

Delegated Report Sheet

Application Number: 19/00677/FUL

Proposal: Erection of two detached dwellings with detached garages

Location: Land To The Rear Of Long Meadow
Bilsborrow Lane
Bilsborrow
Preston
PR3 0RE

Applicant: Mr And Mrs Bamber

Correspondence Address: c/o Mrs Melanie Lawrenson
5 Bobbin Mill Cottages
Stubbins Lane
Claughton on Brock
Preston
PR3 0PL
United Kingdom

Case Officer's Report:

1.0 SITE DESCRIPTION AND LOCATION

Site Notice Date: 23/07/2019

Press Notice Date: 24/07/2019

1.1 The application site is an existing paddock to the rear of a property known as Long Meadow on the southern side of Bilsborrow Lane, Bilsborrow. The land contains a sand paddock at the northern and highest part of the site, before the land drops and undulates to a lower level at the southern end. Two sizeable trees are in the centre of the site but are not covered by any Tree Preservation Orders.

1.2 The land is currently accessed off an access track off the southern side of Bilsborrow Lane. The first stretch of the track which serves Long Meadow and a building to the rear of this property which within the application site is tarmacked, and then becomes a rough stone/gravelled track to the south. This track is also a designated public right of way. The track and public right of way run along the western side of the application site.

1.3 To the south of the site is a section of land (the very southern end of the existing paddock) which does not form part of the application site, and separates the site from an adjacent brook known as Bacchus Brook.

1.4 An existing railway line, the West Coast Mainline, is to the east of the site and at a higher level than the southernmost part of the application site.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for the erection of 2no. dwellings with detached garages. Plot 1 would be sited on the northern part of the site and would be a 1 ½

storey dwelling. It would be sited over the existing sand paddock and its footprint would extend further east of the sand paddock. It would be an almost horse-shoe shaped property. The existing stable outbuilding adjacent to the sand paddock would be demolished, and a detached garage proposed to serve the dwelling would be sited to the east of the position of this current outbuilding. The garage and dwelling would be accessed off the same access serving the outbuilding, and this access drive extended to reach the proposed garage location.

2.2 The 1 ½ storey property would contain an open plan lounge, kitchen and dining room, a utility room, plant room and WC, and three bedrooms (one with en-suite, and a separate bathroom at ground floor, and a store room and office within part of the first floor. Only the middle part of the store room and office would be full height. The rest of the first floor is proposed as attic space.

2.3 Proposed plot 2 would be within the southern part of the site south of the existing two trees that are in the centre of the whole site. This dwelling is proposed to be 2 ½ storeys in height and would contain an open plan kitchen diner and living room space, a separate lounge and an office at ground floor, an office, three double bedrooms (one en-suite), lounge, and bathroom at first floor, and a bedroom with en-suite and storage space at second floor. This dwelling would be almost rectangular in footprint with a projecting single storey element to the rear, and a double gabled frontage.

2.4 The proposed dwellings would be constructed of dressed buff natural stone to the walls, natural slates to the roof, Upvc double glazed framed windows and doors in anthracite grey. Garden boundaries would be created by 1.8m closed panel fencing in natural stain and timber posts. Retaining walls are also shown in some areas around the gardens of the properties on the submitted plans. Hard landscaping would be Indian stone paving.

3.0 RELEVANT PLANNING HISTORY

3.1 There is no relevant planning history on this application site.

4.0 PLANNING POLICY

4.1 ADOPTED WYRE BOROUGH LOCAL PLAN

4.1.1 The Wyre Local Plan 2011-2031 (WLP31) was adopted on 28 February 2019 and forms the development plan for Wyre. To the extent that development plan policies are material to the application, and in accordance with the provisions of section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

4.1.2 The following policies contained within the WLP 2031 are of most relevance:

- o SP1 - Development Strategy
- o SP2 - Sustainable Development
- o HP1 - Housing Land Supply
- o CDMP1 - Environmental Protection
- o CDMP2 - Flood Risk & Surface Water Management
- o CDMP3 - Design
- o CDMP4 - Environmental Assets
- o CDMP6 - Accessibility & Transport

4.1.3 National planning policy allows local authorities to confirm their annual five year housing land supply through the publication of an Annual Position Statement (APS). In line with the process established by National Planning Practice Guidance, the Council published the APS to

the Planning Inspectorate on 31 July 2019. The Planning Inspectorate has now considered the evidence and representations submitted. The Planning Inspectors report confirms that Wyre has a 5 year housing supply of deliverable housing sites for one year, ie until 31 October 2020. The APS forms the most up to date position on the five year housing land supply.

OTHER MATERIAL CONSIDERATIONS

4.2 NATIONAL PLANNING POLICY FRAMEWORK 2019

4.2.1 The revised National Planning Policy Framework (NPPF) was published by the Government on the 19th February 2019. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The policies in the 2019 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

4.2.2 The following sections / policies set out within the NPPF are of most relevance:

- o Section 2: Achieving sustainable development and The Presumption in favour of Sustainable Development
- o Section 3: Plan - Making, paragraph 20
- o Section 4: Decision-making, paragraphs 47-50, and 54-55
- o Section 5: Delivering a sufficient supply of homes
- o Section 9: Promoting sustainable transport
- o Section 12: Achieving well-designed places
- o Section 14: Meeting the challenge of climate change, flooding and coastal change
- o Section 15: Conserving and enhancing the natural environment

4.3 NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

4.3.1 The NPPG provides advice on Government policy. Within the NPPG, the following sections are of most relevance:

- o Design
- o Flood risk and coastal change
- o Natural environment
- o Noise

4.4 SUPPLEMENTARY PLANNING DOCUMENTS

- o SPG2 - Trees and development sites
- o SPG4 - Design and spacing standards for dwellings

5.0 CONSULTATION RESPONSES

5.1 MYERSCOUGH AND BILSBORROW PARISH COUNCIL: Objects to the application for the following reasons:

- o The track that provides access to the site is at a narrow stretch of Bilsborrow Lane; turning into and out of the track where there is no footway might cause a serious accident.
- o The development would result in a clear incursion into open countryside beyond the Bilsborrow Lane site frontage deep into the site beyond the established building line of neighbouring properties creating undesirable concentration of dwellings detached from the established street frontage on Bilsborrow Lane which would be injurious to the visual amenities, character and appearance of the area.
- o The application site is open countryside. There erection of two dwellings on this site would extend the residential limits of Bilsborrow into the open landscape resulting in an unacceptable

encroachment into designated countryside area which would be detrimental to the character and appearance of the area.

o The application site is visually and physically detached from the nearest settlement of Bilsborrow. Whilst at a close distance to Bilsborrow, the A6 and the village facilities, the site suffers from dangerous pedestrian connectivity to these facilities as there would be a narrow stretch of busy road without footpath provision.

