of Shawedene and left of Danesway is the sole property of Shawedene residence, no permission will be given for the privet hedge to be reduced to 1m height.
- Access width from dwelling Danesway and the boundary hedge of Shawedene is over 9 meters. Planning application 07/2019/7582/OUT offers a desirable access, taking the road a meter away from Shawedene boundary line, swinging to the left away from Shawedene, offering either a paved or grass verge for boundary fence and BT maintenance without risk to people or obstructing proposed site access and Shawedene driveway
- As a member of the bat society, bat recordings in the premises of Danesway and Shawedene are sighted. Consideration that a bat report is completed prior to any demolition of all outbuildings, the last report completed of outbuildings being 2019

5.2 Following the submission of amended plan, neighbouring residents were reconsulted and 5 additional letters of representation were received.

- Proposal for a completely different type of property to that of the 2019 permission
- Proposal will overlook several neighbours
- 20 new houses built on this country lane in last 15 years, destroying green belt land
- The lane has no pavements
- Considerable building in Longton and infrastructure cannot cope
- Request to lower speed limit on lane to 20mph has been refused
- Lane has been consistently under maintained in the last 29 years
- Road surface is unsatisfactory
- Lane used by United Utilities who operate at least 8 large heavy ten wheel articulated tankers per day
- Escalation in level of traffic on Hall Lane
- Swallows breed in application buildings in past
- Unrealistic numbers of new houses being built which village amenities cannot support
- Unchanged issues of contention raised in earlier objection
- Size of proposed dwellings substantially inflated
- Should be treated as a new proposal
- Ambiguity of amenity plans and are misleading as revised layout is not fully dimensioned
- Out of context in the lane in both style and materials
- Verandas will still overlook the side neighbouring properties
- Properties nearer than original plan

5.3 Further amended plans were then submitted and neighbouring residents were again consulted with an additional 4 letters of objection being received, commenting as follows:

- Does not address previous concerns of overlooking/loss of privacy
- Does not display sensitive design and does not avoid any detrimental impact on neighbouring properties by virtue of size, overlooking or overshadowing
- Proposals 50% bigger than proposed at outline stage
- Suggest windows are obscure glazed or reduced in size
- Car port roof should be green to create habitat for wildlife
- Refuge bins should be moved away from Shawedene's boundary fence
- Application makes no mention of building materials to be used
- Most properties are red brick with pitched roofs on Hall Lane
- Proposed dwellings are not of similar character
- Located in green belt so policy G2 applies – re-use and adaptation of buildings
- Inappropriate development should not be approved except in very special circumstances
- No comprehensive ecological survey to ascertain the presence of protected species
- No mitigating strategies to minimise the adverse impact of development on wildlife species, their habitats and foraging routes
- It is the legal duty of the planning authority to take into consideration the possible presence of all protected species such as bats when determining an application
- NPPF identifies that planning policy should identify and pursue opportunities for securing measurable gains for biodiversity
- All new building development will have to achieve a biodiversity net gain of at least 10%

## **6. Summary of Consultations**

**6.1 County Highways** have no objections and consider that the erection of two detached dwellings at this location should have a negligible impact on highway safety and capacity.

6.2 They have reviewed the Lancashire County Councils five year data base for Personal Injury Accident (PIA). The data base indicates Hall Lane has a good road safety record.

6.3 The site will be accessed via an existing utilised entrance, which has previously been agreed in principle on application 07/2019/7582/OUT.

6.4 County Highways require conditions in respect of the provision of an electrical supply suitable for charging an electric motor vehicles; that the parking areas shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use; that wheels washing facilities be provided during construction; that the car parking area is surfaced or paved prior to first occupation and that Cycle storage suitable for 2 bicycles shall be provided within each dwelling.

6.5 County Highways were reconsulted on the amended plan and confirmed that the access accords with the plan for outline application 07/2019/7582/OUT and therefore, County Highways have no objections.

**6.7 Longton Parish Council** have considered the application and they resolved that, whilst the plans had been amended in terms of the distance between Shawdene and plot 2, there remains concerns that the other plot was still too close and also that the extensive south facing upper full length glass window was inappropriate as it caused overlooking and intrusiveness to the existing properties

## **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 Policy G16: Biodiversity and Nature Conservation** seeks to protect, conserve and enhance the Boroughs Biological and Ecological Network resources. This policy requires that, where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, planning applications must be accompanied by a survey undertaken by an appropriate qualified professional. Where the benefits for development in social or economic terms is considered to outweigh the impact on the natural environment, appropriate and proportionate mitigation measures and/or compensatory habitat creation of an equal or greater area will be required through planning conditions and/or planning obligations.

