

**Application Number** 07/2018/3017/FUL

**Address** Mainway Court  
Edward Street  
Bamber Bridge  
Lancashire

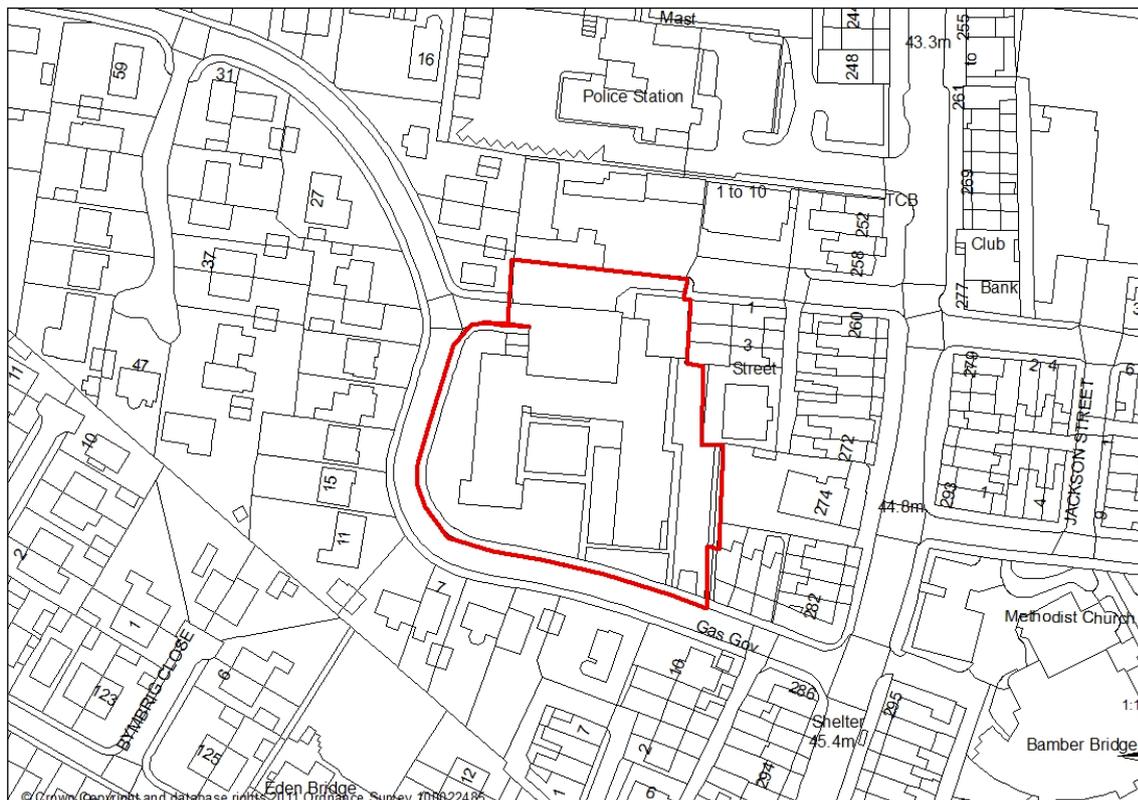
**Applicant** Concert Living Ltd and Progress Housing  
Association Ltd

**Development** The erection of ten 3-bedroom homes, two 4-  
bedroom homes for open market sale and five 1-  
bedroom affordable rent bungalows with  
associated parking, landscaping and drainage

**Officer Recommendation** That members be minded to approve the  
application with the decision being delegated to  
the Director of Planning and Property in  
consultation with the Chair and Vice Chair of  
Planning Committee upon the successful  
completion of a Section 106 Agreement to  
secure a commuted sum for playing field  
contribution.

**Officer Name** Mrs Catherine Lewis

Date application valid 09.05.2018  
Target Determination Date 08.08.2018



## **1.0 Report Summary**

1.1 The application proposes the construction of ten 3 bed roomed homes; two 4 bed roomed homes and five one bed bungalows with associated parking, landscaping and drainage on land previously occupied by the sheltered accommodation known as "Mainway Court". The scheme would provide a range of house types and tenure including much needed bungalow/accessible living accommodation.