The Parish Council considers it has been consistent in its objection to any development on Bilsborrow Lane between Garstang Road and the motorway bridge other than lateral infill and objects to this proposal.

5.2 LANCASHIRE COUNTY COUNCIL (LCC) HIGHWAYS:

First response summarised as follows:

In summary (LCC) Highways are of the opinion that the proposed development, as presented, fails to meet the requirements of the National Planning Policy Framework as the applicant has not demonstrated that the development will not have severe impact on highway safety for all users and fails to adequately promote safe and sustainable travel by modes other than car and would ask that planning permission is refused.

- Highway capacity

The proposed development is to provide two new dwellings on previously undeveloped land using the existing access for Long Meadow onto Bilsborrow Road. Bilsborrow Road is classified as the C350 and is categorised as a Secondary Distributor road with a speed limit of 30 mph fronting the site access.

LCC Highways previously carried out a full week transport studies on this road. Using a typical TRICS report for a privately owned housing development, the development for 2 dwellings will generate an estimated 10 two way vehicular movements a day with an estimated am and pm peak flow of 2 two way vehicle movements. LCC Highways is of the opinion that the proposed two dwellings will not have a severe impact on highway capacity in the immediate vicinity of the site.

- Site Access and highway safety

LCC Highways has checked their accident database, and the data indicates there has been one reported incident near the access in the last five years and the report indicates speed as a factor. The database also shows there has been one incident at the junction with Garstang Road and this involved swerving to avoid an animal. LCC Highways considers the highway network surrounding the site has a good accident record and that there is no underlying issue which the proposed development would exacerbate providing a safe access with acceptable sight lines are provided.

The required sight lines for the speed of the road (85th percentile speed is 36mph based on Manual for streets) is 2.0 x 61m to be provided in both direction from the site access onto Bilsborrow Lane. From observations vehicles are not driving along the kerb edge causing damage to the verge and as such the "Y" distance can have an offset of 600mm from the kerb edge. Where acceptable sight lines at the junction are not provide (LCC) Highways would raise an objection to the development in the interest of highway safety. The proposed development will increase vehicle movements along Bilsborrow Lane which will have an impact on highway safety for existing pedestrian movements along Bilsborrow Lane and at the site access. (LCC) Highways are of the opinion that the proposed geometry of the site access is not to prescribed design standards for this size of development. (LCC) Highways are of the opinion that the

proposed two dwellings as presented will have a severe impact on highway safety as detailed above and would ask that planning permission is refused until the applicant provides an acceptable scheme to provide a safe access and facilities for pedestrians as detailed above. (LCC) Highways are of the opinion that the proposed geometry of the site access is not to prescribed design standards for this size of development.

The proposed development will increase vehicle movements along Bilsborrow Lane which will have an impact on highway safety for existing pedestrian movements along Bilsborrow Lane and at the site access. There is currently no footpath provision fronting "Long Meadows" and Bilsborrow Lane, the footpath opposite is only 10m wide and as such a safe walking route to the site cannot be provided for all users. A 2m wide footpath fronting Long Meadow is recommended to promote sustainable forms of transport. The provision of the recommend 2m wide footpath would also ensure the required eastern site line would be protected. The footpath would need to be constructed under a section 278 agreement of the 1980 Highways Act.

- Internal Highway Layout

A turning head is required in the site to allow refused vehicles and emergency vehicles to turn within the site. Maximum distance a refuse vehicle should reverse is 12m, and for Fire and rescue Services is 20m. The turning area is being recommended to ensure refuse and emergency vehicles can enter and exit the site safely in a forward gear.

Second response - (following submission of amended plan with revised visibility splays and removal of footpath):

The site line is wrong as the 2m "X" distance and is to be measured from the carriageway channel line. The turning head is to be provided for a twin axel refuse vehicle (11.2m long) this will allow access for a fire appliance.

The new access will obstruct access to the neighbouring property (as shown), and it may be better to remove the grass verge area fronting the gate posts of the adjacent property.

Third response:

In relation to revised plan LF/TB3403C (LCC) Highways do not have any objections regarding the proposed 2 dwellings and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. Conditions are recommended in relation to provision of wheel washing facilities during the construction period, off-site highway works, and provision of parking prior to occupation.

5.3 LANCASHIRE COUNTY COUNCIL ARCHAEOLOGICAL ADVISORY SERVICE (LAAS): There are no significant archaeological implications in relation to the proposed development. Therefore no formal archaeological conditions are recommended to be attached to any permissions.

5.4 WBC'S HEAD OF ENGINEERING SERVICES (DRAINAGE): No objections in principle. Standard drainage conditions should be attached requiring details of foul and water drainage. The applicant should also provide a percolation test to confirm that discharge to ground is not possible. In terms of foul drainage given that the site is within a mains sewerage area consideration should be given to connection to the mains system in preference to a treatment plant.

5.5 ENVIRONMENT AGENCY (EA):

First response: In the absence of a flood risk assessment (FRA) objects to this application and recommends planning permission is refused.

The application site is within the Flood Zone 1 (low probability of flooding), but immediately adjacent to Flood Zone 3, which is land defined by the Planning Practice Guidance (PPG) as having a high probability of flooding. Flood Zone 3 may also encroach into the south western corner of the red edge site location boundary. Plot 2 is located in close proximity to the Flood Zone 3 and it is proposed to lower the ground level for this plot, which may lead to an increase in flood risk and result in part of the site and the dwelling being within Flood Zone 3. Given the above, the fluvial flood risk associated with the development is unknown in without an adequate FRA. To overcome the objection the applicant should submit an adequate FRA.

In addition, the EA objects to the proposed development because it involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer but no justification has been provided for the use of a non-mains system. The EA therefore recommends the application should be refused on this basis.