**7.3 Policy G17: Design Criteria for New Development** permits new development, including extensions and free standing structures, provided that, the proposal does not have a detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Policy F1; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses. In some circumstances where, on balance, it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.

## **8. Material Considerations**

### **8.1 Principle of Development**

8.1.1 The application site is within the Green Belt where there is 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, among the exceptions to this is the limited infilling or the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use, 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.

8.1.2 The NPPF defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure but excludes land that is or was last occupied by agricultural or forestry buildings, land in built-up areas such as residential gardens and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

8.1.3 The development site consists of an area of hardstanding which contains a series of outbuildings, beyond which lies a field and stable buildings. The buildings are either brick or timber built and have been used as workshops, stables and recreational rooms, ancillary to the use of the main dwelling Danesway.

8.1.4 It was accepted that the site constitutes previously developed land for the purposes of the NPPF. Therefore, the test in consideration of the Outline application 07/2019/7582/OUT was whether the proposed development would have greater impact on the openness of the Green Belt than the existing situation.

8.1.5 As a first consideration in assessing the impact on openness, the volume of the buildings to be demolished was taken account of. The eight existing buildings have a total volume of 920.99m<sup>3</sup>. At outline stage there were no details of the volume of the proposed dwellings. However, the officer's report referred to "*this should not exceed the volume of buildings to be removed*".

8.1.6 At outline state, it was considered that the development of 2 detached dwellings would not have a greater impact on the openness of the green belt than the existing situation and permission was granted, thus establishing the principle of development of this site.

8.1.7 In the interests of clarity, the outline permission sought the principle of development and all matters were reserved to be dealt with in a detailed application – The Reserved Matters. Although a site layout plan was submitted at outline stage, this was indicative only and was not an approved plan and did not set the parameters for the development. This current application, the Reserved Matters, includes the details of the proposed development for due consideration.

8.1.8 It is noted that the proposed dwellings, subject to this current reserved matters' application, have a greater footprint than the indicative plan at outline stage demonstrated and therefore the impact on openness is re-assessed.

8.1.9 The proposed plans show the dwellings have a 161m<sup>2</sup> gross internal floor area and a volume of 528m<sup>3</sup>, resulting in a combined volume of 1,056m<sup>3</sup>. Clearly this exceeds the amount of built development to be demolished but this is a limited increase of just by 135m<sup>3</sup> or 14.6%. The proposal could have some limited impact on the openness of the green belt by virtue of the increase in built development. However, assessment of openness also relates to the siting of the proposed development and its context within the area.

8.1.10 The existing buildings are scattered about the site. The two detached dwellings are to be sited adjacent to each other and to the rear of the neighbouring property, Shawedene, with plot 1 adjacent to the neighbouring glasshouses to the west. To the east is a fairly new build residential dwelling to the rear of Beverley House and Oak Gardens which lies beyond that is a small residential development of four detached dwellings. Given the surrounding land uses and the amount of built development adjacent to and around the area of the application site, it is considered that the proposal will not unduly impact on the openness of the Green Belt in terms of siting and location.

8.1.11 Furthermore, the removal of scattered buildings which exist towards the northern portion of the site would improve openness in this location, particularly given that the northern site boundary adjoins open agricultural fields. Additionally, the land is to remain as open green field, as demonstrated on the submitted landscape works plan PR/220901/GA/02, and therefore it is considered there is some planning gain from the development.

8.1.12 Having established that the proposal does not have a detrimental impact on openness, an assessment of the reserved matters of Access, Appearance, Landscaping, Layout and Scale has been carried out below.

## **8.2 Access and Highway Matters**

8.2.1 The site is accessed off the existing access and is shown on the submitted Proposed Access Plan Dwg No. D3044-H-01. Hall Lane in this location is unadopted and is a public right of way.

8.2.2 The development is set back from Hall Lane and proposes to realign the existing access road of which the initial 5m will be constructed of either tarmac or bonded aggregate before being formed of loose stone.

8.2.3 County Highways advised that the existing hedges on either side of the access point onto Hall Lane should be reduced to a height of 1m and visibility splays of 2 x 20m and 2 x 25m be provided to the east and west respectively.

