

**Application Number** 07/2017/2333/REM

**Address** New Mill  
Wesley Street  
Bamber Bridge  
Preston  
Lancashire  
PR5 6NP

**Applicant** Countryside Properties (UK) Ltd

**Agent** Miss Kirstie Hopcroft  
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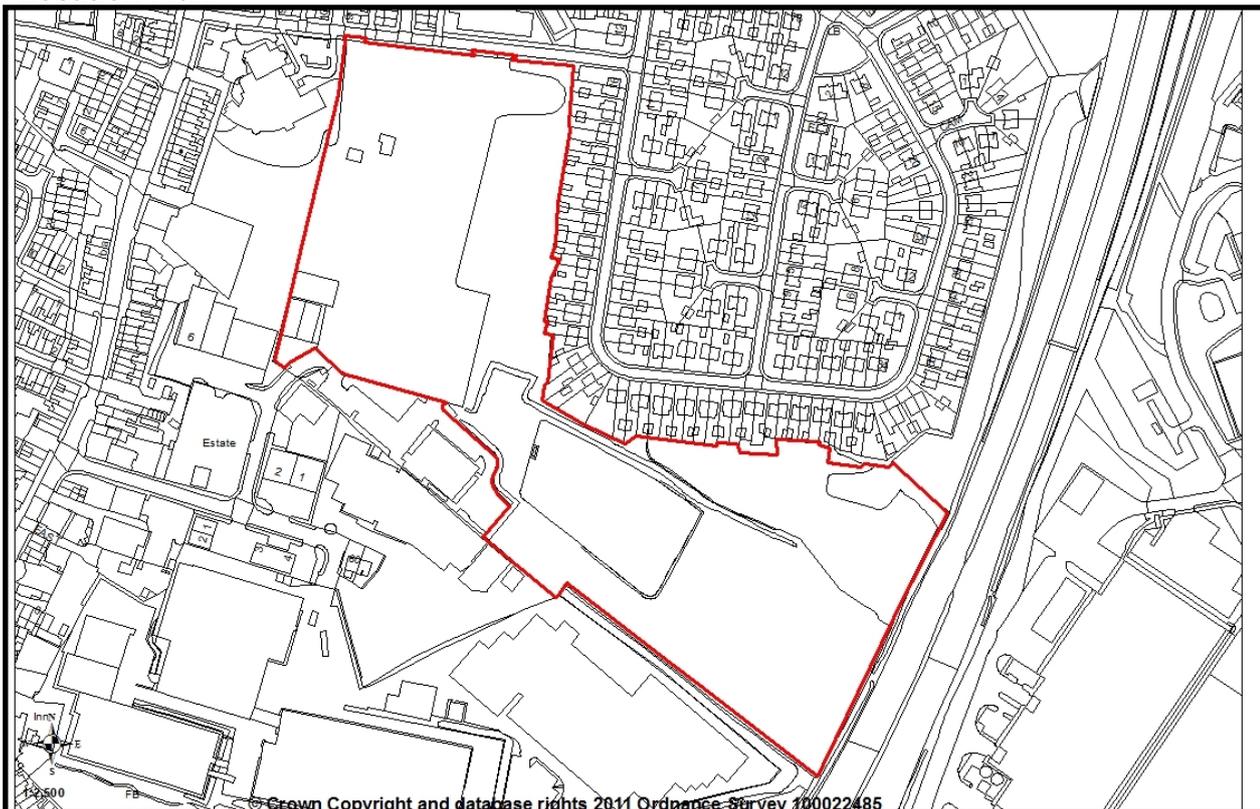
**Development** Reserved Matters application for the erection 196 dwellings following outline approval 07/2012/0728/OUT with matters of layout, scale, appearance and landscaping applied for (Amended Plans)

**Officer Recommendation** That members be minded to approve the application with the decision being delegated to the Planning Manager in consultation with the Chairman and Vice-Chairman of planning committee upon successful completion of the Deed of Variation to the Section 106 Agreement

**Case Officer** Mrs Janice Crook

Date application valid 04.08.2017  
Target Determination Date 03.11.2017  
Extension of Time 16.03.2018

### Location Plan



## **1.0 Report Summary**

1.1 Outline approval was granted in 2014 for a residential development with a maximum of 200 dwellings with access off Wesley Street following demolition of New Mill and three industrial units which established the principle of development of this site together with the access arrangements. A Section 106 Agreement was also entered into in respect of affordable housing, open space provision and maintenance, and a sum of money for various off-site works.

1.2 This application seeks approval for the Reserved Matters for 196 dwellings, including 10% affordable housing. Matters of layout, scale, appearance and landscaping are being applied for.

1.3 The site already benefits from a Reserved Matters planning permission for a scheme of 188 dwellings, granted in September last year with the main difference being that scheme included the main access off Station Road with a secondary access off Wesley Street.

1.4 The Reserved Matters have been considered in terms of the relevant planning policy and are found to be acceptable. Therefore the application is recommended for approval and the decision be delegated to the Planning Manager in consultation with the Chair and Vice-Chair of Planning Committee upon successful completion of the Deed of Variation to the previously agreed Section 106 Agreement.

1.5 The variation relates to the provision of 10% affordable housing together with a sum of £50,000 rather than the 20% affordable housing agreed in the Section 106 at outline stage. The reason is due to issues of viability and a confidential viability report was submitted by the applicant which has been robustly scrutinised by Keppie Massy, the Council's advisors on issues of viability. They conclude that the offer is reasonable.

## **2.0 Site and Surrounding Area**

2.1 The application relates to an irregular shaped parcel of land of approximately 6.3 hectares in size located off Wesley Street in Bamber Bridge.

2.2 The application site is the site of the former New Mill, Wesley Street with demolition of the mill building and associated structures having taken place between November 2013 and May 2015. The site is now vacant and overgrown.

2.3 Due to the sites irregular shape it is defined by a number of boundaries. Part of the northern boundary is bounded by Wesley Street whilst the remainder is bounded by woodland which separates the site from residential properties on Stockdale Crescent. The remaining part of the northern boundary is bounded by terraced residential dwellings on Montgomery Street and Brown Street, off Wesley Street together with a telephone exchange building.

2.4 The eastern boundary of the site is boundary bound by a combination of residential properties on Stockdale Crescent, Whitehead Drive and Langden Crescent and the M6 Motorway. The southern boundary is adjacent to the Club Street Employment Area, occupied by businesses including Glover's Bakery and Baxi Manufacturing. The western boundary of the site is adjacent a mix of commercial and residential properties on Station Road and the Cuerden Church School.

2.5 The site lies within a sustainable location and is within easy walking distance Bamber Bridge District Centre and is well connected to the local public transport network. Bamber Bridge Railway Station is located approximately 200m to the north of the site.

## **3.0 Planning History**

3.1 A number of planning permissions have been granted on the application site dating back to the 70's which are not considered relevant to this application. Those which are relevant are as follows:

3.2 Outline planning application, 07/2012/0728/OUT for a residential development with a maximum of 200 dwellings with access off Wesley Street following demolition of New Mill and three industrial units was approved on 4 August 2014 following completion of a Section 106 Agreement.

3.3 Outline planning application 07/2012/0729/OUT for a residential development with a maximum of 190 dwellings with access off Station Road and Wesley Street following demolition of New Mill and 3 industrial units together with a replacement playing field at Cuerden Church School was approved on 30 August 2013 following completion of a Section 106 Agreement.

3.4 Application 07/2013/0314/DEM for prior notification to demolish Wesley Street Mill and associated outbuildings was agreed on 6 June 2013.

3.5 Reserved Matters application 07/2016/0690/REM for the erection 188 dwellings following outline approval 07/2012/0729/OUT with matters of layout, scale, appearance and landscaping applied for was approved on 4 September 2017 following the successful completion of a Deed of Variation to the Section 106 Agreement.

#### **4.0 Proposal**

4.1 The application relates to the reserved matters of layout, scale, appearance and landscaping following the granting of outline planning permission 07/2012/0728/OUT. The proposal is for 196 dwellings and associated works, including roads and footways, parking areas, associated engineering operations, hard and soft landscaping, public open space, walls and fences and drainage and other works associated with the construction of the proposed dwellings. One hundred and seventy-seven dwellings will be market dwellings with 20 affordable dwellings proposed.

4.2 The proposed dwellings comprise a mix of 45, 2-bed dwellings; 108, 3-bed dwellings and 43, 4-bed dwellings, all two storey in height with some dwellings having bedrooms in the roof space. The gross density of the development is 29 dwellings per hectare. The mix of housetypes is as follows:

6 Irwell 2-bed	12 Ashbourne 3-bed
18 Weaver 3-bed	6 Walton 3-bed
5 Grantham 3-bed	1 Foss 3-bed
31 Ellesmere 2-bed	2 Selby 3-bed
1 Ellesmere UP 3-bed	3 Dee 4-bed
8 Life 2B4P 2-bed	15 Dunham 3-bed
20 Longford 3-bed	7 Lymington 4-bed
8 Stamford 3-bed	8 Baybridge 3-bed
18 New Stamford 3-bed	1 Ribble 3-bed
6 Weaver Underpass 3-bed	9 Life 3B5P 3-bed
9 Ashley 4-bed	2 Life 3B5PSA 3-bed

4.3 Parking for dwellings will be provided within the curtilages of the dwellings in the form of driveways, detached and integral garages.