To overcome the EA's objection the applicant should thoroughly investigate the possibility of connecting to the public foul sewer, and either revise their application to propose a mains connection or submit evidence that demonstrates that this is not feasible.

Second response:

The EA has reviewed the FRA (referenced 20.754; dated January 2020; prepared by Reford Consulting Engineers), and are satisfied that the development would be safe without exacerbating flood risk elsewhere. As such, the EA withdraws its objection in relation to flood risk, provided the development proceeds in accordance with the FRA and Site Sections Plan (drawing number LF/TB/3429), and subject to a condition requiring that there are no changes to the ground levels within Flood Zone 3 as shown on the 'Plotted Flood Zones' plan (Appendix A of the FRA, reference 20.754; dated January 2020), without first being approved in writing by the Local Planning Authority.

However, the EA maintains its objection in relation to foul drainage as no details have been submitted to address the EA's requirements.

5.6 WBC'S HEAD OF ENVIRONMENTAL HEALTH (AMENITY):

First response:

Further information is required from the applicant in regards the potential affect noise from the railway line will have on the proposed development. A noise impact assessment is necessary with regard to the existing environmental noise that may affect the proposed development, a noise impact assessment needs to be carried out to assess the noise from the West Coast Main Line railway. (The standards required are listed in EHO's response).

Second response:

EHO has reviewed the submitted Noise Assessment. The report identifies that additional mitigation measures are required to ensure that future occupiers of the development are not negatively impacted by noise, including enhanced glazing and trickle ventilation in to the building design and a 1.8m high acoustic fence erected for garden amenity. There are no objections to the proposal provided the mitigation in the report is secured by condition.

5.7 WBC'S HEAD OF ENVIRONMENTAL HEALTH (CONTAMINATION): The proposal is for a sensitive end use. The Council's standard condition should be attached to any permission

requiring a Phase 1 desk study, and a site investigation and remediation strategy if the desk study found potential for contamination. The proposal is for a sensitive end use.

5.8 NETWORK RAIL: No objection in principle to the proposal. A series of requirements must be met within 10m of the railway boundary which include measurements being taken from the operational boundary, not the railway tracks as the land will include infrastructure (such as cables, signals overhead, lines, communication equipment) and boundary treatments, which could be impacted upon.

The developer is required to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations. (This is in addition, and separate to any planning consent). As part of this the applicant would also need to provide a suitable trespass proof steel palisade fence a minimum of 1.8m in height adjacent to the boundary with railway land, in land in the applicant's ownership. As the proposal includes works which may impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail.

The developer/applicant must ensure that their proposal, both during construction and as a permanent arrangement, does not affect the safety, operation or integrity of the existing operational railway / Network Rail land. (Advice has been provided for scaffolding, and foundations).

All surface waters and foul waters must drain away from the direction of the railway boundary. Soakaways for the proposal must be placed at least 30m from the railway boundary.

5.9 GREATER MANCHESTER ECOLOGY UNIT (GMEU): The main concern is the potential loss of mature broadleaved trees, particularly associated with Plot 2. It is not clear from the plans supplied or the ecology survey whether any trees will be lost to the scheme, but dwg. no. LF/TB/3403 indicates that trees may need to be removed to facilitate the construction of Plot 2. The loss of any mature broadleaved trees would be opposed. Any retained trees will need to be suitably protected from harm during the course of any approved development. If trees do need to be felled then replacement standard tree planting must be sought as compensation.

The grassland does not appear to be species rich and the vegetation alongside the railway line is capable of being retained.

5.10 CANAL AND RIVERS TRUST: This application falls outside the notified area for its application scale, and therefore there is no need for comment on this proposal.

5.11 UNITED UTILITIES: Comments provided that United Utilities has abstraction boreholes used for public water supply in the vicinity of this application which could be affected. Therefore the response provides information for the applicant on discharge of clean roof water to ground, sustainable drainage systems should followed the sustainable drainage systems (SUDS) hierarchy. Conditions are therefore suggested that requires the proposal to follow, the drainage hierarchy and that a rate of discharge of surface water be agreed with the Local Planning Authority along with a timetable for implementation. A condition is also recommended requiring foul and surface water to be drained on separate systems.

5.12 NATS (formerly National Air Traffic Services): The proposal does not conflict with safeguarding criteria and therefore there are no objections to the proposal.

5.13 PRESTON CITY COUNCIL: No objections

5.14 LANCASHIRE FIRE AND RESCUE: Advice provided in relation to building regulations, which should be attached as an informative.

6.0 REPRESENTATIONS

6.1 Four letters of objection have been received to the application. The issues raised that are material planning considerations can be summarised as follows:

- o Invasion of privacy from the development
- o Increase in noise upon existing properties
- o Loss of open green space
- o Increase in traffic using existing lane and associated noise
- o Increase in traffic issues with more traffic from the development when the church is holding events
- o There is poor visibility from the access onto Bilsborrow Lane, and the proposal would intensify the use of this access by vehicles and would be unsafe.
- o The development is not within the building line of existing properties
- o The proposal is similar to a planning application refused and dismissed at appeal at The Ridge, 18/00220/OUT. For the same reasons this application should be refused.
- o The land is a field, not part of a garden.
- o It is queried why the access track is to be used as an access to plot 2, as this track is a right of way.
- o There is insufficient information submitted in relation to tree planting.
- o The applicant has recently removed a line of trees which were a division of the field. Tree planting should be required in mitigation.
- o A Flood Risk Assessment should be submitted as a portion of the site is within Flood Zone 3. There is no analysis of whether the proposal will increase flood risk elsewhere.
- o The application does not include suitable consideration of the drainage hierarchy in the National Planning Policy Framework.
- o The Drainage Engineer requires a connection to the main sewer which conflicts with proposed use of a Package Treatment Plant of which there are no details.
- o The site has the potential to accommodate protected species but no Phase 1 survey has been submitted.

Matters have been raised such as devaluation of existing property, loss of view, and who (public or applicants family members) may occupy the dwellings, which are not material planning considerations and cannot be taken into account in the assessment of this application.

6.2 Two letters of comment have also been received from one of the objectors. These letters raise the following comments:

- o The public right of way (access track) must remain open and unobstructed at all times.
- o Water and telephone services pass through the land and it should be ensured these services are not interrupted by the proposed development.