1.2 Consultation with the local community has led to a scheme that has addressed previous access issues associated with Rowan Court leading to an improvement in management and local residential amenity. Objections have been raised by some of the local residents but no objection has been received from any of the statutory consultees.

1.3 The proposal has been assessed against the new NPPF July 2018, the Central Lancashire Core Strategy, the South Ribble Local Plan and the Residential Extensions SPD together with other material considerations. The development is considered acceptable subject to conditions controlling land contamination, landscaping, materials, sustainable homes, provision of affordable housing, driveways to be surfaced prior to occupation.

1.4 Subject to the successful completion of a Section 106 agreement requiring a financial contribution towards the playing pitches the development is recommended for approval.

## **2.0 Site and Surrounding Area**

2.1 The application site is located at the former Mainway Court sheltered housing scheme on Edward Street, Bamber Bridge. The site is located approximately 4.5km south east from the centre of Preston, 2 km east of Lostock Hall and 0.4km south of the centre of Bamber Bridge.

2.2 The application site is bounded on its western and southern boundaries by the footway and carriageway to Edward Street, which is within the adopted highway. Directly opposite are existing residential properties on Edward Street. The side elevation and garden wall of number 8 Edward Street forms the western part of the northern site boundary, with the remainder being occupied by boundary fencing to the commercial units of Abbey Scaffolding.

2.3 The north eastern boundary of the site adjoins Hopwood Street together with the rear gardens of four properties including Rowan Court, which comprises four apartments. A footway runs adjacent to the eastern boundary to provide pedestrian access to these apartments. The property known as number 6 Edward Street lies adjacent to this footway.

2.4 The former sheltered accommodation known as Mainway Court -a two storey residential block is currently being demolished on the site.

2.5 The site is subject to Policy B1 of the South Ribble Local Plan.

## **3.0 Planning History**

3.1 The most recent application relates to a Prior Notification for the demolition of the existing Mainway Court Ref 07/2018/2013/PAP dated 19 April 2018.

## **4.0 Proposal**

4.1 Planning permission is sought for the construction of: ten 3 bed homes; two 4 bed homes and five one bed bungalows with associated parking, landscaping and drainage.

4.2 The four bedroomed detached homes measuring 12.4m (depth) x 12.3m with a maximum height of 10.4m and would incorporate an integral garage. The gross internal floor area would be 120 sq.m. Materials would include red facing bricks with some rendered panels and interlocking concrete roof tiles.

4.3 There are two designs for the semi-detached dwellings.

### **House Type 1**

The three bedroomed semi-detached homes measuring 10.9m x 6.9m with a maximum height of 9.9m and would provide for a gross internal floor area of 82sqm. The dwellings would be constructed of red facing brick, reconstituted stone cills and heads to be buff in colour. A porch hood would be constructed over the doors and for some of the dwellings over the bay window.

### **House Type 2**

The three bed semi-detached homes measuring 10.5m (depth) x 10.9m with a maximum height of 10.5m would have a gross internal floor area would be 82 sqm and would incorporate red facing bricks, with rendered bays and panels and would incorporate reconstituted stone heads and cills. The design includes a porch hood over the front doors.

### **Bedrooms**

The five one bedroomed bungalows measuring 6.5m x 7.5m with a roof height of 2.4m to eaves and 5m to the ridge. The bungalows would be constructed of red facing brick with interlocking roof tiles reconstituted stone cills and heads to be buff in colour. The bungalows would have a gross internal floor area of 50 sqm and would be constructed as a pair of semis and a row of three.