8.2.4 Letters of objection highlight that the application states: '*existing hedges of the access point will be reduced to a height of 1m*'. The privet hedge to the right of Shawedene and left of Danesway is, the objector advises, the sole property of Shawedene residence and no permission will be given for the privet hedge to be reduced to 1m height.

8.2.5 The hedge in question is within the blue edge on the site location plan indicating that it is within the applicant's ownership. The matter was queried with County Highways who advise that "*Notwithstanding technicalities of the application red/blue edge, the access in question is already existing and is utilised for access to the site. On this basis it would be difficult to substantiate an objection to the proposed residential use off the existing access.*" As such, County Highways do not object to continued use of the existing access, regardless of whether the hedge is reduced in height.

8.2.6 In terms of highway safety and the concerns raised by residents that Hall Lane is a single track lane that is already struggling with the amount of traffic it receives; that there will be no parking for contractors and delivery vans; that delivery drivers already have nowhere to drop off materials and there is no means to be able to turn round or turn round on residents private drives causing them to sink under the weight or churning up their tarmac and the surface of Hall Lane. New development cannot be used to remedy an existing problematic situation but must not add to/increase the problem. However, it is considered appropriate to impose a condition requiring the submission of a construction management plan which includes details of site operative's parking provision and storage of materials. It is noted that matters such as wheel washing facilities and hours of deliveries of construction materials are already controlled by conditions imposed on the outline approval.

8.2.7 County Highways have considered the proposed development and access plans and confirm they have no objections and consider that the erection of two detached dwellings at this location should have a negligible impact on highway safety and capacity. Additionally, they have reviewed the Lancashire County Councils five year data base for Personal Injury Accident (PIA). The data base indicates Hall Lane has a good road safety record.

8.2.8 Whilst it is recognised that the Hall Lane's surface is substandard, it is not an adopted highway in the location of the application site. Unadopted roads do not have to be maintained by the Highway Authority under the Highways Act 1980. A legal duty to maintain the road falls to the owners of the road to do so. Therefore, the developer will need to ensure private legal agreements are in place.

## **8.3 Layout**

8.3.1 The indicative site layout submitted at outline stage was for illustrative purposes only and the layout was reserved for future approval. Therefore, the layout of the site was not considered or approved at outline stage.



8.3.2 The proposed site layout shows 2 detached dwellings sited adjacent to each other within the site with a refuse bin store, access and parking areas. A patio area will be constructed around the perimeter of each dwelling and garden space is proposed to surround the dwellings on all sides

8.3.3 As first submitted, the two dwellings had a spatial separation distance of just 6m but this was increased with the first amended plan. That amended plan also stepped plot 2 back into the site to achieve a 10m long rear garden, which increases to 13.8m due to the irregular boundary.

8.3.4 As submitted, the proposal included a roof terrace to each of the proposed dwellings. However, the 2<sup>nd</sup> amendment has removed this for both plots to address points of objection from neighbouring residents.

8.3.5 In terms of the layout, the proposal is considered acceptable and complies with policy requirements in terms of spatial separation, parking provision and amenity space. The plots achieve the normally required spatial separation distances to each other and to neighbouring land uses.

#### **8.4 Scale and Appearance**

8.4.1 The proposed dwellings are both 2-storey in scale and of a modern, contemporary design with flat roofs and large windows. A roof terrace was originally proposed above each covered parking area which had access directly from the first floor of the dwellings. These have now been removed. The dwellings will be constructed primarily of white and grey render.

8.4.2 Hall Lane has no overriding character but has a mix of dwellings, both 2-storey and single storey of varying styles and designs, mainly brick built but some also have render. As there is no overriding character, it is considered that the design of the proposed dwellings will not have any detrimental impact on the character and appearance of the area. Additionally, they are to the rear of Danesway and the neighbouring property, Shawdene and therefore not particularly viewed from the street scene of Hall Lane.

8.4.3 As such, it is considered that the proposal is acceptable in terms of scale and appearance and will not look out of place in the mixed character of Hall Lane.

#### **8.5 Landscaping**

8.5.1 The outline permission included condition 18 which required, as part of the Reserved Matters submission, details of the landscaping of the site including, wherever possible, the retention of existing trees and hedges. As such the proposed landscaping has been submitted which includes a planting schedule and planting notes. The plan demonstrates existing trees and vegetation to remain; new trees, domestic shrub planting and hedgerows together with areas of hard paving and loose gravel surfaces. It also demonstrates the location of close boarded timber fencing to the boundaries.