The submitted letters also state there is a right of access over the public right of way. This is not a material planning consideration and is a separate private legal matter.

6.3 One letter seeming to be a letter of support has been received to the application. The letter stance is 'Customer made comments in support of the Planning Application' but goes on to query the application, rather than support it. Therefore it is considered this is a letter of comment. The matters raised can be summarised as follows:

- o It is queried how the datum level has been established as there does not appear to be a topographical survey
- o If plot 2 is to be dug out and excavated then it will fall within a flood zone.
- o The drainage connection might not be to mains sewer as at the levels proposed a pumping station would be required.

- o A full Flood Risk Assessment and sequential test should be carried out, as well as a topographical survey to ensure the plans are correct.

7.0 CONTACT WITH APPLICANT/AGENT

7.1 General updates on the progress of the application have been provided. There has been contact with the agent in relation to highways access matters, clarification of land levels, and boundary treatments. The applicant has submitted amended plans which are considered to be acceptable.

7.2 The applicant has also been advised of the Environment Agency's consultation response and has submitted a Flood Risk Assessment.

8.0 ISSUES

8.1 Principle of development and Policy compliance -

8.1.1 The proposal seeks full planning permission for the erection of 2no. dwellings. The site falls within the settlement boundary of Bilsborrow in the Wyre Adopted Local Plan 2011-31. Policy SP1 (Development Strategy) of the Wyre Local Plan seeks to deliver and direct new development in line with the settlement hierarchy. Bilsborrow is listed as one of the Main Rural Settlements within the hierarchy where 14.9% of housing growth is expected during the plan period 2011 to 2031. Therefore in terms of location the proposed development would be compliant and in accordance with the development strategy set out within Policy SP1.

8.1.2 Policy SP2 of the Adopted Local Plan sets out that new development should be sustainable and contribute to the continuation or creation of sustainable communities in terms of location and accessibility. Sustainability is also a material consideration requirement of the NPPF. As the site is included within the defined settlement boundary of Bilsborrow the site is not considered to be isolated being adjacent to existing residential properties to the north off Bilsborrow Lane, and is considered to be well related to the settlement of Bilsborrow and its existing services. The proposal is therefore considered to be sustainable in terms of sustainability in accordance with Policy SP2.

8.1.3 Objectors have referenced another application site further east on Bilsborrow Lane at The Ridge, ref: 18/00220/OUT, which was refused planning permission and dismissed at appeal. This application differs from that refused application in terms of the location of the proposed dwellings in Policy terms, as this site is within the defined settlement boundary, whereas the refused site beyond the two houses already granted planning permission at that site frontage, is within the designated countryside area. Therefore that proposal extended into the countryside area outside the defined settlement boundary contrary to policy, and therefore unacceptable in principle. It is therefore considered the two sites are not comparable in Policy principle terms.

8.1.4 The proposed dwellings would be sited on land to the rear of existing dwellings along Bilsborrow Lane which have a linear form and building line following the road. In this regard the proposal has some similarity to the refused scheme 18/00220/OUT at The Ridge, which was also dismissed at Appeal. The Planning Inspector included a paragraph in her appeal decision about the pattern of development in the area as follows:

'The site is a large undeveloped parcel of land with an open semi-rural character. Bacchus Brook and mature trees run along the southern edge of the site. Beyond the trees and the brook is further countryside land with an open character. The two proposed frontage dwellings would dominate views from the lane. However, the alignment and length of the proposed access would clearly indicate that a far greater extent of development lies behind. Units 3 to 8 and any associated development would be likely to form an extended line of built form. Despite the varied ground levels, the proposal would cause a substantial change to the open character of

the site in the context of the lane which is characterised by a linear form of development. As the appeal scheme would run contrary to this pattern of development, the proposal would not be a logical extension to development on the lane. Thus, even if I am wrong about the site not being a single infill plot, the proposal would be contrary to Local Plan Policy SP13 as it would have a detrimental effect on the semi-rural character of the area'.

She also states:

'Even if eLP Policy SP1 encourages growth, and there is an approach to disperse development across the borough's main settlements, development is still anticipated to be delivered within the settlement boundaries proposed, which the appeal site, mainly falls outside of. Even if there has been a reduction in the number of small sites with planning permission in Bilsborrow, development in the countryside will only be supported by another policy in the eLP. However, I conclude, that the proposal as a whole would not accord with eLP policies SP1 (5) and SP4 (2), which jointly say that new built development outside of the defined boundaries will be strictly limited unless it accords with the purposes listed'.

8.1.5 Therefore the Inspector ruled that the proposal did not accord with the emerging policies (or previous policies as stated elsewhere in her decision), but also that because of the proposed road layout and open-semi-rural character of the site, the dwellings proposed at The Ridge behind the frontage properties that development would indicate there would be a greater extend of development behind and that there would be and extended building line behind. Therefore it would be obvious that there was residential; development behind the two frontage properties.

8.1.6 In this case the proposal is similar to the refused scheme in that there would be dwellings sited behind the properties fronting Bilsborrow Lane, and therefore the dwellings would not follow the existing linear pattern of development. However, it is considered this proposal is materially different to the Appeal scheme in that because of the location of the access road, the fall in the land levels, and as the site is not open and therefore semi-rural in character, it would be less obvious that there would be further development behind the frontage properties to the road, and these properties would not be visible from Bilsborrow Lane. It is therefore considered that whilst similar there is enough material difference between the proposals to justify why the development this a more logical and sympathetic expansion to Bilsborrow Lane, than the refused appeal scheme. Therefore it is considered that development of this site would not result in unacceptable harm to the character and pattern of development in the area.

Housing Land Supply

8.1.7 The Adopted Local Plan has been found sound with a robust five year land supply. This was protected until October 2019. The Council has submitted an Annual Position Statement to the Planning Inspectorate for consideration, which demonstrates a five year supply is maintained beyond October. The five year land supply does not rely on this proposal, however the housing figures in the Adopted Local Plan are minimum delivery figures and therefore developments within settlements can be considered acceptable in principle, subject to proposals meeting all other Policy requirements of the Local Plan. These matters are considered below in this report.