## **5.0 Summary of Supporting Documents**

5.1 The application is accompanied by the following documents:

- Planning Statement dated May 2018
- Flood Risk Assessment and Drainage Strategy Document No. 18-B-12035/Edward Street /rev A Dated 30 April 2018.
- Statement of Community Involvement dated May 2018
- Habitat Survey and Bat Survey Report
- Phase 11 Environmental Assessment
- Tree Survey and Arboricultural Assessment
- Design and Access Statement
- Landscape plan and planting schedule
- Street Scenes
- CIL Form

## **6.0 Summary of Publicity**

6.1 Site Notices were posted and a total of 173 properties were consulted. Nine responses have been received which are summarised below:

### **Highway Issues**

- Can yellow lines be provided to protect off street parking?
- There are visibility issues and although the houses would be set back within the site the on-site car parking would restrict visibility.

- Concern is raised about the size of the development and issues of safety associated with the increase in traffic
- Ingress and egress of the proposed parking are of concern
- The existing road has a 90 degree blind bend and concern is raised about traffic safety.

### **Demolition**

- The planning application is a fait accompli as the demolition has taken place.
- Concern about the ecological aspects given that the demolition has started.

### **Other matters**

- The additional housing numbers would create more noise in a quiet street.
- Why not provide all affordable and rent out to people, profit over the community needs
- We have an ageing population questions raised why the sheltered accommodation is not viable.
- Conditions to control noise, dust, working hours, and contractors parking are required.
- Concern about the loss of light to number 6 Edward Street and impact of the proposal on the residential amenities of this dwelling.

## **7.0 Summary of Consultations**

**7.1 Environmental Health** –No objection and requests conditions controlling the burning of waste, dust management, wheel wash facilities, location of site compound, piling, electric vehicle recharge points, cycle storage, Travel Plan. Initially concern was raised about the submission of the land contamination report. Further information has been submitted which addresses these concerns.

**7.2 LCC Highways** – Initially raised concerns about the level of parking. Revised plans have been received which address these concerns. Conditions requiring details for a Construction Traffic Management Plan, existing access to south east corner formally closed, details associated with the access

**7.3 LLFA-** No comments received

**7.4 United Utilities** – Following a Review of the Flood Risk Assessment the proposals are acceptable in principle to United Utilities. Conditions to control the foul drainage, informative notes with regard to the public sewer which crosses the site, connections to the sewer and water supply.

**7.5 Strategic Housing Officer** -Policy 7 of the Central Lancashire Adopted Core Strategy requires a minimum of 30% affordable housing to be provided where the threshold of 15 dwellings is met. Given the additional cost required to develop bungalows, on site provision of 5 affordable rented bungalows is acceptable. As there is an identified need for specialist housing including accessible and adaptable dwellings for wheelchair users these properties would support the housing needs of the borough.

**7.6 LCC Education-** A financial contribution for 2 primary school places is required. However LCC will not be seeking a contribution for secondary school places.

**7.7 SRBC Trees-** No objection to the development: new tree planting should be replaced on a one to one basis if tree failure occurs within the first five years.

**7.8 Ecology Services-** The site has limited ecological value: a bat survey has been undertaken which found no evidence of bats and the building was considered to have negligible potential to support a bat roost. Conditions controlling nesting birds and the control of invasive species is recommended.

## **8.0 Policy Background**

### **8.1 i) NPPF Revised Planning Policy Framework**

- Chapter 2: Achieving sustainable development
- Chapter 4: Decision-making
- Chapter 5: Delivering sufficient supply of homes
- Chapter 8: Promoting healthy and safe communities
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment

### **8.2 ii) Central Lancashire Core Strategy**

- Policy 1: Locating Growth** supports development.
- 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 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.

### **8.3 iii) 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 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 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 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.

## 8.5 iv Supplementary Design

The South Ribble Residential Design SPD discusses design in very specific terms, and whilst more attuned to domestic extensions, is relevant with regards to separation from properties within and beyond the site bounds.