4.4 A landscaping plan has also been submitted which demonstrates of an area of public open space (POS) of approximately 0.16 hectares. The POS incorporates an informative board, which will provide details on the historic use of the site. The plan also shows an area of protected woodland which is to be brought into public use with the formation of a pathway through it.

#### **5.0 Summary of Supporting Documents**

The application is accompanied by the following documents:

- Completed application form;
- CIL Form;
- Planning Statement (prepared by Lichfields);
- Air Quality Assessment (prepared by Bureau Veritas);
- Noise Impact Assessment (prepared by Bureau Veritas);
- PRIVATE & CONFIDENTIAL – Viability Appraisal (prepared by Grasscroft Development Solutions)
- Travel Plan (prepared by Croft Transport Solutions); and,
- Complete drawings package

## 6.0 Summary of Publicity

6.1 A total of 424 neighbouring properties were notified, five site notices posted in the vicinity of the site and a newspaper notice was published. Nine letters of representation were received, objecting to the proposal on the following grounds:

- Concerned no notice will be taken of the Ecologist comments in respect of the existing woodland
- Tree damage and/or removal
- Wetland area required by Environment Agency not shown on the plans
- Soil is heavy clay with extremely bad natural drainage
- Mitigation measures through SUDS required
- Initial committee meeting in 2013/2 raised concerns about the access from Wesley Street. This should be an emergency only access
- Access to be off Mackenzie street
- Not acceptable to have Wesley Street as the only public access
- Resident's concerns have been ignored
- No new traffic report has been submitted
- Wesley Street is blocked off when a train is crossing
- Increase in traffic on Wesley Street which is already very busy particularly at school times
- Needs another entrance from either Station Road or Club Street
- Object to parking restrictions on Station Road and McKenzie Street
- Contradiction on plans – LCC indicate single entrance from McKenzie Street but developers indicate single entrance from Wesley Street
- Entrance to Cuerden Church School – development will cause danger to pupils and their parents
- Station Road is very busy and additional traffic from new development will only make matters worse
- Highway safety
- Congestion and grid lock to Wesley Street
- Will have an overbearing effect on the lives of those living, working and attending the neighbouring properties
- No proposed access of Station Road and no replacement school playing field

6.2 Two of the letters of objection came from neighbouring businesses, with points raised as follows:

- How will emergency access on Club Street operate? Will there be pedestrian/cycle access? If so there will need to be improvements along Club Street
- Only a short stretch of road is owned by developers with companies having right of access over – will there be improved security
- Acoustic fence is to be 3.5m where normally would be 2m
- Fence should not intrude over the boundary
- Who will be responsible for maintenance and upkeep of new fence?
- Height of site to be raised by 1m on boundary. This will result in 4.5m high fence.
- Existing 2 drains pass over developer's land which have not been included in the drainage proposals.
- Noise assessment does not appear to account for the specific pieces of plant, activity or source heights from noise-emitting processes at the Baxi site
- No detailed site notes accompany the noise report
- Unclear what noise levels or source heights have been used to calculate exposure
- Unclear whether industrial sound would be sufficiently mitigated using a barrier fence
- Unclear which criteria were used for internal noise levels.
- Rating penalty system was not implemented with no specific rating due to sources of note
- Noise should have been rated with a +8db penalty
- Baxi Heating very concerned about the potential implications for noise complaints by the new residents due to inadequate noise surveying.

6.3 Following the submission of the amended plan, neighbouring properties were re-notified with a further 3 letters of representation being received.

- Council does not listen

- Only access for 196 dwellings off Wesley Street, this will mean an extra 196 vehicles trying to access an already busy street.
- Traffic situation is lethal but all Council does is add more houses and therefore more cars to the problem
- First death will be on your heads
- Lack of amenities such as doctors, dentists, social amenities
- Council has already screwed up Wither Grove Park and ruined it
- Planning skills are atrocious

## 7.0 Summary of Consultations

7.1 **County Highways** initially commented that the site layout is for the most part acceptable but that a number of plots fall short of the recommended individual parking provision, particularly that all garages do not meet the minimum guidance dimensions to be considered as a parking space. LCC Highways required that the plans are amended prior to determination of the application. Amended plans were duly received together with a letter responding to a consultees comments. In respect of car parking, the applicants advised: *“the general approach to car parking and the size of parking space is the same on the current proposal as that found to be acceptable on the previous scheme. This includes the garage sizes. This extant permission is a material consideration and we would invite you to determine the application on the same basis as the previous scheme which was approved under this same policy framework.”*

7.2 County Highways were re-consulted and advised that a total of 52 dwellings still fell short of the recommended individual parking provision. The garages as shown on the submitted drawings do not meet the minimum dimensions of 6m x 3m to be acceptable as parking spaces and the applicant should provide an additional parking space for each garage affected. They also requested that the footway and grass verge (including proposed trees) on the access road from Wesley Street are swapped over, therefore the footway is adjacent to the highway. In terms of the submitted Interim Travel Plan, this needs to be updated as it currently makes reference to the previous layout. LCC Highways also request that it includes a timescale for the development of a Full Travel Plan, suggesting a timescale of 3 months post initial travel surveys.

7.3 Following County Highways comments, further amendments were received in the form of a site layout plan, garages plans and an updated Travel Plan. County Highways confirmed the detached garages were now acceptable but the integral garages were still below the recommended standard. This is discussed further in the ‘Parking’ section of this report.

7.4 **Highways England** have no objections to the proposal but, given the proximity to the motorway, they recommend that conditions be imposed to ensure that the safety and integrity of the motorway is maintained and to ensure that safe access for maintenance of the motorway boundary fence and landscape planting is preserved.

7.5 **Network Rail** object to the proposals, commenting on the impact of increased type and volume of traffic at Bamber Bridge Level Crossing. The pedestrian and vehicular access from the site is on Wesley Street which means vehicles and pedestrians can turn north and travel up Station Road, and over Bamber Bridge Level Crossing. From the layout plan it appears that the 196 dwellings will be accompanied by 268 vehicle parking spaces, varying from 1 or 2 spaces per dwelling. Bamber Bridge Level Crossing is already busy and a further potential 268 vehicles will add further traffic.

7.6 Whilst Network Rail is not opposed to new development in the area around Bamber Bridge Level Crossing in general, they have concerns about the impact of greater traffic over the railway at this particular location and object to such proposals unless and until there is an agreed solution. A bridge or alternative highway access should be considered to support proposals for growth in the area.

7.7 Network Rail also comment that should be noted that the proposal for 196 dwellings is one of several proposals in the Bamber Bridge area with 07/2017/2325/FUL proposing 261 dwellings and 07/2017/2900/FUL proposing 193 dwellings and Network Rail has commented on these proposals and their potential to increase usage at Hospital Level Crossing.

7.8 At this stage Network Rail is objecting to the proposal as the development will increase traffic at Bamber Bridge Level Crossing, unless suitable mitigation measures are achievable and implemented. Consideration is given to this response in the 'Materials Considerations' section of this report.

7.9 **Environmental Health** comment that the development has the potential to result in a significant adverse impact on the future residents and, as such, conditions were imposed at the outline stage to ensure that the impact is minimised. Many of the conditions required information to be submitted at the Reserved Matters stage and insufficient information has been provided. Environmental Health therefore object to this application until adequate information has been provided. The comments referred to matters of room sizes, fencing, noise and air quality.

7.10 The applicant was advised of the comments made by Environmental Health and provided a response together with an amended boundary treatment plan was submitted. Environmental Health were re-consulted and made additional comments relating to potential impact from the construction activities and noise, principally the surrounding developments of the motorway to the east, industrial units to the south and school to the west. The updated submitted acoustic report ref: 6360052-R01v.4 produced by Bureau Veritas has identified mitigation measures that need to be incorporated into the development to ensure suitable sound levels are achieved in line with the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE). The mitigation measure include a variety of acoustic glazing and acoustic trickle ventilation options to protect the internal environment while external environments are provided with a mixture of fencing, brick walls and a barrier along the adjacent motorway, industrial estate and school. These measures can be secured by conditions.

7.11 Additionally, Environmental Health required a number of conditions be imposed in respect of the provision of electric vehicle recharging points; that cycle storage facilities be provided; that an assessment for invasive plants be carried out and that there is no importation of materials such as subsoil and/or topsoil.