8.2 Visual Impact / Impact on the streetscene -

8.2.1 The application site is located to the rear of an existing property on the south side of Bilsborrow Lane, known as Long Meadow. The site is not easily visible from Bilsborrow Lane due to existing residential properties and the existing railway line and road bridge over this line which is at a higher land level than the application site. The access route is visible passed the side of Long Meadow, however as the track heads further south passed this dwelling the site is not visible from Bilsborrow Lane. To the south of the site is a trees boundary with the adjacent brook which screens the proposal from the countryside area to the south. The access track

which runs along the western side of the application site, is however a public right of way, and therefore the proposal would be visible to users of this right of way.

8.2.2 On the opposite side of the access track there is an existing treed boundary running along the western side of the public right of way. Because of this, and as the application site is undulating, lowers in and levels as it heads further southwards, is behind existing residential dwellings, and is screened from the main road by these existing building, and is lower than the adjacent railway line, the site is essentially tucked away and not open to wider views in the surrounding area. Therefore it is considered the proposal would not result in a harmful visual impact upon the wider surrounding area. The single storey dwelling would be on the highest part of the site and would be no higher than existing residential properties along Bilsborrow Lane, and the two storey dwelling would be set down on the lower part of the site, and therefore again would be lower in height than existing dwellings on the south side of Bilsborrow Lane. Therefore it is considered the scale of the proposed dwellings would not give rise to visual harm.

8.2.3 From immediate views from the existing public right of way passing the site the proposal would inevitably change the appearance and character of the site. The right of way is however, secluded and well screened from the wider countryside. Overall as the proposal would be within the settlement boundary and would not cause harm to the character and appearance of the wider area and surrounding countryside, the proposal is considered acceptable in terms of visual impact.

8.3 Design and Layout

8.3.1 The 1 ½ storey property would have an almost horse-shoe shape and footprint. The windows would have a vertical emphasis to the framing which is considered to be well proportioned with the amount of solid wall around them, and the proposed chimney projecting out of the north facing roof expanse would also pick up on this vertical emphasis. Therefore whilst the dwelling would have relatively simple fenestration, the shape and layout of the footprint, and the vertical features would ensure the dwellings did not appear overly long and linear from public vantage points such as the existing right of way. The associated garage would also pick up the pitched roof design, and would be relatively simple in design and appearance, but also have some interest as two thirds of the west facing elevation would be open fronted and one third would have a garage door to provide an enclosed part to the garage.

8.3.2 Proposed plot 2 would be the taller of the two dwellings but would be set down on the landscape and therefore be sited lower in the landscape than plot 1. The property would have an appearance not dissimilar to a traditional manor house with twin gable on the front north west elevation and a central section between the gables, and a side chimney. The central section of the front elevation would be recessed at ground floor, and the windows at first floor would project out slightly over the void area below. It is considered this is a more modern design, but is well proportioned and would be an interesting feature on the front elevation. The rear elevation would also have a pair of gables with a flat roof element sat between. At ground floor there would be a flat roofed area projecting slightly beyond one of the gables containing bi-fold doors out to the proposed rear garden area, and there would be a rear single storey projection joined to this, which would have a glazed lantern roof. Whilst the design of the rear elevation is considered to be unusual, and the ground floor would have a flat roof section to some degree across the whole elevation, because this projection is minimum and two main gables are proposed it is considered that the design and proportions balance out. The vertical emphasis of the glazing would also help to keep the design in proportion. It is considered overall that the design of the dwelling is acceptable and that the garage with simple character and appearance it also acceptable.

8.3.3 The proposed materials of natural slate roofing, dressed buff natural stone to the walls, anthracite grey UPVC frames to the windows and doors, and Indian stone for hard landscaping

area considered acceptable in principle, however full details of the materials including finish and colour have not been submitted with the application. Therefore it is considered that a condition should be attached requiring full details of the materials be submitted and agreed prior to the commencement of any of the dwellings. Subject to this condition it is considered the proposed dwellings and garages would be acceptable in terms of design and appearance in accordance with Policy CDMP3 of the Adopted Local Plan 2011-31.

8.3.4 The applicant has been contacted for clarification of proposed boundary treatments including location and type of treatment. The applicant has submitted a plan showing proposed surfacing details, boundary treatments, and proposed planting. The revised plan shows that boundary treatments would form the curtilage around the garden of each dwelling and then the area to be retained as meadow beyond would be outside of the curtilage, but within the blue edge and therefore in the applicants ownership. The boundaries around each of the dwellings and its garden curtilage would be timber acoustic fencing 40mm thick, and 2m high set into concrete basing. Further east of each plot between the dwellings and the railway would be an 1.8m high solid featherboarding fence set off from the railway embankment. As this is within the applicants ownership it is considered this required acoustic fencing can be delivered in the location shown. To the western boundary of the site alongside the eastern side of the access track would be a 1.8m high post and panel fence (timber panels between concrete posts). The proposed boundary treatments are considered to be acceptable in terms of appearance as the fencing alongside the track would have the character and appearance of standard domestic garden fencing, and the fencing around the curtilage of the two dwellings would also be of timber construction typical of standard garden fencing, but with acoustic properties. The 1.8m high featherboard fence alongside the railway is also considered to be acceptable being set down well below the level of the railway line, but also of a timber appearance which is considered appropriate to the character of the area. A condition will be attached requiring the boundary treatments to be installed prior to occupation of the dwellings in accordance with the submitted details.

8.4 Impact on residential Amenity

8.4.1 There are existing residential dwellings to the north of the application site, between the proposed dwellings, and Bilsborrow Lane. These dwellings are known as Duncombe Lodge, and Long Meadow (the latter is in the applicants ownership). To the west is land associated with and to the rear of a property known as Hill View. To the south is Bacchus Brook, and further south of this brook (in Preston City Council's Borough) are existing residential properties and outbuildings at Anderton Fold and the associated Bacchus Fold which has planning permission for permanent residential lodges. To the east is the existing railway line with a property known as Meadow Bank beyond access off Bilsborrow Lane.