## 9.0 Material Considerations

### Background

9.1 Mainway Court comprised 42 self-contained independent living apartments which were available for rent and a warden's flat. Facilities for residents included a communal lounge, quiet lounge and library, kitchen, toilet and laundry. The applicant has advised that Mainway Court was poorly performing and ranked within the company as having one of the highest turnovers of occupants per year, with an average from 2009 to 2016 of 29.83%. The time required to re-let each apartment was also high, with it being in the region of 60 days and therefore a significant number of the apartments in the building were vacant at any point in a year.

9.2 Due to these issues a financial decision was made in in 2015 to cease re-letting the apartments and the accommodation was formally closed in May 2017.

### **Pre -application Consultation**

9.3 The applicant undertook a public consultation exercise prior to the submission of this application. Following the consultation exercise the applicant undertook to amend the original scheme in the following ways:

- The residents at no 6 Edward Street highlighted a number of issues with the pedestrian access to Rowan Court which currently runs at the side of their property. Due to previous issues of disturbance and antisocial behaviour the applicant has ensured that the pedestrian access to Rowan Court will now be solely from Pretoria Street. A small length of footway to the rear yard of 6 Edward Street will be retained to provide access to the residents on no 6 Edward Street.
- Two car park spaces for Rowan Court were available within the Mainway Court development and following concerns about the loss of these car park spaces the spaces have now been provided with access from the proposed development.
- More bungalows were requested and the applicant has now provided five rather than the four originally planned for.

### **9.4 Housing Delivery**

9.4.1 The National Planning Policy Framework at Paragraph 11 as revised provides a presumption in favour of sustainable development. The policy guidance supports sustainable economic growth to deliver, amongst other things, homes. Local Plan Policy 4 concurs with this requirement and given the location of the site in the town of Bamber Bridge, the site is very sustainable. Other policies 6 (Housing Quality) and 27 (Sustainable Resources and New Developments) aim to improve the quality of housing by facilitating higher standards of construction, greater accessibility and the use of sustainable resources. Conditions to require development to Code for sustainable Homes Level 3 (plus energy efficiency uplift) is recommended.

### **9.5 Affordability**

9.5.1 Concern has been raised about the loss of the affordable rented sheltered accommodation. Progress Housing Group undertook an Independent Living Review of the existing sheltered accommodation to regularly review the level of service provided and ensure that the accommodation was in demand and met the needs of the community. Due to the high level of voids (9 out of 43 units) and difficulty in letting the empty properties a number of options were considered:

- Refurbishment.** However due to the size & layout of the flats this was not a practical or viable option.
- Redevelopment of the scheme for alternative use.** A number of agencies were approached to determine their interest in Mainway Court to utilise the empty properties. Unfortunately this did not result in any positive outcome.
- Decommission.** The scheme did not meet the long term needs of the current and future customers. On that basis the unit was decommissioned and the current scheme submitted.

9.5.2 The scheme mix would provide for 5 one bed bungalows which would be wheel chair accessible and adaptable. The applicant has advised that this would better meet the current housing needs and they would be constructed to modern accessibility standards. The Central

Lancashire Strategic Housing Market Assessment dated 2017 advises that as part of the future need for specialist retirement housing there may be an opportunity to substitute some of the specialist provision with a mix of one and two bed housing aimed at attracting early retired older people who may want to down size. The provision of the five units would offer choice in terms of bungalow provision that has also been constructed for wheel chair users. On balance, the overall mix of the scheme is considered acceptable and would meet an identifiable need. Therefore, the scheme would meet Policy 4 Housing Delivery and Policy 6 Housing Quality of the Central Lancashire Core Strategy.

9.5.3 Policy 7 requires a target for market housing schemes to provide for 30% affordable housing. As the bungalows would be for affordable rent it is considered that the proposal is acceptable. The applicant has advised that given the constrained nature of the site it would be difficult to pepper pot the units. Further, the proposed layout provides for the bungalows to be effectively managed by the Progress Housing as well as the management of the existing Rowan Court site also owned by Progress Housing. The applicant has advised that the bungalows would be constructed to the same standard and design finish as the proposed market housing. The proposed development provides for 5 affordable units and subject to a condition controlling this aspect, meets the aims of Policy 7 of the Central Lancashire Local Plan.