7.12 It must also be noted that conditions imposed on the outline approval remain valid and will need to be formally discharged as part of the development process. For example, Condition 17 related to invasive plants.

7.13 **Housing** comment that the amended application offers 196 units of accommodation, an addition of 13 units to the previously proposed 183. The proposed number of affordable housing units has been increased from 18 to 19, however this does now equate to below 10% (9.6%). A 10% provision was originally agreed on the site.

7.14 Given the additional numbers proposed, subject to viability, it would be recommended that 20 affordable units are provided which would equate to 10.2% of the overall development.

7.15 The amendments submitted reference no further change to the affordable units, therefore all affordable units on the site are to be for affordable home ownership under a shared ownership scheme. Great Places have been identified as the register provider to deliver the affordable units.

7.16 The submitted site plan identifies the affordable housing units to the north of the site. It is recommended that the affordable units are integrated into the site through a pepper-potted approach, although small clusters are acceptable.

7.17 The recently produced Strategic Housing Monitoring Assessment (SHMA) identifies an annual affordable housing need of 235 units per year. Of this number, 207 are to be provided for affordable/social rent and 28 for intermediate including shared ownership. Shared ownership provided as part of this development will help to support this need.

7.18 As a result of Housing's comments, the number of affordable dwellings has been increase to 20, equating to 10.2% of the overall dwellings.

7.19 **Sport England** comment that the proposed development does not fall within their statutory or non-statutory remit and therefore have not provided a detailed response in this case.

7.20 **Police Architectural Liaison Officer** comment that, in order to reduce the risk of offenders targeting the proposed development, Secured by Design principles should be incorporated into the development in order to reduce crime and the fear of crime and create safe environments.

7.21 **Environment Agency** confirm they have reviewed the submitted details and have no further comments to add to those they made in response to the outline application.

7.22 **Local Lead Flood Authority** has no objection to the proposed development subject to the inclusion of a condition relating to the submission of a surface water drainage scheme which as a minimum should include:

- a) Information about the lifetime of the development design storm period and intensity
- b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

7.23 The LLFA require conditions be imposed to ensure the development is not occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details and that a Surface Water Lifetime Management and Maintenance Plan be submitted for approval and implemented in accordance with the approved details prior to occupation.

7.23 The LLFA also require informative notes be included on the decision notice in respect of Infiltration and Permeability Testing; on Pollution Prevention to Culverted Ordinary Watercourse and on Land Drainage Consent

7.24 **Arboriculturist** comments in respect of the landscape plan and considered the listed Fraxinus Excelsior be replaced by a native broadleaf species such as Oak as the transportation of Ash trees is banned.

7.25 **Ecology** initially commented that the list of proposed tree and shrub planting is reasonable but it states that plants used will be 'selected from' this list rather than being prescriptive. The plans should demonstrate how many of each species will be used to ensure the planting scheme is acceptable. Ecology also comment that the roadway in the southern part of the site is shown directly abutting the area of woodland. There would be an inevitable encroachment into the woodland and a consequent loss of tree cover so the woodland will need protection.

7.26 In response the applicant advised that the proportional quantity of each of eight species of plants to be planted on site is provided, as well as a buffer hedge to the motorway being shown on the plans and described in the Design and Access Statement. This is more than sufficient information to allow the determination of the current application. The roadway that is referred to is the same road on the same alignment as the extant permission. There are already conditions in place that should adequately protect trees to be retained as part of the development. Condition 16 of the Outline permission applies.

7.27 Ecology were reconsulted on the amended plans and advised on the applicant's comments and confirmed there were no objections to the amended plans on the grounds of ecology.

## **8.0 Policy Considerations**

### **8.1 Central Lancashire Core Strategy**

- **Policy 1: Locating Growth** supports development at Bamber Bridge focussing on the regeneration of the district centre and brownfield sites.
- **Policy 4: Housing Delivery** seeks to provide a minimum of 417 dwellings per annum within South Ribble during the period 2012 to 2026.
- **Policy 5: Housing Density** advises that the density of development should make efficient use of land whilst also maintaining with the character of local areas.

- **Policy 6: Housing Quality** supports the provision of accessible housing, neighbourhoods and the use of higher standards of construction.
- **Policy 7: Affordable and Special Needs Housing** requires the provision of 30% affordable housing within urban areas and 35% in rural areas for sites providing 15 or more dwellings, subject to the financial viability considerations and contributions to community services.
- **Policy 17: Design of New Buildings** provides guidance for the design of new buildings. Designs should consider a number of criteria including the character and uses of the local area, minimise opportunity for crime, be inclusive, adaptable to climate change and the achievement of 'silver' or 'gold' Building for Life ratings.
- **Policy 22: Biodiversity and Geodiversity** promotes the conservation and enhancement of biodiversity and the safeguarding of ecological networks and geological assets.
- **Policy 26: Crime and Community Safety** encourages the use of Secure by Design principles in new development.
- **Policy 27: Sustainable Resources and New Development** requires the incorporation of sustainable resources into new dwellings. The design of new homes should minimise energy use, maximise energy efficiency and be flexible enough to withstand climate change. Further, appropriate facilities should be provided for the storage of recyclable waste and composting.
- **Policy 29: Water Management** aims to improve water quality, water management and reduce the risk of flooding through a number of measures.
- **Policy 30: Air Quality** seeks to improve air quality through the use of green infrastructure initiatives.

## 8.2 South Ribble Local Plan

- **Policy B1: Existing Built-up Area** permits development proposals for the re-use of undeveloped and unused land and buildings, or for redevelopment providing that the development complies with the requirements for access, parking and servicing; is in keeping with the character of the local area and would not adversely impact the amenity of nearby residents.
- **Policy D1: Allocation of Housing Land** provides a schedule of housing allocation sites. The application site is identified as Site R: Land off Wesley Street, Bamber Bridge. It identifies that the site extends to 6.9ha and has capacity for up to 195 dwellings. It is noted that the site includes land which forms part of the playing fields of Cuerden Church School and proposals should provide a replacement playing field.
- **Policy D2: Phasing and Monitoring of Housing Land Supply** has regard to the phasing of housing development, advising that delivery will be monitored on an annual basis.
- **Policy F1: Parking Standards** advises that parking and servicing space should accord with the adopted parking standards. Any variation from the standards should be supported by a transport statement based on local evidence.
- **Policy G10: Green Infrastructure Provision in Residential Development** requires residential development with a net gain of 5 or more dwellings to provide sufficient Green Infrastructure, which should be provided on-site, though off-site provision can be made via developer contributions. Residential developments are normally required to meet the needs for equipped children's play areas which are generated by the development, either as part of the integral design or by developer contributions.
- **Policy G11: Playing Pitch Provision** requires residential development with a net gain of 5 or more dwellings to provide playing pitches at a standard provision of 1.14 ha per 1,000 population. The stated standards are to be flexible and appropriate for each individual development.
- **Policy G13: Trees, Woodlands and Development** prevents development that will adversely impact on protected trees, ancient woodlands, trees in conservation areas or recognised conservation sites. The policy supports the retention and enhancement of existing trees and hedgerows and the provision of replacements for any trees on a 2 for 1 basis.
- **Policy G14: Unstable or Contaminated Land** supports the redevelopment of previously developed land and advises that applications should be supported by satisfactory site investigations and mitigation measures where required.
- **Policy G15: Derelict Land Reclamation** supports the reclamation of derelict land for employment and residential development. Provision should also be made for maintaining and improving the environment and landscape.
- **Policy G16: Biodiversity and Nature Conservation** seeks the protection and enhancement of biodiversity assets, with the use of appropriate mitigation measures where required.
- **Policy G17: Design Criteria for New Development** permits new development provided that, the

proposal does not have a detrimental impact on 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, unless there are other material considerations which justify the reduction such as proximity to a public car park. Furthermore, any new roads and/or pavements provided as part of the development should be to an adoptable standard; 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.

- **Policy H1: Protection of Health, Education and Other Community Services and Facilities** protects health, education and other community services through CIL and/or developer contributions.

### 8.3 **Supplementary Planning Documents**

- Affordable Housing;
- Design Guide;
- Open Space and Playing Pitch;
- Employment Skills;
- Biodiversity and Nature Conservation

## 9.0 **Material Considerations**

### 9.1 **Principle of Development**

9.1.1 The principle of development of this site was established with the outline permission 07/2013/0728/OUT for a residential development with a maximum of 200 dwellings, accessed off Wesley Street with an addition emergency access off Club Street. The permission included the demolition of New Mill and 3 industrial units. However, the demolition was carried out under a separate prior notification of demolition notice 07/2013/0314/DEM.

9.1.2 Additionally, Outline Planning Permission 07/2013/0729/OUT was also approved with a subsequent Reserved Matters application 07/2016/0690/REM being approved in September 2017. That scheme was for 188 dwellings with access off Station Road and Wesley Street. The permission is extant and the majority of pre-commencement conditions have been discharged by way of formal application. Therefore this permission is a material consideration in the determination of this current application.