8.4.2 Plot 1 would be the closest of the proposed properties to existing residential properties. The northern elevation of this plot would be 41m away from the rear, and therefore nearest, wall of the existing dwelling known as Duncombe Lodge, and 52.2m away from the rear wall of Long Meadow. The proposed garage serving plot 1 would be 25m away from the rear wall of Duncombe Lodge and set off the boundary with the garden of this property. The northern elevation of plot 1 would be 18.1m away from the garden boundary of Duncombe Lodge, and 19.6m away from the garden boundary with Long Meadow. Due to these separation distances, the siting of the plot with the nearest elevation to these properties facing between these dwellings rather than directly facing them, and as the plot would be sited at a lower land level than these existing properties (3.3m lower than Long Meadow, which is similar in height to Duncombe Lodge), it is considered the proposed dwelling would not result in any unacceptable overlooking, overbearing, or loss of light to the occupiers of the existing properties. Because of the distances involved it is also considered that the existing properties would not be overbearing upon proposed Plot 1. Plot 2 is a further distance away from existing properties and at an even

lower land level and would not therefore result in any unacceptable harm to neighbouring residential amenity.

8.4.3 The application site is separated from Anderton Fold and Bacchus Fold to the south by an existing parcel of land not within the application site, and by Bacchus Brook. There is an existing extent of tree screening along the side of the brook which would separate the proposal from these existing properties to the south. Even without the screening there would be a sufficient distance between the application site and these existing premises and those with planning permission to ensure that there would be no unacceptable overlooking, overbearing or loss of light caused to properties to the south from the proposal, and no unacceptable impact from those properties to the south upon the application site.

8.4.4 There are no existing residential dwellings directly to the west of the proposal, and the existing dwelling to which this land is in ownership of is sited to the north west on the opposite side of the access track and well over 21m away from the proposed dwellings, with a tennis court in between. There is also a tree and shrub boundary between the application site and the adjacent land to the west. Therefore it is considered the proposal would have no unacceptable impact upon the amenity of occupiers of Hill View, or the outbuildings of this property.

8.5 Impact on Highway / Parking -

8.5.1 The application proposes to use an existing access serving Long Meadow off the south side of Bilsborrow Lane to also serve the two proposed dwellings. This access and the track are also an existing public right of way. LCC Highways originally raised concerns to the application on the grounds that it had not been proved safe access and visibility splays could be provided. LCC Highways had no concerns about the proposal on highway capacity grounds, but required that the applicant should prove that the required visibility splays could be achieved. LCC Highways also recommended that a 2m wide footpath be provided along the frontage of Long Meadow with Bilsborrow Lane to promote sustainable forms of transport, and as the footpath on the opposite side of the road is only 1m wide.

8.5.2 Following LCC Highways response the applicant was asked to provide amended plans to demonstrate the safe access and sufficient visibility splays could be provided. The applicant provided an amended plan however, the Highways Officer responded that some minor amendments were required. Discussions have also taken place between the planning department and LCC Highways about the recommended 2m wide footpath across the frontage of Long Meadow. The Highways Officer has advised through discussions that this is a recommendation but is not required or necessary to make the development acceptable. Therefore it is considered the provision of a footpath would not meet the tests of being reasonable or necessary for the development and therefore this footpath has been removed from the scheme. The Highways Officer also advised that a separate turning head was not required along the side of the access track if the area in front of Plot 2 was surfaced in a material that waste and fire vehicles could use to turn. Further amended plans have been submitted with the 2m footpath removed, the visibility splays amended to reflect the highways officers comments, and the additional turning head removed and the area in front of plot 2 shown as hardstanding and grasscrete. LCC Highways have provided a further response to the amended plans confirming that there are no objections to the proposal subject to conditions.

8.5.3 As the proposal would provide parking provision to serve the proposed dwellings there is a requirement by Policy CDMP6 of the Adopted Local Plan for the provision of electric vehicle charging points. A condition will be attached requiring such provision.

8.6 Flood Risk -

8.6.1 Objectors have raised concerns about flood risk and that a Flood Risk Assessment and sequential test should have been submitted as part of the application. The application site is wholly within Flood Zone 1, as is the access/egress to the site with Bilsborrow Lane, meaning occupants of the site could occupy the properties and enter and leave the site without travelling through land at the lowest risk of flooding. The area of Flood Zone 3 is outside of the site boundary on land between the application site boundary and the existing Bacchus Brook. Therefore a Flood Risk Assessment is not required in this case. A sequential test is also not required in this case as none of the site falls within Flood Zones 2 or 3. Therefore in terms of flood risk the proposal is considered to be acceptable.

8.6.2 Objectors have also raised concern about plot 2 and whether plot 2 would be within flood zone 3 or at risk of flooding because the application proposes to change the land levels lower than existing to site plot 2. The applicant has submitted the Environment Agency's flood zone maps, and email of their attempts to contact the Environment Agency (EA) about datum levels for the flood zone. The response the applicant has received from the Environmental Agency which states the EA have no modelled data for plot 2 grid coordinates and confirming there are no recorded flood events. The applicant therefore considers that because there is no modelled datum for the flood zone providing a flood design level on the submitted plans is not possible. The Environment Agency has been contacted for their comments on the land levels for Plot 2, notwithstanding that the whole site is shown as being within flood zone 1. The Environment Agency responded that a Flood Risk Assessment is required. The applicant has been advised of the Environment Agency's response and has submitted a Flood Risk Assessment. The Environment Agency has considered the FRA and having reviewed it is satisfied that the development would be safe without exacerbating flood risk elsewhere and has withdrawn its objection in relation to flood risk, provided the development proceeds in accordance with the FRA and Site Sections Plan (drawing number LF/TB/3429), and subject to a condition requiring that there are no changes to the ground levels within Flood Zone 3. Such conditions will be attached. Therefore it is considered that the development would not be at risk of flooding or exacerbate flood risk elsewhere.

8.6.3 In terms of foul and surface water drainage the application currently indicates that foul drainage would be dealt with by means of a package treatment plant. Surface water is proposed to be discharged to the existing watercourse. The Council's Drainage Engineer has been consulted and has no objections in principle citing that standards drainage conditions should be attached requiring details of foul and water drainage. In terms of foul drainage he considers the site is within a mains sewerage area but beyond the 60 metre distance to mains, and that notwithstanding this consideration should be given to connection to the mains system in preference to a treatment plant. The applicant has been advised of the drainage engineers comments and considers that a treatment plant with discharge to the watercourse may still be an option, but is happy to agree to a pre-commencement condition requiring full drainage details so that a full drainage strategy can be considered and provided. The Environment Agency still retains its objection on the matter of foul drainage citing that the proposed development involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer but no information or justification has been provided for the use of a non-mains system. However, as there is a drainage solution in this case involving either connection of foul to the mains or to a package treatment plant, it is considered that suitable drainage can be achieved and therefore a pre-commencement condition requiring full agreement of both foul and surface water drainage details is appropriate. The applicant has agreed to such a pre-commencement condition. Subject to this condition it is considered that the site can be adequately drained and will comply with the requirements of Policy CDMP2 of the Adopted Local Plan 2011-31.