## **9.6 Public Open Space**

9.6.1 Local Plan Policy D1 (Developer Contributions) requires all new development to contribute towards mitigation of the impact of the development upon infrastructure services and the environment by way of Section 106 Agreement and/or Community Infrastructure Levy (CIL). The application has been assessed and a Public Open Space contribution of £1,507 per unit is required. This requirement would form the basis of a Section 106 agreement. This monies would be support the improvement for the playing pitches at The Holme Playing Field, Bamber Bridge.

## **9.7 Community Infrastructure Levy (CIL)**

9.7.1 The Sheltered Accommodation was last in use in 30/10/2016 and therefore CIL is not payable on any of the new build.

## **9.8 Suitability of Access and Parking**

9.8.1 The site would be accessed from Edward Street which is an unclassified road with a speed limit of 20mph. LCC Highways has advised that as the proposal is for less than 50 new dwellings there is no requirement to submit a transport assessment. The proposed internal highway is not to an adoptable standard and therefore would remain private. Initially concern was raised about the impact of some of the proposed tree planting in particular T4 and T6. Concern was also raised about the level of car parking to one of the four bed plots. These aspects have been addressed and LCC Highways is satisfied with the proposed layout.

9.8.2 The size of the development of 17 dwellings would not have a severe impact on Edward Street and therefore the proposed development is acceptable in principle subject to conditions addressing a Construction Traffic Plan, scheme for the construction of accesses and closure of the access to the south east of the site. The proposed development therefore meets Policies B1, G17 and F1 of the South Ribble Local Plan.

## **9.9 Relationship to Neighbours**

9.9.1 No 6 Edward Street is an end of terrace property which currently has a pedestrian path down the side to provide a side access to the terrace and also access to the residents of

Rowan Court. The applicant has advised that this access way to Rowan Court would be removed and a small pedestrian access would be retained for the benefit of no 6 Edward street. Plot 1 which forms a pair of semi-detached properties is adjacent to the boundary of this pedestrian access and there would be a small window on the ground floor to a WC and a small window at first floor level to the stairs. A 1.8 m high close boarded timber fence would be constructed between Plot 1 and the existing property.

9.9.2 There are no windows in the side elevation of the two storey element of no 6 Edward Street but this property benefits from a single storey element which has two kitchen windows on the side elevation and which would be approximately 5.8m away from the shared boundary and some 7.1metres from the side wall of Plot 1. Although Plot 1 projects slightly further forward by 2.1m the property would have a pitched roof design which slopes away from No 6 Edward Street. Further, the application has been assessed under Design Guidance Note DG03 and it is considered acceptable in terms of over dominance. Tthe kitchen window is not classed as a habitable room and the resident has confirmed that the kitchen is not used as a dining area.

9.9.3 Concern has been raised by the residents of no 6 Edward Street with regard to loss of light to their property. The residents have advised that they have enjoyed a view of the skyline with Mainway Court for 22 years which was located approximately 14 metres from the rear garden boundary wall. Under the current plans the resident is concerned that the loss of this view would prejudice them under the right to light act which they argue is enforceable after a period of 20 years.

9.9.4 Concern is also raised by the resident that as there have been previous issues with subsidence due to trees within the ownership of Progress Housing which took 2 years to address, the proposed development has the potential to cause similar issues. The resident acknowledges that such a concern would be dealt with through the Party Wall Act which is separate to planning but requires the planning department to highlight this to the developer. Copies of the correspondence has been forwarded to the developer. The developer has employed a structural engineer and has been advised that the Party Wall Act is separate from planning considerations and that, if it is found once they break ground that their foundations do need to go deeper adjacent to number 6 and the Party Wall Act does apply, this would actually give the resident more protection.