9.1.3 This current Reserved Matters application seeks permission for the detailed design of a scheme for 196 dwellings with matters of layout, scale, appearance and landscaping being applied for. These matters are considered in further detail below with reference to the relevant planning policies. However, the background in respect of the access together with traffic, parking and wider highway implications is discussed first as, although the access to the site has been agreed, these issues have raised a number of objections to this current application.

### 9.2 **Access**

9.2.1 As indicated above, access was agreed at outline stage. The site access is off Wesley Street with an emergency access off Club Street. As part of the outline approval, condition 30 was imposed which required details of a scheme for the construction of the site access, emergency access and the off-site works of highway improvement as part of a section 278 agreement, under the Highways Act 1980. The required highway works to include;

- Access into the site from Wesley Street to be based on drawing No. 0308-02
- Proposed traffic calming on Mounsey Street based on drawing no.0308-05.
- Proposed Traffic Regulation Orders (TRO) to be put in place on Wesley Street to restrict inappropriate parking.
- Emergency access into site from Club Street is restricted for emergency vehicles only, pedestrians and cyclists.

9.2.2 A number of objections have been received to this Reserved Matters application which relate to the Wesley Street access. Residents comment that it will add to problems of congestion and grid lock on Wesley Street and its junction with Station Road, particularly as Wesley Street is blocked when the level crossing barriers are down. They also comment that it is in close proximity to the entrance to Cuerden Church School and as a result of the additional traffic using Wesley Street, the proposal will cause danger to pupils and their parents. They raise the point that no new traffic report has been submitted, with this application. Each of these points are discussed below in the relevant sections of this report. It must be re-iterated that the principle of the development together with the access to the site off Wesley Street was established with the outline approval 07/2012/0728/OUT and therefore no new Traffic Assessment is required as this application is for the detailed design of the site only.

As access to the development has already been established with the outline approval, County Highways restricted their consultation comments to the internal layout of the site only. However, they did request that the footway and grass verge (including proposed trees) on the access road from Wesley Street be swapped over, therefore the footway is adjacent to the highway. The applicant amended the site layout plan accordingly and County Highways confirmed this was now acceptable.

9.2.3 A condition was imposed on the outline approval requiring the submission of details of the proposed emergency access from Club Street. These details were submitted by the applicant but late in the consideration process and have not been duly considered by County Highways. Therefore it is considered appropriate to impose a condition requiring the submission of a scheme for the emergency access for due consideration, prior to commencement of the development.

### 9.3 Highway Safety

9.3.1 In respect of highway safety issues, residents consider the proposal will result in an increase in traffic on Wesley Street and this additional traffic will add to the risk of accidents to school children and their parents. Issues of highway safety, the road network and the wider implications of the redevelopment of this site were considered at outline stage. County Highways required a number of measures to be implemented as part of a S278 Agreement, and these formed the basis of outline planning condition 30, as indicated above in the 'Access' section. Details of the proposed traffic calming on Mounsey Street and proposed traffic regulations orders for Wesley Street were provided by Croft Transport Solutions in plan form Dwgs 308-02 Site Access; 308-05 Traffic Calming and 308-06 TRO for agreement with County Highways. Condition 30 requires that no site preparation commences until all off-site highway works have been completed.

### 9.4 Parking

9.4.1 Sixteen plots, 136 to 151, directly access Wesley Street, each with their own driveway, 2.5m by 10m. This is sufficient to enable two vehicle to park off the highway. This is considered acceptable, provides the required number of off street parking spaces for the size of dwellings and has the additional benefit of providing an active frontage to Wesley Street. These properties lie either side of the site access

9.4.2 County Highways initially confirmed that the proposed site layout, for the most part, was acceptable, but a number of dwellings did not meet the recommended parking provision. This was in respect of the garages not meeting the minimum dimensions of 6m x 3m in order to be counted as parking spaces. Additionally, the minimum dimension for a parking bay should be 2.4m wide by 4.8m long and all private drives fronting garages should be a minimum of 6m long and this must not include any of the required 2m wide service verge.

9.4.3 County Highways comments were forwarded to the applicant and an amended plan was submitted. County Highways further commented that a total of 52 dwellings still fell short of the recommended individual parking provision as garages still did not meet the minimum dimensions of 6m x 3m to be acceptable as parking spaces and the applicant should provide an additional parking space for each garage affected.

9.4.4 As a result the applicant submitted a further updated layout plan to improve the parking provision and amended the detached garage details. The garages to Plots 9, 171, 172, 173, 178, 179, 193, 194 have been increased in size. Additionally, the driveways to Plots 11, 12, 53, 81, 99, 112, 113, 114, 115,

116, 117, 118, 119, 121, 132, 134, 135, 140, 141, have been extended to provide 3 off-street parking spaces, in addition to the garages provided.

9.4.5 These amendments were further considered by County Highways who confirmed that the detached garage sizes were now acceptable but the integral garages are still below the recommended dimensions. County Highway consider 16 dwellings still fall short.

9.4.6 The issue of integral garages being below the standards set out the South Ribble Local Plan is something that arises with all developers who are unwilling to amend their standard housetypes. The requirement is for a garage to provide parking for a vehicle and storage. It has been accepted in the past that a garden storage shed will provide for the storage, leaving the garage for the sole use of parking a vehicle. In this case the plots affected have been provided with storage sheds and the driveways widened where possible to provide off-road parking without counting the integral garage. This is something that members have accepted in the past on other sites. Although 16 plots are still below the standards, it must be recognised that this site already has an extant permission with below the expected level of off-road parking and it is considered that all measures have been taken in this instance to ensure the optimum level of parking is achieved.

## 9.5 Wider Transport Considerations

9.5.1 The wider transport impacts of the development were considered at outline stage. However, due to the proximity of the site to the motorway network, Highways England were consulted on this Reserved Matters application and comment that, given the proximity of the development site and buildings to the motorway, they recommend that a number of conditions should be imposed. The reason for the conditions is to ensure that the safety and integrity of the M6 motorway is maintained; and to ensure that safe access for maintenance of the motorway boundary fence and landscape planting is preserved. However, as the proposed conditions do not meet the test for imposing conditions, Highways England's recommended conditions will be included as informative notes on the decision notice. A copy of Highway's England's comments have also been forwarded to the applicant.

9.5.2 Network Rail also submitted comments on the outline application and raised concerns over the impact of the development on the Bamber Bridge level crossing. This was reported to planning committee as follows:

*"Network Rail has commented with regards the level crossing on Station Road and the potential increase in the volume of traffic as a result of the proposal. They comment on existing difficulties lowering the barrier at the level crossing due to the level of traffic in the immediate area. Network Rail comment that they may have to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing which would have severe consequences for the timetabling of trains and would also frustrate any future train service improvements. As such Network Rail required a traffic impact analysis be carried out. This has been submitted with the updated Technical Note and forwarded to Network Rail. Network Rail also required the developer to fund any quantitative improvements to the level crossing to mitigate the risk due to the increased number of users. The applicants are providing a contribution of £50,000 through a Section 106 Agreement which may be used for such improvements. It should be noted however that the site is an existing employment area with the potential to attract a large number of heavy goods, light goods, visitor and employee vehicles. The site's re-use for employment would not necessarily require any planning permissions. It is considered such a use would have a much greater impact on the volume of traffic using the level crossing and this fact does not appear to have been taken into account by Network Rail."*

9.5.3 In respect of this Reserved Matters application, Network Rail now comment that the pedestrian and vehicular access from the site is on Wesley Street which means vehicles and pedestrians can turn north and travel up Station Road, and over Bamber Bridge Level Crossing. From the layout plan it appears that the 196 dwellings will be accompanied by 268 vehicle parking spaces, varying from 1 or 2 spaces per dwelling. Bamber Bridge Level Crossing is already busy and a further potential 268 vehicles will add further traffic.

9.5.4 Whilst Network Rail is not opposed to new development in the area around Bamber Bridge Level Crossing in general, they have concerns about the impact of greater traffic over the railway at this particular location and object to such proposals unless and until there is an agreed solution. A bridge or alternative highway access should be considered to support proposals for growth in the area.

9.5.5 Network Rail also consider that it should be noted that the proposal for 196 dwellings is one of several proposals in the Bamber Bridge area with 07/2017/2325/FUL proposing 261 dwellings and 07/2017/2900/FUL proposing 193 dwellings and Network Rail has commented on these proposals and their potential to increase usage at Hospital Level Crossing. As a result, Network Rail is objecting to the proposal as the development will increase traffic at Bamber Bridge Level Crossing, unless suitable mitigation measures are achievable and implemented.

9.5.6 Network Rail's objections centre around highway safety and congestion. County Highways are the relevant highway authority and have raised no objections on these grounds.