8.5.2 The areas of hard and soft landscaping are shown on the proposed site plan and the supporting statement indicates that no trees or hedgerow are to be removed and the proposal includes the planting of trees and low level ground cover shrubbery to improve landscape features on site.

8.5.3 It is considered that the proposed landscaping scheme is acceptable and appropriate for the proposed scheme.

#### **8.6 Residential Amenity**

8.6.1 Local Plan Policy G17 requires that new development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an

overbearing effect and therefore an assessment of the proposal in terms of neighbouring residential properties has been carried out.

8.6.2 To the west of the application site is Sunnyside, a residential dwelling which lies to the front of the site with glasshouses to its rear. Plot 1 of the proposed development lies some 9m to the east of one of the large glasshouses. It has a car port to its western elevation and large windows at both ground and first floor in the rear elevation and at first floor in its western elevation. The dwelling is located some 34m from the rear of the dwelling at Sunnyside and therefore will have no undue impact on the residential amenity of the occupants of Sunnyside in terms of overlooking or loss of privacy.

8.6.3 To the east of the proposed dwellings is an industrial type building to the rear of the residential property Beverley House. Plot 2 will have a mainly blank elevation facing this site. Three windows in the elevation are to en-suites/WC. Therefore, the proposal will have no undue impact on the adjacent site.

8.6.4 To the south is the residential property Shawedene. The rear elevations of both of the proposed dwellings will have 3 large full height windows at ground floor, 2 patio doors with Juliette balconies at first floor. These will be approximately 30m from the rear of Shawedene and between 10m and 13.8m to the rear boundary of Shawedene due to its irregular nature.

8.6.5 Given the 30m plus spatial separation between the rear windows of Shawedene and the rear windows of the proposed dwelling which is in excess of the normally required 21m spatial separation distance, it is considered there will be no undue overlooking or loss of privacy to the dwelling itself. In terms of overlooking of the rear garden of Shawedene, it is considered that, as the amended plans now achieve the normally require 10m rear garden and this, together with the proposed landscaping, would mitigate any potential overlooking of the garden to Shawedene.

8.6.6 It is noted that points of objection raised include that the proposal does not display 'sensitive design' and does not 'avoid any detrimental impact on neighbouring properties by virtue of overlooking or overshadowing'. However it fully achieves the normally required spatial separation distances applied to prevent loss of privacy and, as such, it is considered that the proposed development accords with the requirements of Policy G17.

## **8.7 Biodiversity**

8.7.1 A number of objections have been raised in respect of biodiversity, with comments including that there will be a 'powerful ecological and environmental impact which should not be disregarded'; destruction of essential habitats for endangered species such as newts, hedgehogs and bats; that Swallows breed in application buildings in the past; that no comprehensive ecological survey to ascertain the presence of protected species has been carried out and that no mitigating strategies to minimise the adverse impact of development on wildlife species, their habitats and foraging routes have been provided.

8.7.2 It must be noted that, at outline stage, a Bat Survey and Bat Roost Survey were submitted and the Council's Ecological advisors, GMEU, were consulted. The outline delegated report advises: *"A Bat Survey Report together with a Preliminary Roost Assessment were submitted with the application and these documents were considered by the Council's Ecological Advisors. The comments on Bats, Nesting Birds and Biodiversity Enhancements.*

### **Bats**

*The bat survey found no evidence of bats in the building to be demolished and overall considered the risk to bats to be very low. However, as bats are highly mobile creatures, Ecology advise that an informative note be included on the decision notice, advising the*

*applicant of the requirements of the Conservation of Habitats and Species Regulations (Various Amendments) (England and Wales) Regulations 2018.*

#### *Nesting Birds*

*Ecology considered it is unclear from the bat surveys if any of the buildings are used by nesting birds or if there is any vegetation on site that may support nesting birds. As all wild birds, their nest and eggs are protected under the Wildlife and Countryside Act 1981 (as amended), as a precaution they recommend that a condition be imposed to ensure that no removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season of 1st March and 31st August.*

#### *Biodiversity Mitigation and Enhancement*

*Ecology advise that they would expect the scheme to include measures to enhance biodiversity in line with the requirements of the National Planning Policy Framework. Therefore, they recommend a condition requiring the submission of a scheme for the required Biodiversity Enhancement Measures.”*

8.7.3 Condition 12 was imposed to ensure no works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds takes place during the main bird breeding season

8.7.4 Condition 13 required that a scheme for the Biodiversity Enhancement Measures be submitted for approval and implemented prior to first occupation of the development. This condition will need to be formally ‘discharged’ prior to commencement of any works and the submission of such measures will be subject to formal consultation with GMEU.