9.9.5 With regard to the right to light the developer has advised that this is a civil matter. However, further studies in terms of the daylight / sunlight assessment has been provided, which demonstrates there is no unacceptable overshadowing or overbearing that would occur as a result of the development. The relationship of no 6 Edward Street to Plot 1 has been carefully considered and assessed and it is considered that the development is acceptable.

9.9.6 The eastern boundary consists of a row of three terraced properties 1-3 Pretoria Street, Rowan Court- part of Progress Housing Stock and a large detached building which consists of flats together with the side (western) boundary of no 6 Edward Street. There is a minimum distance of 22 m from Plot 13 and 14 to the rear elevation of numbers 1-3 Pretoria Street. Rowan Court has been constructed with a mansard roof (a roof which has four sloping sides, each of which becomes steeper halfway down) and consists of accommodation at ground floor level and within the roof. The front elevation of the bungalows would comprise a kitchen and wet room and a separation distance of 20 metres exists from Rowan Court to the front elevation of the bungalows plots 15, 16, and 17. Given the design of Rowan Court and the proposed floor plans of the bungalow this separation distance is considered acceptable.

9.9.7 The proposed development therefore, meets the Residential Extension Supplementary Planning Document and is considered acceptable.

## **9.10 Design, Character and Appearance**

9.10.1. Concern has been expressed about the impact of the development upon the character and appearance of the area. Edward Street comprises a mix of dwelling some detached, some semis and some bungalows. Plots have open front gardens and driveways. The applicant has sought to provide interest through the different types of dwelling, semi-detached, detached and single storey. Further, the simple pallet of materials -brick with some render detail to the elevational treatments provides interest and detail within the street scene. The open front garden/ driveways is similar to the open nature of the immediate area. The scheme is therefore considered acceptable and subject to conditions controlling materials and landscaping meets the aims of Policy G17 of the South Ribble Local Plan.

## **9.11 Drainage and Ground Levels**

9.11.1 The applicant has provided a Flood Risk Assessment dated 30 April 2018 which concludes that the site is not at risk of flooding nor does the proposed residential development create a risk of flooding elsewhere. The report highlights an existing surface water sewer across the west and south sides of the site. Current ground conditions indicates that the geology of the area is mostly clay and therefore ground conditions would indicate that surface water would need to be discharged to the existing surface water system. Foul drainage would be connected to the existing sewer system.

9.11.2 United Utilities has advised that the proposals are acceptable in principle subject to conditions controlling these aspects. UU also require a condition in respect of the submission of a management and maintenance scheme for sustainable drainage systems. Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. The revised NPPF at Paragraph 165 supports this requirement.

9.11.3 The Lead Local Flood Authority (Lancashire County Council) has also been formally consulted on the application and their comments are being pursued and a verbal update will be provided at the meeting.

9.11.4 The application is accompanied by a Phase II contaminated land report and further information (Phase 1 report) was requested by Environmental Health to understand the assumptions. The additional information has been submitted and is considered acceptable.

## **9.12 Tree Issues**

9.12.1 There are a number of trees on the northern boundary which are to be retained and a further 20 new trees would be planted. The Arboriculturist has raised no objection to the scheme and a condition to ensure the details of the scheme together with replacement planting should any fail is recommended. A condition controlling the landscaping is requested.

## **9.13 Ecology**

9.13.1 The applicant is accompanied by an Extended Phase 1 Habitat Survey and Bat Survey dated November 2017. Ecology Services has advised that the site has been found to have limited ecological value and that bats were not found within the Building. Conditions associated with demolition and ground clearance are recommended but as the building has been demolished these are not appropriate.

## **9.14 Other Matters**

9.14.1 Further clarification has been sought from LCC Highways who has advised that there is no need for the yellow lines or speed humps as requested by the neighbours.

9.14.2 A contribution towards Playing Pitch provision in the borough is required as set out under Policy G11 of the Local Plan. The applicant has agreed to this aspect which will form the basis of a Section 106 agreement.