9.5.7 It must also be noted that the site already has the benefit of outline approval and additionally, there is an extant permission for a scheme for 188 dwellings with access off Station Road and Wesley Street. Furthermore, the applicant is providing a contribution of £50,000 through the Section 106 Agreement signed at outline stage which is to be used for improvements, including the Station Road level crossing.

## **9.6 Relationship to Neighbouring Properties/Residential Amenity**

9.6.1 In terms of the site layout and detailed design, this is assessed in terms of potential impact on existing neighbouring properties. Two storey semi-detached dwellings are located along Stockdale Crescent to the north-western boundaries of the site. The proposed dwellings are to be a mix of detached and semi-detached dwellings, mainly two storey with some plots having accommodation in the roof space. However, these properties, the Stamford and Dunham housetypes, have rooflights in the roof slopes, not dormer windows. The site layout achieves above the normally required separation distance between the existing properties and proposed dwellings in order to prevent overlooking/loss of privacy issues. This part of the site layout is very similar to the layout of the previously approved scheme 07/2017/0690/REM and therefore it is considered there will be no undue impact on the existing properties on Stockdale Crescent.

9.6.2 Some of the proposed dwellings fronting onto Wesley Street will face the gable ends of properties on Montgomery Street and Brown Street. These are blank gables with a separation distance of between 15 and 17m achieved. The remaining dwellings will face the telephone exchange building at a distance of 17m. It is considered that the proposed scheme will achieve all the normally required separation distances and therefore there will be no undue impact on the residential amenity of the occupant of those existing dwellings.

9.6.3 The southern boundary of the site is adjacent to the Club Street Employment Area, occupied by Glover's Bakery and Baxi Manufacturing. Although these are not residential properties and therefore the residential amenity of the occupants is not compromised, letters of objection were received from both businesses.

9.6.4 Baxi object to the proposal and comment that, due to the complexity of the noise climate at the development site's southern boundary, the submitted noise survey report is insufficient to make a fully informed planning decision. They have employed the services of environmental consultants to undertake independent noise monitoring and raise several points. These matters are discussed further in the 'Noise' section of this report.

9.6.5 Glover's Bakery also object and raise a number of questions the use of Club Street as an emergency access and how this would operate. They are also concerned over their right of access over the road and security to the area. In addition, they make comments in respect of the acoustic fence and who would be responsible for its maintenance and upkeep. The fence would be managed by a management company which would be funded by a Service / Maintenance Charge to the owners of the units on the estate. The emergency access does not compromise the ability of businesses on the Club Street Employment Area to access their buildings. Security measures proposed are full height railings with malleable hinges. The applicant considers the proposal to be a typical approach which is acceptable to the emergency services. However, as the plan has not been agreed by County Highways, it is considered appropriate to impose a condition requiring the submission of a scheme for the emergency access for due consideration, prior to commencement of the development.

9.6.6 To the western boundary is the Cuerden Church School, its car park and associated playing fields. The proposed development will introduce a number of properties adjacent to the school's boundary - plots 1 and plots 16 to 32. All properties are 2 storey in scale and will have 10m long rear gardens with the common boundary being a 2.5m high acoustic close board fence. Therefore there will be no undue impact on the school and its associated playing field. Any potential impact on future residents of the development in terms of noise from the school playing fields will be mitigated against with the inclusion of the acoustic fence. It should also be noted that this would be a 'buyer beware' situation as any future residents will be aware of the proximity of the school.

9.6.7 Following the assessment in terms of neighbouring properties and the impact of amenity, it is considered the proposal is compliant with Core Strategy Policy 17 and G17 of the South Ribble Local Plan and will have undue impact in terms of overlooking, loss of privacy, or over-dominance. Potential noise issues from existing land uses to future residents can be addressed with the inclusion of the 3.5m high acoustic boundary fence which has been included on the Boundary Treatment plan. Maintenance of the fencing will be the responsibility of a management company.

## 9.7 Design, Appearance and Character of the Area

9.7.1 The proposed dwellings comprise a mix of two, three and four bed dwellings which are mainly two storey in height, although some dwellings have rooms within the roof space. The gross density of the development is 29 dwellings per hectare. This is considered to be appropriate for this sustainable location and is similar in density to other existing residential development in the area. The area consists of predominately semi-detached and two storey residential dwellings. The scale of the proposed development is therefore considered commensurate with existing residential development in the surrounding area.

9.7.2 In terms of the appearance of the development, the internal street scenes and the frontage to Wesley Street are considered to accord with the existing character of the area. The predominant materials used in the existing houses in the area around the site are red brick and grey roof tiles. The proposed materials will reference the local vernacular with the palette consisting of red brick, red multi brick and buff multi brick with selected plots being partially rendered in ivory to provide further variety within the street scene. Interlocking grey and red roof tiles will be used for the roofs. Dwellings predominately face the street with articulation of corners achieved by the use of additional windows which ensure blank gables to the street are avoided.

9.7.3 Overall it is considered that the appearance of the proposed dwellings accords with Policy G17 in that it has no undue impact on the character and appearance of the area and is of a design and appearance that is acceptable in this area.

## 9.8 Viability and Section 106 Agreement

9.8.1 The Section 106 Agreement on the associated outline permission secured, among other things, the provision of 20% affordable housing on site. A Deed of Variation to the Section 106 Agreement has been submitted alongside this Reserved Matters application. Essentially, the DoV proposes the provision of 20 dwellings to be Affordable Housing units of which all will be 'Help to Buy: Shared Ownership' or any successor Government scheme. This amounts to a provision of 10.2% affordable dwellings.

9.8.2 Great Places have been identified as the registered provider to deliver the affordable units. The submitted site plan identifies the affordable housing units to the North of the site. It is recommended that the affordable units are integrated into the site through a pepper-potted approach, having said this, given the size of the site small clusters are acceptable. The Planning Layout Plan SK381-PL-02 Rev L demonstrates the location of the proposed affordable housing.

9.8.3 Section G of the Central Lancashire adopted Affordable Housing Supplementary Planning Document (SPD) confirms that if it can be demonstrated that if applying the Council's affordable housing provision will make a scheme unviable then the required provision may be relaxed or waived, stating: *"there will be site-specific circumstances where achievements of the affordable housing proportions set out in the Policy may not be possible."*

*[...] Where a developer or landowner considers that there are significant constraints sufficient to jeopardise or prevent them from meeting the Council's affordable housing policy targets, this will need to be demonstrated by the submission of a suitable financial appraisal, which will be subject to testing by the Local Planning Authority at the developer's expense. The Council will adopt an 'open book' approach to this assessment and the developer/landowner will be expected to provide all relevant financial and other information behind the appraisal to enable the Councils and/or independent valuer on their behalf to assess the nature, extent and impact of the constraints upon the viability of the scheme."*

9.8.4 The NPPF notes that a development must provide a competitive return to the developer to enable the development to be deliverable, stating *"To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable"* (paragraph 173).

9.8.5 The NPPF also refers to the use of planning conditions and obligations in paragraphs 203-206 and advises that where obligations are being sought *"local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled"*.

9.8.6 The Council appointed an independent valuer (Keppie Massie) to assess the Affordable Housing Viability Assessment commissioned by the applicant. In their response Keppie Massie confirm that the industry standard profit benchmark for such a development is 20% of the gross development value (GDV). This figure is recognised as providing the developer with a reasonable and competitive return, with any development providing profit excess of 20% being able to support obligations.

9.8.7 The developer's profit is calculated by deducting the gross development costs (GDC) from the gross development value. The gross development costs (GDC), as well as considering the cost of land acquisition, construction costs and professional fees, includes any abnormal site specific development costs. In this case there is an abnormal land remediation cost of £458,000 and abnormal gas connection costs which have a significant impact on the developer's profit margins.

9.8.8 Having considered the predicted revenue generated from the sale of each of the dwelling against the outlay of acquisition costs, marketing costs and finance costs, Keppie Massie concluded that with a reduced on-site affordable housing provision of 10.2% together with a S106 payment of £50,000 towards the provision of off-site affordable housing the profit margin would equate to 20% of the gross development value (GDV). The scheme cannot therefore support the payment of any further obligations or increased affordable housing provision above that already proposed.

## **9.9 Trees, Landscaping and Public Open Space**

9.9.1 The site layout includes an area of Public Open Space of approximately 0.11 hectares. This is located to the end of the site access road off Wesley Street. The requirement for POS is covered under the S106 Agreement signed at outline stage and which required a scheme for the provision of the POS and the execution and completion of the POS works and at 1.1.1 required *'details of the quantum and location(s) including a plan of the POS area'*.

9.9.2 Additionally, the existing woodland to the site's northern boundary which is protected under TPO 1992 No 19, is to be retained with an informal footpath through it, bringing the area into public use. Trees along the edge of this woodland are to be thinned out, as identified in the Tree Report. It will also be necessary for the woodland area to be maintained and managed once the development is complete and the S106 Agreement at outline stage ensures this.

9.9.3 The POS incorporates an informative board, which will provides details on the historic use of the site. Originally, a gateway feature was to be provided and this was secured by Condition 28 of the outline planning consent which required the inclusion of artefacts from the mill building. However, during the demolition of the mill building, the artefacts were found to be fragile and were unfortunately destroyed during the demolition and therefore the developer proposes this sign board to mark the history and past industrial use of the site. It should be noted that the mill building was demolished under a prior

notification of demolition notice and not as part of the outline planning approval and was carried out by the owners of the site, not the applicant of this current proposal.

9.9.4 There are a number of trees along the boundary with existing residential dwellings on Stockdale Crescent that are to be removed with the submitted Tree Report indicating the majority to be Category C – Trees of low quality and value with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm. However, there are a number of Category A and B trees also to be removed, together with a number of trees within the woodland to the north-eastern part of the site. The Tree Survey Report indicates that “*Some trees within the site could be removed due to their poor form and conditions and parts of the woodland would benefit from thinning.*”

9.9.5 The Council’s Arboriculturist has no objections to the proposal other than to comment that ash species originally proposed must be replaced by another suitable large native deciduous species.

## 9.10 Ecology

9.10.1 The Council’s Ecological Advisors raise two points in respect of the Landscape Plan (dwg. ref. DFD/WSBB/L10)

- The list of proposed tree and shrub planting provided is reasonable but the plants used will be selected from a list rather than being prescriptive about how many of each species
- One of the roadways in the southern part of the site is shown as directly abutting the area of woodland (part of the M6 landscape buffer). If this is constructed as shown there will be an inevitable encroachment into the woodland and a consequent loss of tree cover.

9.10.2 The applicant was advised of these comments and responded that the proportional quantity of each of eight species of plants to be planted on site is given, as well as a buffer hedge to the motorway being shown on the plans and described in the Design and Access Statement. They consider this is more than sufficient information to allow the determination of the current application.

The applicant’s comments were forwarded on to Ecology who confirm they have no objections on the grounds of ecology.

9.10.3 Additionally, the roadway that is referred to is the same road on the same alignment as the extant permission. There are already conditions in place that should adequately protect trees to be retained as part of the development.

## 9.11 Community Infrastructure Levy

9.11.1 The Community Infrastructure Levy (CIL) was introduced by the government in April 2010 with the Council’s CIL Charging Schedule becoming effective on 1st September 2013. Although the outline planning application was submitted in December 2012, prior to CIL, permission was only granted in August 2014 due to the delay in completing and signing the Section 106 Agreement. Therefore the development would have been CIL liable. However, a second outline approval, granted in August 2013 was prior to CIL being adopted and this was followed by Reserved Matters permission for 188 dwellings. Therefore the total floor area of the previously approved scheme is off-set against this current scheme and CIL will only be payable on the uplift in floorspace above that of the approved scheme. The CIL amounts to £54,259.60.

## 9.12 Drainage and Flood Risk

9.12.1 The outline application was accompanied by a Flood Risk Assessment which included a number of mitigation measures. Condition 8 was imposed on the outline planning permission requiring the development be carried out in accordance with the FRA and the mitigation measures detailed within it; condition 4 required details of a surface water drainage scheme based on sustainable drainage principles; condition 5 required a strategy be submitted outlining the general system of drainage for foul and surface water flows arising from the site; condition 6 required details of the foul drainage scheme and condition 7 required that no building be erected within 6.5m of public sewers that run through the site.

9.12.2 The Environment Agency were consulted on this RM application and they confirm they have reviewed the submitted details and have no further comments to add to those they made in response to the outline application.

9.12.3 The LLFA were also consulted and they raise no objections to the proposal subject to the imposition of conditions. They require a surface water drainage scheme to be submitted which, as a minimum, should include:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

9.12.3 The scheme shall be fully implemented and subsequently maintained, 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.

9.12.4 The LLFA also required a condition to ensure that the development is not occupied until completion of SuDS and also one to secure a Surface Water Lifetime Management and Maintenance Plan which also requires that the plan be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings,

9.12.5 Finally, the LLFA require informative notes be included on the decision notice in respect of Infiltration and Permeability Testing; Pollution Prevention to Culverted Ordinary Watercourse; and Land Drainage Consent.

### 9.13 Noise

9.13.1 A noise report has been submitted with the application which demonstrates that suitable internal sound levels can be achieved through the use of acoustic barriers and glazing. Environmental Health considered the submitted details and initially made a number of points for clarification or for more information. For example, Environmental Health commented that: *'the glazing specification provided within the report is detailed as providing 30dB Rw+Ctr. The report continues to state that this specification would achieve suitable internal sound levels up to 73dB LAeq,16hr and 68 LAeq,8hr. This is incorrect 73-30=43 8dB above the daytime target level.'* They also required information of the glazing specification

9.13.2 For external sound levels with amenity spaces the council's guideline level and starting point for any assessment is 50dB LAeq,16hr. While this figure has been reached in the majority of cases, and given the proximity to the M6 and the guidance within BS8233: 2014 is deemed to be acceptable, there are a number of properties (plots 61-82) adjacent to the M6 where this level is exceeded.

9.13.3 No information has been provided on whether this level can be reduced, for example, through an extension to the acoustic wall to the northern boundary. The provision of a higher/acoustic barrier to the northern gardens, the use of close board acoustic fencing between the gardens in this area. These measures need to be considered and where possible, measures recommended to reduce the sound level to be experienced in these gardens, or justification of why the levels cannot be reduced. However, these details can be secured by a suitably worded condition.

9.13.4 Baxi, a neighbouring business on the Employment Area site has objected to the proposed development in terms of noise and has provided their own noise assessment report. This has been forwarded to the applicant who considered the report and made a number of revisions. Environmental Health were consulted on the updated noise report and comment relating to potential impact from the construction activities and noise, principally the surrounding developments of the motorway to the east, industrial units to the south and school to the west.

9.13.5 Environmental Health consider the construction phase of the development has the potential to impact on the surrounding developments as such conditions are required to minimise the potential impact. During the operational stage of the development the future users are to experience adverse sound levels from the adjacent motorway. As such the updated submitted acoustic report ref: 6360052-R01v.4 produced by Bureau Veritas has identified mitigation measures that need to be incorporated into the development to ensure suitable sound levels are achieved in line with the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE).

9.13.6 The mitigation measure include a variety of acoustic glazing and acoustic trickle ventilation options to protect the internal environment while external environments are provided with a mixture of fencing, brick walls and a barrier along the adjacent motorway, industrial estate and school.

9.13.7 Externally some of the plots will still be subject to sound levels which are categorised as having a 'significant adverse impact'. Mitigation measures have been suggested and agreed with Environmental Health which concentrate on rear garden amenity areas. Even so the rear garden amenity areas of plots 72-104 inclusive and 110-112 and 130, 134-135 will all experience sound levels above what would normally be permitted. However, it should be noted that guidance within the BS8233:2014 suggests that recommended criteria for external sound levels may be relaxed by up to 5dB  $L_{A,16hr}$  when adjoining strategic transport networks for desirable developments considering all other factors, providing the development has been designed to achieve the lowest practicable sound levels in these situations. In this case the site is adjacent a strategic transport network but it is desirable for the site to come forward for housing given it is located in a very sustainable location close to amenities and public transport infrastructure. Therefore it is appropriate to relax the external sound levels to be relaxed.

9.13.8 The conditions requested by Environmental Health are that all acoustic mitigation measures detailed in the submitted acoustic report, ref 6360052-R01v.4, dated 7<sup>th</sup> February 2018 shall be installed prior to the occupation of any plot; and that a maintenance plan be submitted detailing how acoustic mitigation measures not linked to individual plots will be maintained for the duration of the development.

9.13.9 Environmental Health also require an informative note be included within the deeds to each property detailing the extent of all acoustic mitigation measures (glazing specifications and fencing detail) employed in the property in order that future residents are aware of what measures have been included and why.

## 9.14 Air Quality

9.14.1 An air quality assessment has been carried out and submitted with this Reserved Matters application as required by condition 10 of the outline approval. Environmental Health have considered the report and comment that the air quality report has identified a negligible impact from the development. However any development that results in the additional traffic to be generated and in such close proximity to an area of poor air quality will have a detrimental impact on air quality within the area. As such a number of additional mitigation measures in line with the councils Air Quality Action Plan are deemed to be appropriate.

## 9.15 Travel Plan

9.15.1 Condition 31 of the outline approval required that *"As part of any Reserved Matters submission, the principal strategies set out in the submitted Residential Travel Plan Framework shall be progressed and a Full Travel Plan be submitted for approval by the Local Planning Authority. The Travel Plan shall include details of a Residents Travel Pack; Travel awareness and Information; promotion of lift share scheme and promotion of walking and cycling and set target against which the Travel Plan will be assessed. The Travel Plan shall also include details of how the document will be monitored."*

9.15.2 The submitted Residential Travel Plan sets out the principal strategies that will be put in place once the development is open and residents are occupying the dwellings, to encourage sustainable travel to the development. The document has been considered by County Highways who advised that the submitted Interim Travel Plan needs to be updated as it currently makes reference to the previous layout and the layout has been amended with a subsequent increase in the number of dwellings. County Highways also request that the Interim Travel Plan includes a timescale for the development of a Full Travel Plan and suggest a timescale of 3 months post initial travel surveys.

9.15.3 County Highways comments were forwarded to the applicant who updated the Travel Plan accordingly and County Highways reviewed the amended document and confirmed it was now acceptable.

## 9.16 **Crime and Disorder**

9.16.1 In order to reduce the risk of offenders targeting the proposed development, the Police Architectural Liaison Officer recommends the following Secured by Design principles should be incorporated in the development:

- Access to the rear gardens must be restricted from the front elevation by a 1.8m high lockable gate. Most burglaries target the side or rear elevations as these are concealed from the street view and so free access must not be left available as this significantly compromises the security of the dwellings.
- Rear dividing treatments should be installed which achieve a minimum height of 1.5m. This is essential to restrict intruder access around the rear of the dwellings. Rear perimeter boundary treatments should be a minimum height of 1.8m and designed to deter climbing.
- All external doors must meet the PAS 24:2012 (16) security standard in order to comply with Building regulations Approved Document Q. This standard is also Secured by Design compliant.
- Link doors from garages to dwellings must also meet the PAS 24:2012 security standard to comply with Building regulations Approved Document Q.
- Ground floor windows must meet the PAS 24:2012 (16) security standard in order to comply with Building regulations Approved Document Q. This standard is also Secured by Design compliant. Ground floor glazing should be laminated and windows should be fitted with restrictors.
- Dusk till dawn lighting installed at external doors promotes natural surveillance and makes a less attractive target for an intruder as the chance of being seen is increased. External lighting is often provided at front doors however as most dwelling burglaries target the side and rear elevations, external lighting should be installed at all doors, not just the front door.
- Sheds should be located in visible areas of the garden and not have windows as this allows a view of valuables stored inside and the reported crimes indicates sheds are targeting by intruders.
- 13 amp non-switched fused spurs should be installed to enable easy installation of an intruder alarm by the homeowner.

9.16.2 These recommendations can be incorporated into the development during the construction period in order to reduce crime and the fear of crime and create safe environments.

## 10.0 **Conclusion**

10.1 The proposed redevelopment of the former New Mill site on Wesley Street was a long-term objective of this Council, particularly due to the visual appearance of the site. The mill building had fallen into a derelict state of repair which had a negative impact on the local environmental. Demolition of the buildings and site clearance was carried out over a long period of time, again having a negative impact on the local area.

10.2 The proposed development of 196 dwellings will provide new dwellings in what is considered a very sustainable location and will help meet the Council's housing target of 417 dwellings per annum; provide some new affordable dwellings; provide open space and landscaping, but overall will bring this brownfield, derelict site back into use. Although a number of issues have been identified and outlined in this report, it is considered that the overall benefits of the re-development of this site will outweigh the concerns raised and the application is therefore recommended for approval subject to the imposition of conditions and subject to the successful completion of the Deed of Variation to the S106 Agreement.

## 11.0 **Recommendation**

11.1 That members be minded to approve the application with the decision being delegated to the Planning Manager in consultation with the Chairman and Vice-Chairman of planning committee upon successful completion of the Deed of Variation to the Section 106 Agreement

## **12.0 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 approved plans Dwg SK381-PL-02 Rev L Planning Layout; SK381-LP-02 Location Plan; SK381-BP-01 Rev C Boundary Plan; SK381-SS-01 Streetscenes; DFD/WSBB/L1 Rev E Landscape Masterplan; NSD 9001 Wall Type 1 - 4; NSD9102 Fence Types A - D; NSD 9202 Hooped top Metal Railings; RSD 9105 Post & Rail Fence Detail; NSD 9806 Single Garage; NSD 9807 Shared Garage; WALT(14)-01 - The Walton - Floor Plans; WALT(14)-6.0 - The Walton - 6.0 Brick Elevations; ASHB(14)-01 - The Ashbourne Ground Floor Plan (Rev.C); ASHB(14)-02 - The Ashbourne - First Floor Plan (Rev.A); ASHB(14)-6.0 - The Ashbourne - 6.0 Brick Elevations (Rev.B); ASHB(14)-6.1 FCT - The Ashbourne - 6.1 Render Elevations FCT; ASHL(14)-01 - The Ashley - Ground Floor Plan; ASHL(14)-02 - The Ashley - First Floor Plan (Rev.A); ASHL(14)-03 - The Ashley - Second Floor Plan (Rev.A); ASHL-B(14)-6.0 - The Ashley - 6.0 Brick Elevations (Rev.A); BBDGE(14)-01 - The Baybridge - Ground Floor Plan (Rev.D); BBDGE(14)-02 - The Baybridge - First Floor Plan (Rev.B); BBDGE(14)-6.1 - The Baybridge - 6.1 Render Elevations (Rev.C); DEE-01 - The Dee - Floor Plans; DEE-6.0-DET - The Dee - 6.0 Elevations (Detached); DUN-B(14)-01 - The Dunham - Ground Floor Plan (Rev.A); DUN-B(14)-02 - The Dunham - First Floor Plan (Rev.A); DUN-B(14)-03 - The Dunham - Second Floor Plan (Rev.A); DUN-B(14)-6.0 - The Dunham - 6.0 Brick Elevations (Rev.A); DUN-B(14)-6.2 - The Dunham - 6.2 Tile-hung - Brick Elevations; ELLE-01 - The Ellesmere - Floor Plans (Rev.A); ELLE-6.0-4Blk - The Ellesmere Underpass - 6.0 Brick Elevations (4 Block); ELLE-6.0-SEMI(A) - The Ellesmere - 6.0 Brick Elevations Semi (Alt); ELLE-UP-01 - The Ellesmere Underpass - Floor Plans (Rev.A); ELLES(14)-01 - The Ellesmere - Floor Plans; ELLES(14)-6.0-SEMI(A) - The Ellesmere - 6.0 Brick Elevations (Semi); FOSS(14)-01 - The Foss - Floor Plans (Rev.A); FOSS(14)-FCT-6.1 - The Foss - 6.1 Render Elevations FCT (Rev.A); GR-WE(UP)-01 - The Grantham - Weaver Underpass - Ground Floor; GR-WE(UP)-02 - The Grantham - Weaver Underpass - First Floor Plans; GR-WE(UP)-6.0-4Blk - The Grantham - Weaver Underpass - Brick Elev; GRWE-01 - The Grantham - Weaver - Ground Floor Plans; GRWE-02 - The Grantham - Weaver - First Floor Plans; GRWE-6.1-SEMI - The Grantham - Weaver - 6.1 Brick - Render Elevations; IRWL-01 - Floor Plans; IRWL-6.0(SEMI) - 6.0 Brick Elevations (Semi); LIFE-2B4P(77) - 2B4P - Floor Plans (Rev.A); LIFE-2B4P(77) 6.0(A) - 2B4P - 6.0 Brick Elevations (Semi) A; LIFE-3B5P(90)-01 - 3B5P Floor Plans; LIFE-3B5P(90)-04 - 3B5P - 6.0 Brick Elevations; LIFE-3B5P-01 SA - 3B5P SA - Floor Plans; LIFE-3B5P-02 SA - 3B5P SA - 6.0 Elevations; LONG(14)-01 - The Longford - Ground Floor Plan (Rev.A); LONG(14)-02 - The Longford - First Floor Plan (Rev.A); LONG(14)-6.0 - The Longford - 6.0 Brick Elevations (Rev.A); LYMI(14)-01 - The Lymington - Ground Floor Plan; LYMI(14)-02 - The Lymington - First Floor Plan; LYMI(14)-6.0 - The Lymington - 6.0 Brick Elevations; NSTAM(14)-01 - The New Stamford - Floor Plans; RIBB(14)-01 - The Ribble - Ground Floor Plan (Rev.A); RIBB(14)-02 - The Ribble - First Floor Plan (Rev.B); RIBB(14)-6.0 - The Ribble - 6.0 brick Elevations (Rev.A); SEL(14)-01 - The Selby - Ground Floor Plan; SEL(14)-02 - The Selby - First Floor Plan; SEL(14)-6.0 - The Selby - 6.0 Brick Elevations; STAM-01 - The Stamford - Floor Plans; STAM-6.0 - The Stamford - 6.0 Brick Elevations; WEAV(UP)-01 - The Weaver Underpass - Floor Plans (Rev.A); WEAV(UP)-6.0-4Blk - The Weaver Underpass - 6.0 Elevations 4 Block; WEAV-01 - The Weaver - Floor Plans; WEAV-6.0-SEMI - The Weaver - 6.0 Brick Elev (Semi) or any subsequent amendments to those plans that have been agreed in writing by the Local Planning Authority.

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

3. Prior to the first occupation of any dwelling hereby approved, that dwelling shall be provided with an electric vehicle recharging point and the EVR point shall be retained for that purpose at all times thereafter.

REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 in the Central Lancashire Core Strategy.

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

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

REASON: In order to satisfy the Local Planning Authority that the details of the drainage scheme are satisfactory before works commence on site as drainage works are an early activity in the construction process and to ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off the site resulting from the proposed development, in accordance with Policy 29 in the Central Lancashire Core Strategy

5. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) means of access for maintenance and easements where applicable.

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

REASON: In order to satisfy the Local Planning Authority that the drainage scheme can be satisfactorily managed and maintained before works commence on site as drainage works are an early activity in the construction process and to ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible

organisation/body/company/undertaker for the sustainable drainage system, in accordance with Policy 29 in the Central Lancashire Core Strategy

6. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.  
REASON: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk, on or off the site, resulting from the proposed development or resulting from inadequate maintenance of the sustainable drainage system, in accordance with Policy 29 in the Central Lancashire Core Strategy.
7. Prior to first occupation of the development hereby approved, details of the long term management and maintenance of the acoustic fencing to the south-eastern boundary with the M6 motorway and the south-western boundary with the Club Street Employment Area shall be submitted to the Local Planning Authority for approval in writing. The acoustic fencing shall be maintained in accordance with the approved management and maintenance scheme at all times thereafter.  
REASON: To ensure the provision and retention of adequate acoustic screening in the interest of amenity and to safeguard the living conditions of future residents of the development and to accord with Policy 17 in the Central Lancashire Core Strategy
8. Prior to the importation of any subsoil and/or topsoil material into the proposed development site, information supporting the suitability of the material shall be submitted to the Local Planning Authority for approval in writing.  
The information submitted shall include details of the material source, sampling methodologies and analysis results, which demonstrates the material does not pose a risk to human health as defined under Part 2A of the Environmental Protection Act 1990.  
REASON: To ensure that the site is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site, in accordance with:
  - Policy 17 of the Central Lancashire Development Plan,
  - the National Planning Policy Framework.
9. The mitigation measures identified within the submitted Air Quality Report by Bureau Veritas dated August 2016 shall be implemented prior to the commencement of any works on site.  
REASON: In the interests of the amenity of existing nearby residents and future residents of the site in accordance with Policy 17 in the Central Lancashire Core Strategy
10. All acoustic mitigation measures detailed in the submitted acoustic report, ref 6360052-R01v.4, dated 7<sup>th</sup> February 2018 shall be installed prior to the occupation of any plot. Confirmation details of the installation of all mitigation measures for each plot shall be submitted to the local planning authority.  
REASON: In the interests of the amenity of the future residents in accordance with Policy 17 of the Central Lancashire Core Strategy.
11. Prior to commencement of the development hereby approved, details of the proposed emergency access from Club Street shall be submitted to the Local Planning Authority for approval in writing. The approved scheme shall then be implemented concurrently with the development and retained thereafter.  
REASON: In the interest of highway safety in accordance with Policy G17 in the South Ribble Local Plan
12. The development hereby approved shall not commence until an Employment and Skills Training Plan that is tailored to the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details of the approved Plan.  
REASON: In the interests of delivering local employment and skills training opportunities and in accordance with Policy 15 in the Central Lancashire Core Strategy.

### **13.0 Relevant Policy**

## **Central Lancashire Core Strategy**

- 1 Locating Growth
- 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
- 30 Air Quality

## **South Ribble Local Plan**

- B1 Existing Built-Up Areas
- D1 Allocations of housing land
- D2 Phasing, Delivery and Monitoring
- F1 Car Parking
- G10 Green Infrastructure Provision in Residential Developments
- G11 Playing Pitch Provision
- G13 Trees, Woodlands and Development
- G14 Unstable or Contaminated Land
- G15 Derelict Land Reclamation
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development
- H1 Protection of Health, Education and Other Community Services and Facilities

## **Supplementary Planning Documents**

- Affordable Housing
- Design Guide
- Open Space and Playing Pitches
- Employment Skills
- Central Lancashire Biodiversity

## **14.0 Informative Notes**

### **Highways England**

Informative Note 1. There shall be no direct vehicular or pedestrian access of any kind between the site and the M6 motorway. To this end, a close-boarded fence or similar barrier shall be erected along the boundary of the site and the M6 motorway has been agreed with and constructed to the satisfaction of Highways England and the Local Planning Authority. Any fence or barrier shall be erected a minimum of one metre behind the existing motorway boundary fences on the developer's land and be independent of the existing motorway fence.

Informative Note 2. There shall be no development on or adjacent to any motorway embankment that shall put any embankment or earthworks at risk.

Informative Note 3. There shall be no earthworks within one metre of the motorway boundary fence.

Informative Note 4. No works pursuant to this application shall begin on site until such time as the design, materials and construction methods to be adopted for the proposed acoustic barrier have been subject to the full requirements of the Design Manual for Roads and Bridges standard BD2/12 'Highway Structures: Approval Procedures and General Design Approval Procedures', have been given Technical Approval by a competent, independent Technical Approval Authority appointed by the applicant and that this technical approval has been agreed in writing with Highways England.

Informative Note 5. No drainage from the proposed development shall run off into the motorway drainage system, nor shall any drainage adversely affect the motorway embankment.

Informative Note 6. No works relating to the construction of the facility shall require any temporary closure to traffic of the M6 motorway.

Informative Note 7. Access to the site for the purposes of maintaining the motorway boundary fence, embankment and motorway boundary landscape planting shall not be withheld to Highways England and its representatives.

Informative Note 8. No construction works associated with this planning application shall be carried out on land in the ownership of the Highways England Company Limited under Titles LAN71970 or LAN74461.

To action the Technical Approval process, the applicant must approach our Structures Safety Team responsible for matters relating to Highways England's agreement to the design Technical Approval (that must have been gained by the applicant themselves beforehand) at the following address:

Youssef Harb  
Senior Structures Advisor - Highways England  
Safety Engineering & Standards Directorate  
9th Floor, Piccadilly Gate  
Store Street  
MANCHESTER  
M1 2WD  
Youssef.Harb@highwaysengland.co.uk

### **Lead Local Flood Authority**

#### Informative 1: Sustainable Drainage Systems : Infiltration & Permeability Testing

The Lead Local Flood Authority wishes to highlight that no geotechnical survey has been undertaken at this stage. It is therefore unknown whether infiltration techniques will prove feasible.

The applicant is reminded that Paragraph 103 of the NPPF requires priority use to be given to SuDS and in accordance with Paragraph 80, Section 10 of the Planning Practice Guidance the preferred means of surface water drainage for any new development is via infiltration. The applicant must submit evidence as to why each 'level' of this hierarchy cannot be achieved.

Prior to designing site surface water drainage for the site, a full ground investigation should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means. For example, should the applicant intend to use a soakaway, they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365 revised 2016.

The Lead Local Flood Authority also strongly encourages that the developer should take into account designing drainage systems for exceedance working with the natural topography for the site. Should exceedance routes be used, the applicant must provide a site layout plan with these displayed, in line with Standard 9 of DEFRA's Technical Standards for SuDS.

#### Informative 2: Pollution Prevention to Culverted Ordinary Watercourse

Even if the applicant is not intending to discharge or carry out any works to an un-named culverted ordinary watercourse(s), they should contact the Lead Local Flood Authority on 0300-123-6780 or [highways@lancashire.gov.uk](mailto:highways@lancashire.gov.uk) to discuss the proposals to ensure that the development will not result in a negative impact of the water quality or ecology of the watercourse.

For example, pollution control measures may be required. Information on pollution control measures can be found in Pollution Prevention Guidance (PPG) which provides advice about how to prevent pollution and comply with environmental law when planning works near, in or over ponds, lakes, ditches, streams, rivers and other watercourses.

It gives information about planning the works, managing silt, concrete and cement, oils and chemicals, maintaining structures over watercourses, waste management and responding to pollution incidents.

Pollution prevention guidance can be found on the Environment Agency's website:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

### Informative 3: Land Drainage Consent

The proposals indicate that the applicant intends to discharge surface water into an un-named culverted watercourse.

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

As a minimum, the applicant will be expected to:

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

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent applications which seek to culvert an existing ordinary watercourse. This is in line with Environment Agency guidance on protecting watercourses: <http://evidence.environment-agency.gov.uk/FCERM/en/FluvialDesignGuide/Chapter8.aspx?pagenum=6> You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Information on the application process and relevant forms can be found here:

<http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given.