8.7.5 As such, there is no requirement for submission of these measures at reserved matters stage. Therefore, it is considered the proposal is compliant with Policy G16.

### **8.8 Other Points of objection**

8.8.1 A number of matters have been raised by residents in their letters of objection. Those relating to residential amenity such as loss of privacy and overlooking; design and appearance; access and highway matters have been addressed in the relevant sections of this report above.

8.8.2 In terms of the amount of new development in the area, this is not relevant to this current application as each application is treated on its own merits. Providing a proposed development is policy compliant in terms of all relevant policies, then there is no reason to refuse an application.

8.8.3 In respect of the comments that there are low level overhead power cables which will restrict the development to single story dwellings. At the case officer’s site visit, the overhead cables were observed but are outside of the development area. Additionally, the site plan has the power lines clearly marked on, and apart from a short section are outside of the application site boundary.

8.8.4 In terms of the comment that the refuge bins should be moved away from Shwedene’s boundary fence. The location of a bin store adjacent to a common boundary is not an uncommon occurrence and would not have any undue impact on the neighbouring residents. However, a condition can be imposed requiring details of a bin store structure.

8.8.5 In terms of the comment that the site is located in green belt so policy G2: The re-use and adaptation of buildings applies. However, this application does not seek to re-use the existing buildings but proposes to demolish them and replace with residential dwellings. Therefore, Policy G1 is the relevant policy, not Policy G2. The proposed development’s

compliance with Policy G1 is fully explained in the 'Principle of Development' section of this report.

## **9. Conclusion**

9.1 For the reasons outline above in this report, it is considered that the proposal for 2 detached dwellings is compliant with relevant planning policies and is recommended for approval subject to the imposition of conditions and with reference to those conditions already imposed on the outline approval which will need to be addressed through a discharge of conditions application, prior to commencement or prior to first occupation of the development.

## **10. Recommendation**

10.1 Approval with Conditions.

## **11. Recommended Conditions**

1. The development hereby approved shall be begun either before the expiration of 3 years from the date of the outline permission, or before the expiration of 2 years from the date of the permission herein.

REASON: To comply with the requirements of Section 92 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 591-02 Rev C Existing and Proposed Site Plans; 591-03 Rev B Proposed Plans; 591-04 Rev B Proposed Elevations and Street Scene; PR/220901/GA/01 Proposed Landscape Works; PR/220901/GA/02 Proposed Landscape Works; D3044-H-01 Access Plan

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

3. The parking areas hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability of their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure that adequate parking provision is retained on site, in accordance with Policy G17 in the South Ribble Local Plan

4. No dwelling hereby permitted shall commence 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, in accordance with Policies F1 and G17 in the South Ribble Local Plan.

5. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- \* the parking of vehicles of site operatives and visitors
- \* loading and unloading of plant and materials
- \* storage of plant and materials used in constructing the development
- \* the location of the site compound
- \* appropriate measures to control the emission of noise during construction
- \* details of all external lighting to be used during the construction

\* a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To safeguard the amenities of neighbouring properties in accordance Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

6. Cycle storage suitable for 2 bicycles shall be provided within each dwelling.

REASON: To promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions in accordance with Policy 3 in the Central Lancashire Core Strategy

7. Prior to first occupation of the development hereby approved, details of a waste storage enclosure for the dwellings shall be submitted to the Local Planning Authority for approval in writing. The approved waste storage enclosure shall be implemented within 1 month of occupation and retained at all times thereafter

REASON: To provide effective storage facilities for domestic refuse and in the interests of residential amenity, in accordance with Policy G17 in the South Ribble Local Plan 2012-2026

8. The development hereby approved shall be carried out in accordance with the decision and conditions imposed on the outline planning approval 07/2019/7582/OUT

REASON: For the avoidance of doubt and to ensure a satisfactory standard of development

11. **RELEVANT POLICY**

**G1 Green Belt**

**G17 Design Criteria for New Development**

**G16 Biodiversity and Nature Conservation**