## **10.0 CONCLUSION**

10.1 The construction of ten 3 bed homes; two 4 bed homes and five one bed bungalows with associated parking, landscaping and drainage would provide a range of house types and tenure including much needed bungalow/accessible living accommodation. Consultation with the local community has led to a scheme that has addressed previous access issues associated with Rowan Court leading to an improvement in management and local residential amenity.

10.2 The proposal has been assessed against the new NPPF July 2018, the Central Lancashire Core Strategy, the South Ribble Local Plan and the Residential Extensions SPD together with other material considerations. The development is considered acceptable subject to conditions controlling land contamination, drainage, landscaping, materials, sustainable homes, provision of affordable housing, and driveways to be surfaced prior to occupation.

10.3 Subject to the successful completion of a Section 106 agreement requiring a financial contribution towards the playing pitches, the development is recommended for approval.

## **RECOMMENDATION**

**Approve with conditions**

### **RECOMMENDED CONDITIONS:**

## **RELEVANT POLICY**

**NPPF National Planning Policy Framework**

**1 Locating Growth (Core Strategy Policy)**

**5 Housing Density (Core Strategy Policy)**

**6 Housing Quality (Core Strategy Policy)**

**27 Sustainable Resources and New Developments (Core Strategy Policy)**

**29 Water Management (Core Strategy Policy)**

**POLB1 Existing Built-Up Areas**

**POLG13 Trees, Woodlands and Development**

**POLG16 Biodiversity and Nature Conservation**

**POLG17 Design Criteria for New Development**

## **CONDITIONS/REASONS**

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the following approved plans and documents:

Site Location Plan entitled "Mainway Court, Edward Street, Bamber Bridge, Lancashire"

Drawing No. 159-PL-09 Sheet 1 entitled "Existing and Proposed Site Sections"

Drawing No. 159-PL-10 Sheet 2 entitled "Existing and Proposed Site Sections"

Drawing No 159-PI-11 Rev D entitled "Proposed Landscaping Plan"

Drawing No 159-PL-03 Rev C entitled "Proposed Site Plan"

Drawing No 159-PL-04 Entitled "Type 1, House Plans, Elevation, and Materials"

Drawing No 159-PL-05 entitled "Type 2 House Plans Elevations and Materials"

Drawing No 159-PL-06 entitled "Type 3, House Plans, Elevations and Materials"

Drawing No 159-PL-07 entitled "Type 4 Terrace House Plans, Elevations"

Drawing No 159-PL-12 entitled "Type 4 Terrace House Plans, Elevations"

Phase 1 Preliminary Risk Assessment Report Ref: LG28888 Rev 0 dated June 2017.  
Flood Risk Assessment (Ref No.18-B-12035/Edward Street/Rev A dated 30 April 2018).

Habitat Bat Survey and Report

Tree Survey and Arboricultural Assessment.

3. Each dwelling is required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

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

4. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.

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

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

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

6. Prior to the commencement of development details of the landscaping of the site including, wherever possible, the retention of existing trees and hedges have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest. The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the Local Planning Authority. The replacement tree or shrub must be of similar size to that originally planted.

Details submitted shall be compliant with 'BS 5837 2012 - Trees in Relation to Design, Demolition and Construction - Recommendations' and shall include details of trees and hedges to be retained or removed, root protection zones, barrier fencing, and a method statement for all works in proximity to those trees or hedges to be retained during the development and construction period. Details shall also indicate the types and numbers of trees and shrubs, their distribution on site, those areas seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026

7. No work shall be commenced until satisfactory details of the colour and texture of the facing and roofing materials to be used have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details

REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan (2012-2026).

8. No development shall take place until a scheme for the provision of the five, one bed affordable rent bungalows has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2: Glossary of National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

(i) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing [the details submitted here will effectively refer to the setting of affordable rents in line with Homes England regulations].

(ii) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The affordable housing shall be retained in accordance with the approved scheme.

Reason: To ensure that the proposed development complies with Policy 7 of the Central Lancashire Core Strategy.

9. Prior to the commencement of development, a ground level survey to include existing ground levels and existing and proposed ground and slab levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with this scheme.

REASON: To ensure the satisfactory appearance and drainage of the site and to accord Policy 17 of the Core Strategy

10. The drainage for the development hereby approved shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref. No. 18-B-12035/Edward Street/Rev A Dated 30 April 2018. Any variation to the discharge of foul shall be agreed in writing with the local planning authority prior to the commencement of the development. The development shall be completed in accordance with the approved plans.

11. That prior to occupation of the dwelling houses hereby approved the parking spaces as shown on Drawing No. 159-PL-03 Rev C entitled Proposed Site Plan shall be drained and surfaced with a material to be agreed by the Local Planning Authority. These areas shall not be used for any purpose other than the parking of vehicles.

REASON: To ensure the provision and retention of adequate on-site parking facilities and to accord with Policy G17 of the South Ribble Local Plan.

12. Electric vehicle recharge points shall be provided to every property, prior to occupation. This shall consist of as a minimum a 13 amp electrical socket located externally (or in the garage if available) in such a position that a 3 metre cable will reach the designated car parking spaces. A switch shall be provided internally to allow the power to be turned off by the residents.

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

13. Prior to the commencement of any works on site, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
- (a) A remediation statement, detailing the recommendations and remedial measures to be implemented within the site.
  - (b) On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.

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

REASON: To ensure that:

- the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and
- the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990, in accordance with:
  - Policy 17 of the Central Lancashire Development Plan,
  - the National Planning Policy Framework.

14. During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 - 13:00 on Saturdays. No construction shall take place at anytime on Sundays or nationally recognised Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

15. No deliveries of construction materials or removal of construction waste shall be undertaken outside the hours of 09:00 - 17:00 Monday to Friday. No deliveries or removal of waste shall be carried out at weekends or nationally recognised Bank Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

16. Prior to the commencement of any works on site, details of all piling activities shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to 09:30-17:00.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

17. Prior to the commencement of any works on site, a detailed methodology for the removal of any identified invasive plants as defined under the Wildlife and Countryside Act 1981, shall be submitted to the Local Planning Authority (LPA) for approval in writing,

Reason: To prevent the spread of invasive plants.

18. The provision of secure cycle storage for all dwellings has be provided as part of the development. Full details of the cycle storage provision shall be submitted for approval by the local planning authority prior to occupation of any works on site.

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

19. Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The plan shall include and specify the provisions to be made for the following:-

- o The parking of vehicles of site operatives and visitors;
- o Loading and unloading of plant and materials used in the construction of the development;
- o Storage of such plant and materials;
- o Wheel washing facilities;
- o Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- o Routes to be used by vehicles carrying plant and materials to and from the site;
- o Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

20. No part of the development hereby approved shall commence until a scheme for the construction of the accesses has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

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

21. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 20 has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

22. The existing access in the sites South East corner shall be physically and permanently closed and the existing footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads (concurrent with the formation of the new accesses).

Reasons: To limit the number of access points and to maintain the proper construction of the highway.

**Note:**

Other application Informative

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

2. A public sewer crosses the site to establish if a sewer diversion is required please contact [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk)  
Contact [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk) to discuss any potential water supply

3. Deep rooted shrubs should not be planted in the vicinity of the public sewer overflow systems. The applicant is advised to contact Developer Engineer Matthew Dodd [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk)
  4. Mitigation of piling measures may include and are not limited to:
    - I. The use of low impact piling, auger piling
    - II. Boundary vibration and noise monitoring
    - III. Informing neighbouring properties on the times and duration of piling activities.
  5. The electrical charging point shall be fitted with a weather proof cover.
  6. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
  7. The new vehicular accesses, within the adopted highway will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges), The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for vehicle crossings.
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