8.7 Ecology and Trees

8.7.1 The application site is not within an area with an ecological designation. It is however grassed land containing trees, two of which are sizeable, and the existing sand paddock. Objectors raised concerns that an ecology survey had not been submitted with the application. The applicant was advised that the Greater Manchester Ecology Unit (GMEU) had been consulted on the application, and subsequently submitted an Ecological Assessment. GMEU has been re-consulted on this assessment and advised of the objections received which have raised concerns about tree removal prior to the submission of the application.

8.7.2 GMEU has commented that they would not wish to see the removal of any more mature trees from the site, as the potential loss of the trees (the two in the centre of the site and to the south particularly associated with plot 2), would be of concern. GMEU have advised that the trees close to plot 2 must be retained for ecological purposes, particularly as some trees have been removed from the site prior to the submission of the application, as evidenced at the site visit. It is considered that the proposed siting of the two dwellings, one to the north of these trees, and one to the south, would not cause harm to the existing trees, or cause them to be damaged or removed, and that these trees can be retained. GMEU considers that it is not clear from the plans or survey whether these trees would be removed, but recommends they are retained and protected during the course of the development. If they do need to be removed then replacement tree planting should be provided in mitigation for their loss. GMEU also considers the grassland is not species rich and the vegetation alongside the railway line is capable of being retained.

8.7.3 The Council's Tree Officer has also been consulted on the application and has provided a response with aerial photographs which shows that trees in the north west corner of the site have been removed. The Tree Officer has however confirmed that there are no tree preservation orders on the site and that there are no trees on the site that he considers worthy of being given a Tree Preservation Order. He has therefore raised no objections to the proposal providing that those mature heavy standard trees that remain on the site are protected during the course of the works by tree protection fencing with a 7m stand off from the trunks.

8.7.4 The applicant has submitted a landscaping plan following GMEU's comments which shows the existing trees near plot 2 to be retained, and proposes two new areas of Copse tree planting to the east and south east of plot 1 between the plot and the railway line. These two copse areas would be outside of the curtilage of the dwellings and propose a total of 18no. trees with a mixture of beech, English Oak and Silver Birch. The plan also shows the proposed location of tree protection fencing with a 7m stand-off from the stem of the existing mature trees. It is considered that the landscaping plan, and the additional planting should can be controlled by condition as they can be provided within the site and land in the applicant's ownership, and the Council's standard condition used to ensure that should these trees die or become diseased and require removal that they be replaced with suitable replacement planting. It is also considered that a separate condition should be attached requiring the trees to be protected in the location shown on the plan and the measures shown during the course of any works. Subject to this condition it is considered the proposal would not result in unacceptable harm to trees, and would be acceptable in terms of soft landscaping.

8.9 Contamination -

8.9.1 The NPPF states that where a site is affected by contamination, responsibility for securing a safe development rests with the developer/ landowner. The National Planning Policy Guidance (NPPG) also states that local authorities should use conditions to secure the adequate remediation of contaminated land.

8.9.2 The Head of Environmental Health has no objections to the proposed development provided that a condition is attached to ensure a desk study is carried out and submitted to and agreed by the Local Planning Authority prior to the commencement of development. Subject to

this condition it is considered the proposal would be acceptable in terms of ground contamination and would comply with the policy provisions of the NPPF and NPPG.

8.10 Other Issues -

Waste Management

8.10.1 The National Planning Policy for Waste (NPPW) advises that all good design and layout in new development can help to secure opportunities for sustainable waste management. Local Planning Authorities should ensure that new development makes sufficient provision for waste management and promote designs and layouts that secure the integration of waste management facilities without adverse effects on the street scene.

8.10.2 The application includes information on refuse vehicle collection, and waste storage. The applicant has amended the proposals to provide a grasscrete area so that the frontage to plot 2 is sufficient to enable turning use by waste collection (and fire service) vehicles, and both properties would have bin storage areas within their curtilage as shown on the submitted plans. The submitted plans would be secured by condition. It is considered the proposal would comply with the NPPW.

9.0 CONCLUSION

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise.

9.2 The proposed development of the site for residential development is acceptable in principle as the site is located within the settlement boundary of Bilsborrow in the Adopted Local Plan 2011-31. Objections have been received in relation to this application. These objections which have raised material planning considerations have been taken into account. It is however considered that these objections have been addressed either through planning policy considerations, consultation responses from statutory consultees, or are not of such weight that planning permission should be refused.

9.3 LCC Highways has no objections to the proposal, and have no objections in relation to highway capacity, and consider the development would have adequate access and would not result in severe impact upon the safety of the highway network.

9.4 The proposal would also be acceptable in terms of flood risk, visual impact, design, and impact on amenity, contamination, ecology, landscaping, and waste management subject to conditions. The development would also be acceptable in terms of drainage subject to a pre-commencement condition.

9.5 It is considered there are no significant adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal and no specific policies in the NPPF that indicate development should be restricted. It is considered that in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be approved.

10.0 HUMAN RIGHTS ACT IMPLICATIONS

10.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

10.2 ARTICLE 1 of the First Protocol Protection of Property has been considered in coming to this recommendation.

11.0 RECOMMENDATION

Approve subject to conditions

CASE OFFICER:

SENIOR OFFICER:

DATE:

Recommendation: Permit Conditions: -

1. The development must be begun before the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 07.07.2019 including the following plans/documents:

- Site Location Plan (Stanfords VectorMap) received by the Local Planning Authority on 05/03/2020
- Drawing No. LF/TB/3403RevisionD Proposed Site Plan Scale 1:500 dated 05/03/2020 including details of the site access and visibility splays
- Drawing No. LF/TB/3401 dated 4th July 2019 (Floor plans, elevations, roof plan and garage of plot 1)
- Drawing No. LF/TB/3402 dated 4th July 2019 (Floor plans, elevations, roof plan and garage of plot 2)
- Drawing No. LF/TB/3429 dated 29th August 2019 (Site Sections)

The development shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. No development above ground level shall be commenced until details of the following have first been submitted to and approved in writing by the Local Planning Authority:

- materials to be used in the construction of the external surfaces of the dwellings (including the external walls, roof, and windows),
- materials (including colour and finish) to be used for hard landscaping areas (other than the grasscrete area, and tarmac road shown on plan LF/TB/3412RevB).

The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. Prior to the commencement of development, a drainage scheme, which shall detail measures for the attenuation and the disposal of foul and surface waters, together with details of existing and proposed ground and finished floor levels to achieve the drainage scheme and any flood risk mitigation deemed necessary, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be in accordance with the hierarchy of drainage options outlined in Policy CDMP2 of the Adopted Local Plan 2011-31 or any equivalent policy in an adopted Local Plan that replicates the existing Local Plan, with evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates to be submitted. For the avoidance of doubt, surface water must drain separate from the foul and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

No part of the development shall be occupied or brought into first use until the drainage works and levels have been completed in accordance with the approved scheme. Thereafter the agreed scheme shall be retained, managed and maintained in accordance with the approved details.

Reason: To promote sustainable development using appropriate drainage systems, ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health, to prevent an undue increase in surface water run-off to reduce the risk of flooding and in the interests of visual and residential amenity in accordance with policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31) and the National Planning Policy Framework. The condition is required to be approved prior to commencement of development to ensure that full details are provided, that have not been forthcoming with the application, to ensure a suitable form of drainage is provided in that specific area taking into consideration land conditions and proximity to existing services and to ensure that any proposed raising of levels can be assessed and that a coherent approach is taken with regard to the design of drainage and housing layout.

5. The ground, slab and finished floor levels shall be constructed and completed in accordance with the following approved plans unless alternative levels details are submitted to and approved in writing by the Local Planning Authority prior to such level changes taking place:

- Proposed Site Section Plan Drawing No. LF/TB/3429 dated 29th August 2019

Reason: To ensure that the development has a satisfactory visual impact on the streetscene, a satisfactory impact on neighbouring residential amenity and has a minimum risk of flooding in accordance with Policies CDMP2 and CDMP3 of the Wyre Local Plan (2011-31).

6. Prior to the commencement of development a desk study to investigate and produce an assessment of the risk of the potential for on-site contamination shall be undertaken and submitted to and approved in writing by the Local Planning Authority. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the approved scheme implemented prior to the development of the site. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

7. Prior to first occupation of the dwellings hereby approved the off-site works of highway improvement [namely, any works to create the widened access that are within the adopted highway) shall be carried out, unless an alternative timetable for implementation is submitted to and approved in writing by the Local Planning Authority. The off-site highway works shall be carried out in accordance with any alternative approved timetable for implementation.

Reason: In order to ensure the timely delivery of the necessary off-site highway works in the interests of highway safety / to encourage sustainable travel in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

8. The development hereby approved shall not be first occupied or brought into use until the parking / turning area(s) shown on the approved plan Drawing No. LF/TB/3403RevisionD Proposed Site Plan Scale 1:500 has been laid out, surfaced and drained. The parking / turning area(s) shall not thereafter be used for any purpose other than for the parking and manoeuvring of vehicles.

Reason: To ensure that adequate off road parking is provided to serve the development in the interests of highway safety and in accordance with the provisions of Policy CDMP6 of the Wyre Local Plan (2011-31).

9. The boundary treatments and track surfacing shall take place in accordance with the details shown on Drawing No. LF/TB/3412RevB and shall be installed before the dwellings hereby approved are first occupied and shall thereafter be retained and maintained.

Reason: For the avoidance of doubt and in the interests of residential amenity to secure private curtilage and sufficient access, and in the interests of the appearance of the site and locality in accordance with the provisions of paragraph 17 of the NPPF and Policies CDMP3 and CDMP6 of the Adopted Wyre Borough Local Plan (WLP31).

10. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: In the interests of highway safety to prevent stones and mud being carried onto the public highway, in accordance with Policy CDMP6 of the Adopted Wyre Local Plan 2011-31.

11. The landscaping works shall be carried out in accordance with the approved details shown on drawing No. LF/TB/3412RevB within the first planting season (October to March) following first use/occupation of any part of the development or otherwise in accordance with a programme agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained.

Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting, or any trees or shrubs planted as replacements shall be replaced within the next planting season

by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and ecology in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework.

12. The trees shown as being retained on the submitted landscaping drawing No. LF/TB/3412RevB with Tree Protection demarcation shall be protected by Heras fencing in accordance with the details shown on this approved plan and particulars, before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In order to protect trees from damage or loss in the interests of the amenity of the area in accordance with Policies CDMP3 and CDMP4 of the Wyre Local Plan (2011-31) and to ensure compliance with the Wildlife and Countryside Act 1981.

13. Prior to first occupation of the dwellings hereby approved, the scheme of noise insulation measures set out in the supporting Noise Assessment submitted with the application (Report No. 1808-1 by Martin Environmental Solutions dated September 2019) shall be implemented. The approved noise insulation measures shall thereafter be retained.

Reason: To ensure there is no adverse effect on the health and quality of life of future occupants and to avoid an unacceptable impact on residential amenity by virtue of noise in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

14. An electric vehicle recharging (EVCP) scheme shall be submitted for all dwellings with parking provision unless it is demonstrated that such provision of EVCP is not practical in communal parking areas or due to other identified site constraints. No dwelling shall be occupied until the electric vehicle recharging point has been provided for the dwelling to which it relates, and such electric vehicle recharging point shall be maintained and retained for that purpose thereafter.

Reason: To ensure the provision of appropriate on-site mitigation to compensate for the impact on air quality caused by the development in the surrounding area in accordance with Policy CDMP6 of the Wyre Local Plan (2011-31).

Reasons: -

Notes: -

The Local Planning Authority has had regard to the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and has met the requirement of paragraph 187 of the National Planning Policy Framework to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area by working with applicants to find solutions to any problems that have arisen in this planning application details of which are expanded upon in the officers report.

Case Officer's Signature:

Date: 9 March 2020

Senior Officer's Signature: