

## RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

### **DEFER AND DELEGATE**

**DATE: 11 MARCH 2021**

**REF: AB**

**CHECKED BY:**

**APPLICATION REF: 3/2020/0601**

**GRID REF: SD 375197 441551**

### **DEVELOPMENT DESCRIPTION:**

OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF UP TO 125 DWELLINGS WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM AND VEHICULAR ACCESS POINT FROM HIGHMOOR PARK (ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS) AT LAND AT HIGHMOOR FARM CLITHEROE BB7 1PN

### **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

#### **CLITHEROE TOWN COUNCIL:**

The Town Council wishes to object to this application. The first objection is on the grounds of sustainability as the development is at a considerable distance from the town centre so will not be walkable for many people. The second objection is on the grounds of highway safety/problems as it is submitted that further development off Pendle Road will lead to an increase in the density of traffic on an already busy road. The third objection is that the application makes insufficient provision for affordable housing which is very much needed in Clitheroe at present rather than more market value housing. The Town Council also wishes to voice its concern regarding the PROWs which traverses the site and requests that these must be maintained.

#### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

Taking in to consideration the proposed access details and the prevailing highway conditions, the proposed access would be considered acceptable in principle, subject to detailed design and I would therefore raise no objection to the proposed means of access subject to appropriate conditions being attached to any permission that may be granted.

#### **LCC EDUCATION:**

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 48 primary and 19 secondary school places.

#### **UNITED UTILITIES:**

No objection subject to conditions.

#### **LOCAL LEAD FLOOD OFFICER (LLFA):**

The Lead Local Flood Authority has no objection to the proposed development, subject to the inclusion of conditions.

**ENVIRONMENT AGENCY:**

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

**EAST LANCASHIRE HOSPITALS NHS TRUST:**

The contribution requested for this proposed development of 125 dwellings is £173,009. This contribution will be used directly to provide additional services to meet patient demand.

**ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 14 individual households/addresses objecting to the application on the following grounds:

- Pendle Road is becoming extremely busy with increased congestion
- Wildlife seen at the application site would be lost
- Already development of 1,000 houses at Standen
- The site is located outside of the settlement boundary of Clitheroe
- Clitheroe Grammar School looking to make profit at others expense
- Further clarity on how the site will be accessed as the existing track from Highmoor Park is narrow and used extensively by walkers
- Disturbance and traffic noise for existing residents close to access road
- Field offers open views across towards Pendle View
- Site could provide habitat for bats and breeding birds
- Potential brownfield sites have not been fully investigated
- Footpath through the proposed site would allow walkers to look directly into existing dwellings resulting in loss of privacy
- 6ft wall should be added to the boundary with Abbot Walk
- Concerned about flooding and surface water drainage
- There was only ever intended to be 100 houses built on the site
- The traffic report that has been submitted is out-of-date
- The roads will not cope with the additional traffic
- New houses in Clitheroe need dramatically improved infrastructure to support them
- Not enough school places
- Once permission is given it will only be a matter of time before an application is submitted for the remainder of the large meadow field
- The buildings will be visually overbearing and result in loss of light to existing residents
- Speed limits and parking regulations being ignored along Pendle Road
- Footpath through the site may be closed and would like reassurance that pedestrian access will not be denied.
- Increase in air pollution

1. **Site Description and Surrounding Area**

- 1.1 This application relates to approximately 5 hectares of pastureland which lies at the eastern end of the built-up area of Clitheroe. The site comprises agricultural land which was part of the former Highmoor Farm and is located adjacent to an existing residential area of Clitheroe to the north of Pendle Road. Existing dwellings at Highmoor Park, Abbot Walk and Bracken Hey bound the site's western boundary.
- 1.2 At present access into the site is taken from Highmoor Park along a single width farm track which also serves as a public right of way (FP 10). The central part of the site is mainly grassland with boundary hedgerows and trees. The site is bordered to the north-west by a woodland belt, some which is protected by TPO. Two brooks also run adjacent the site to the north and south. The site is gently undulating with an overall fall from east to west.
- 1.3 The site adjoins the Highmoor Farm complex itself, which benefits from planning permission for residential development but is excluded from the application site.
- 1.4 The site is allocated for residential development by Policy HAL in the Housing and Economic Development DPD that was adopted on 15 October 2019.

## 2. **Proposed Development for which consent is sought**

- 2.1 The application seeks outline planning permission for the erection of up to 125 dwellings with all matters reserved except for access. The proposed single point access to the site would be taken from Highmoor Park. The existing access track would be upgraded to a 6m wide road with 2m footpaths. The layout is in the form of a cul-de-sac to either side of the main access link.
- 2.2 The proposed dwellings would be a mix of 2, 3 and 4 bedroom accommodation with a maximum two storey height. The development would include the requisite offer of affordable and over 55s housing. New pedestrian routes through the site would connect existing ones including the provision of a 25 metre-wide area of green amenity space between the nearest edge of the adjacent residential estate and the proposed residential development.
- 2.3 The proposed development would also include the provision of a local area for play (LAP) and a scheme of landscaping including replacement hedgerow planting and boundary tree planting to provide a buffer between the proposed development and open fields to the south-east.
- 2.4 The site is located in Flood Zone 1 which has the lowest risk of flooding from rivers and watercourses. Surface water run-off from the site is proposed to be attenuated and would be drained from the site at greenfield run-off rates. An attenuation basin is proposed in the northern corner of the site.

## 3. **Relevant Planning History**

No relevant planning history.

## 4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Presumption in Favour of Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement EN3 – Sustainable Development and Climate Change  
Key Statement EN4 – Biodiversity and Geodiversity  
Key Statement H1 – Housing Provision  
Key Statement H2 – Housing Balance  
Key Statement H3 – Affordable Housing  
Key Statement DMI1 – Planning Obligations  
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DME1 – Protecting Trees and Woodlands  
Policy DME2 – Landscape and Townscape Protection  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management  
Policy DMH1 – Affordable Housing Criteria  
Policy DMB4 – Open Space Provision  
Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

## 5. **Assessment of Proposed Development**

### 5.1 **Principle of Development:**

- 5.1.1 The development plan for the Borough comprises the Ribble Valley Core Strategy which was formally adopted in December 2014 and the Housing and Economic Development (HED) DPD that was adopted 15th October 2019 alongside the Proposals Map for the borough.
- 5.1.2 The latest published position in relation to housing land supply is contained in the Council's Five-Year Supply Statement March 2020 which demonstrates a deliverable 13.9-year housing land supply from the base date of 31st March 2020 against a Local Housing Need Requirement figure of 143 dwellings per year calculated using the 'Standard Method' (as per para. 3. of PPG Guidance 'Housing supply and delivery'). Therefore, the Council is able to comfortably demonstrate a deliverable 5-year supply of housing land. However, it must be noted that although the Local Planning Authority is able to demonstrate a robust supply of housing land there remains the requirement to approve planning applications that accord with the policies in the development plan without delay, unless material considerations indicate otherwise.
- 5.1.3 Key Statement DS1 of the Core Strategy sets out the Borough's housing strategy and provides the overarching vision aimed at achieving a sustainable pattern of development. Key Statement DS1 states that the majority of new housing development will be concentrated within the strategic site at Standen and the

Borough's principal settlements of Clitheroe, Whalley and Longridge. In addition, development will be focused towards the Tier 1 Villages, which are the more sustainable of the 32 defined settlements.

- 5.1.4 Key Statement DS1 also states that in general the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to provide facilities to serve the development and the extent to which development can be accommodated within the local area.
- 5.1.5 Policy DMG2 assists the interpretation of the Development Strategy (Key Statement DS1) and underpins the settlement hierarchy for the purposes of delivering sustainable development. Policy DMG2 (1) states 'development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.'
- 5.1.6 The proposed quantum of development is appropriate compared to the existing population size of Clitheroe which is identified as a Principal Settlement, towards which the majority of new housing development is directed. With regard to Policy DMG2 in order to accord with the first part of the policy (DMG2 (1)) the proposed housing development must be located 'in' the settlement as defined on the Proposals Map. A further but separate test of the first part of the Policy is whether the development is 'closely related to the main built up area'.
- 5.1.7 The application site has been allocated for residential development by the Council in the Housing and Economic Development DPD under Policy HAL. The principle of residential development in this location is thus deemed to accord with Policy HAL and the relevant strategic and housing-related policies and is thus acceptable in principle.
- 5.1.8 Providing affordable homes and housing for older people are priorities within the Council's Housing Strategy and the Strategic Housing Market Assessment (SHMA) does support the need for over 55s accommodation in the Borough. The proposed development would accord with the requirements in Key Statement H3 and Policy DMH1 of the adopted Core Strategy for 30% of the units on site to be affordable dwellings and 15% of large developments (sites of 10 units or more) to be units for the elderly (over 55-year olds) built to lifetime homes standard and of the 15% elderly accommodation a minimum of 50% to be affordable.
- 5.1.9 The Council's Planning Policy section have provided comments which support the above and confirm that the principle of housing on this site is acceptable.
- 5.1.10 In terms of the sustainability of the site with regard to access to services and facilities, there is access to public transport within 400 metres of the site. Clitheroe Town Centre is appropriately 800 – 1,000 metres walk from the site. As such it is considered that most residents would be able to walk into the town centre as a matter of choice and would have walkable access to public transport.

## 5.2 Impact upon Residential Amenity:

- 5.2.1 The masterplan layout of the site is such that it would provide the necessary separation distances between dwellings, private amenity space and habitable room windows to ensure living standards for future occupants were acceptable in terms of light, outlook and privacy.
- 5.2.2 It is considered that the design and layout of the site at reserved matters stage would ensure there is no conflict with the already approved re-development of the Highmoor Farm complex. The residential properties most likely to be impacted by the development proposals are those adjoining the site's western boundary comprising dwellings on Highmoor Park, Abbot Walk and Bracken Hey. A number of these residential properties have their rear elevations and rear gardens facing the application site.
- 5.2.3 The proposed masterplan indicates the provision of a 25 metre-wide amenity open space incorporating tree planting and a new pedestrian walkway through the site to link footpaths to the north and south. Concerns have been raised by existing residents on Highmoor Park, Abbot Walk and Bracken Hey relating to loss of privacy due to walkers using the proposed footpath and glare from motor vehicles that would use the nearest proposed cul-de-sac. However, it is considered that there is sufficient space within the site to ensure that the proposed new footpath and road would be located a reasonable distance from the garden boundaries of these properties to ensure there is no undue loss of privacy and there would be further opportunity to incorporate additional tree or hedgerow planting if necessary.
- 5.2.4 Regarding the impact of noise from traffic generated by the proposals, nos. 2 and 4 Highmoor Park are located close to the proposed single point of access with the new access road being around 12 metres from the rear of these existing dwellings. It must be acknowledged however that these dwellings form part of an established residential estate and as such will already experience a level of background noise. It is not considered that the proposed development would adversely impact on these residents as a result of additional noise when taking account of the existing situation.
- 5.2.5 In view of the above it is considered that the site could accommodate the proposed development without resulting in any undue impact on neighbouring residents. A detailed site layout and landscaping scheme would be provided at reserved matters stage.

5.3 Density/Visual Amenity/External Appearance:

- 5.3.1 The application site has been allocated for residential development in the HED DPD and therefore the principle of development at the site is accepted. Nonetheless, there remains the requirement to ensure that the landscape and visual impact of the development is minimised and would not unduly impact on the appearance and character of the surrounding area as required by policies DMG1 and DME2
- 5.3.2 The planning application is supported by a Landscape and Visual Impact Assessment (LVIA) Report which includes a detailed assessment of the landscape and visual effects of the proposed development. The application site is

not subject to any specific landscape designations although it is acknowledged that the landscape in and around the site is reasonably attractive due to mature hedges and trees and important footpath links between Clitheroe and the AONB to the east. However, at present the existing residential areas create a hard edge to the built-up area. The LVIA considers that any potential adverse landscape and visual effects could be eliminated, or substantially reduced, by a sympathetic layout that protects the existing public routes through the site and includes an appropriate scheme of landscaping.

- 5.3.3 Whilst the site does contain important landscape features including a protected tree it does not demonstrate features such that the application site could be considered a 'valued landscape'. The proposed development includes the retention of high value trees and also proposes the replacement of trees and hedgerows that would be lost as part of the development. Further, the proposal includes new hedgerow and tree planting along the southern boundary which would provide a more suitable transition between the built-up area and open countryside particularly when compared with the existing arrangement.
- 5.3.4 The application site measures 5 hectares with a net developable area of 3.63 hectares. Taking into account the net developable area, the proposed maximum of up to 125 dwellings at the site would result in a housing density of 34 dwellings per hectare (dph). The adjacent residential estate at Highmoor Park has a density range of 30-35 dph and therefore the quantum of development proposed would result in a housing density that would reflect the adjacent housing estate and would make effective use of the land.
- 5.3.5 The Design and Access Statement submitted with the application confirms that the proposed development would deliver a mix of house types that would be based on local character and materials with a traditional design approach.
- 5.3.6 The application also includes various areas of green space designated as public open space, and a play area would be provided at the northern end of the site adjacent to pedestrian routes. This play area would not be reserved for residents of the development and could be used by existing residents within the adjacent residential estate.

#### 5.4 Ecology/Trees:

- 5.4.1 An Ecological Appraisal has been submitted in support of the planning application. This confirms that the majority of the site is species poor grassland which is of low ecological value. However, two brooks close to the site and trees, shrub and hedgerow around and within the site offer much higher ecological value.
- 5.4.2 The Arboricultural Impact Assessment estimates that delivery of the proposed development would require the removal of one moderate quality tree group, four low quality trees, two low quality groups, one low quality hedge and parts of three further low-quality hedges. Additionally, eleven trees and two groups are considered unsuitable for retention as they have relatively short projected life expectancies of less than ten years. As such, it is essential that, should outline permission be granted, the subsequent reserved matters proposals include

adequate provision for the incorporation of better quality trees into the design. The Masterplan drawing includes sufficient space for extensive new tree planting within proposed areas of public open space, in particular to the site's western boundary. Any loss of trees and hedgerows should be adequately compensated for as part of a comprehensive landscaping scheme.

- 5.4.3 All trees identified to be retained, including TPO Common Ash (T20), would be required to be incorporated into the detailed site layout at reserved matters stage and would be adequately protected throughout the development process.
- 5.4.4 In terms of the impact of the removal of trees and hedges on habitats and protected species, there is a low level of bat activity over the site. Foraging habitat within the centre of the site would be affected by the development but the boundary trees and hedgerows are to be retained and the new hedgerows and tree planting would improve the connectivity around the site.
- 5.4.5 Mature trees were assessed for their suitability to be used by roosting bats. Several of the trees are of sufficient size and structure but no bats were seen to emerge from or re-enter any trees. Any such trees should be retained where possible and if any are to be affected by the development they should be subject to further survey works to confirm the absence of roosting bats.
- 5.4.6 Regarding nesting birds, the intact hedgerows around the site have potential for use by nesting birds but birds are unlikely to use the pasture land for nesting. The habitats present are all well represented in the local area.
- 5.4.7 In summary, there is no evidence that any specifically protected species regularly occurring on the site or surrounding areas would be negatively affected by the development following the mitigation/enhancement measures outlined in the Ecological Appraisal including new roosting/nesting provision for bats/birds to be incorporated into the proposed dwellings and on trees within the site.

## 5.5 Highway Safety:

- 5.5.1 The application proposes to upgrade the existing farm track to a 7.3 metre wide road and 2 metre footways. Highmoor Park, at the site of the proposed access, is subject to a 20mph speed limit and is traffic calmed (flat-topped road humps).
- 5.5.2 There is an existing road hump situated on the northbound approach to the proposed junction and it is proposed that this hump is removed and replaced by a junction table at the proposed access. This relocated feature would also benefit pedestrians crossing Highmoor Park by providing a level crossing surface to the footpath link on the west side of Highmoor Park
- 5.5.3 The County Highways Surveyor is satisfied that the proposed new junction is acceptable.
- 5.5.4 A number of objections have been received in respect of the impact this proposal would have upon the surrounding highway network, particularly long Pendle Road. The applicant has submitted supporting information in consideration of the impact of the development of the site on the local highway network which



includes the submission of a Transport Assessment and Technical Note (dated 7 December 2020). The Technical Note concludes that without improvement of the existing mini-roundabout at the junction of A617 Waterloo Road/Shawbridge Street there would be significant issues of queuing.

5.5.5 Any grant of consent would therefore be conditional upon a scheme of improvement to the Waterloo Road/Shawbridge Street roundabout. The applicant has submitted an improvement scheme to mitigate the impact of the proposed development including widening of the roundabout arms and new road markings. However, it is understood that a more comprehensive scheme of junction re-modelling may be necessary to take account of other consented development in the local area including at Wadow View and Standen. There would remain the option, therefore, that the applicant would pay a financial contribution towards a more comprehensive junction re-modelling by Lancashire County Council rather than undertake the proposed improvements to the existing mini-roundabout junction.

## 5.6 Flood Risk and Drainage:

5.6.1 The application site is located within Flood Zone 1 (least vulnerable). Nevertheless, being a "major" development the application is accompanied by a Flood Risk Report (FRR). United Utilities, Lead Local Flood Authority (LLFA) and Environment Agency have been consulted on the application.

5.6.2 United Utilities have raised no objection but note that the Foul Water Drainage section of the FRR highlights two connections to our public sewer network, one pumped and one via gravity. As part of any future planning application, United Utilities request detailed drainage connection information that must include flow rates, land and finished floor levels and number of properties proposed to be drained via each connection.

5.6.3 The LLFA has raised no objection. The Environment Agency...

## 5.7 Developer Contributions:

5.7.1 In addition to the on-site areas of public open space and play area, the applicant will also be required to make financial contributions in respect of leisure facilities within the borough as a result of the increased demand these new dwellings would create. This contribution is calculated using the number of bedrooms.

5.7.2 Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 48 primary and 19 secondary school places based on a 4 bedroom yield, to provide a medium to worst case scenario. Once bedroom information is provided at reserved matters stage the impact of this development will be reassessed.

5.7.3 As set out above, the development would also provide a policy compliant offer of affordable and over 55s housing.

5.7.4 The applicant, subject to approval of this application, will enter into a Section 106 Agreement to secure the aforementioned contributions.

5.7.5 With regard to the request for a financial contribution from East Lancashire Hospital NHS Trust, this is a common objection to planning applications for new housing, however no evidence has been provided by the NHS to suggest that additional health facilities are required in the borough.

## 6. Conclusion

- 6.1 The application site is considered to be a sustainable location and the broad principle of residential development on this site has already been established through the site allocation process.
- 6.2 The proposal will contribute towards the supply of housing within the borough, and in particular contribute towards the provision of over 55s accommodation and affordable housing.
- 6.3 Statutory consultees have raised no objections to this application and it is therefore recommended that the outline planning permission be granted subject to conditions and the satisfactory completion of a legal agreement.

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to the satisfactory completion of a Legal Agreement, within 3 months from the date of this Committee meeting or delegated to the Director of Economic Development and Planning in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

## **CONDITIONS**

### *Time limit, plans and details*

1. An application for approval of the reserved matters (namely the appearance, layout, scale and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

**REASON:** This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The outline planning permission hereby approved relates to the erection of up to 125 residential units. The application for reserved matters shall not exceed 125 residential units.

**REASON:** In the interests of the appropriate development of the site, to prevent intensification in the development of the site and in the interests of the visual amenities of the area.

3. Notwithstanding the submitted details, the height of any of the dwellings proposed in any subsequent reserved matters application(s) shall not exceed two storeys in height.

REASON: In the interests of the visual amenities and character of the area and to ensure that the proposed development remains compatible with the landscape character of the area and responds appropriately to the topography of the site so as to minimise undue visual impact.

4. The details in respect of the submission of any reserved matters shall be generally in accordance with the design principles and parameters as set out in the following approved documentation:

Masterplan Rev A (dated October 2020)  
Design and Access Statement (June 2020 (Revised September 2020))

REASON: To ensure the development accords with the agreed general principles in relation to design, green infrastructure and pedestrian, cycle and vehicular movement within the site.

5. The reserved matters application shall include details of all proposed boundary treatments/fencing/walling, refuse collection points and existing and proposed land levels, including proposed slab levels.

For the avoidance of doubt the submitted information shall include existing and proposed sections through the site including details of the height, scale and location of proposed housing in relation to adjacent existing development/built form (where applicable). The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

6. The reserved matters application shall include full details of the proposed play area and a Play Space Management Plan including long term design objectives, timing of works, management responsibilities and maintenance schedules for the play area shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the Play Space Management Plan shall also provide precise details of all play equipment and its maintenance and indicate a timescale when the play area shall be provided and made available for use. The development shall be carried out in strict accordance with the approved details and the play area managed in accordance with the timings and methodology contained within the approved Management Plan.

REASON: To ensure that the application includes adequate areas on-site public open space provision.

#### *Landscape, Ecology and trees*

7. The landscaping scheme to be approved (pursuant to Condition 2 of this permission) shall be fully implemented in the first complete planting and seeding season following the first occupation of the development. Any trees or plants which, within a period of ten years from planting, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: In the interests of biodiversity and visual amenity value.

8. The submission of the reserved matters shall include an Arboricultural Impact Assessment and Tree Constraints Plan in respect of the existing trees situated within influencing distance of the development site and shall include details of all root protection measures to be undertaken during the construction process. The development shall be carried out in strict accordance with the approved details unless agreed in writing by the Local Planning Authority and the specified tree protection measures shall remain in place throughout the construction phase of the development.

REASON: To ensure the adequate protection of trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development.

9. The reserved matters application shall include full details of proposed mitigation measures detailed/recommended within Section 7 of the submitted Ecological Appraisal (Ref 4851, report version 4).

This shall include information to establish the value of the Category 1 trees identified in the Ecological Appraisal in relation to their potential use by bats. The trees shall be subjected to a detailed climbing investigation by a qualified and licensed ecologist and the results of the investigation shall be submitted to the local planning authority.

The development shall thereafter be carried out in accordance with the approved details and recommendations.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development.

10. Notwithstanding the requirements of condition 7 of this approval, no site clearance, preparation or development work shall take place until a Landscape/Habitat Management Plan to include long-term design objectives, timings of the works, habitat creation, enhancement, management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall be informed by the submitted Ecological Appraisal (Ref 4851, report version 4)) and carried out as approved.

REASON: In the interests of biodiversity and to enhance opportunities for species of conservation concern and reduce the impact of development.

11. The reserved matters application shall include details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings/buildings during the actual construction of those individual dwellings/buildings identified on the

submitted plan before each such dwelling/building is first brought into use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development.

12. The reserved matters application shall include details of a scheme for any external building or ground mounted lighting/illumination. For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting schemes(s) shall be implemented in accordance with the approved details and retained as approved unless agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development.

### *Highways*

13. The application for the approval of reserved matters shall include details of the provision of domestic external or internal (within garages) sockets for the charging of electric/hybrid vehicles on no less than 30% of the dwellings. Development shall be carried out in strict accordance with the approved details and the agreed charging points shall be installed and be made available for use prior to first occupation of the dwelling(s) upon which they are to be located/are intended to serve.

REASON: To ensure that the development provides adequate and appropriate sustainable transport options and in the interest of lowering emissions resultant from vehicular movements associated with the development.

14. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

For the avoidance of doubt the submitted details shall also include the precise nature and design of all pedestrian/cycleway accesses into and out of the site including details of their interface with existing pedestrian/cycle routes or networks. The development shall be carried out in strict accordance with the approved details.

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.

15. The proposed access from the site to Highmoor Park shall be constructed to a width of 7.3m with 2m footways on either side.

REASON: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users.

16. No dwelling hereby approved shall be occupied until the approved scheme for the construction of the site access referred to in Condition 14 has been constructed and completed in accordance with the approved 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.

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

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

18. Prior to the commencement of any development, details of the programming of the offsite highway works, including details of any associated financial contribution(s) and works required for improvements at the junction of Waterloo Road and Shawbridge Street have been submitted to and agreed in writing by the Local Planning Authority.

REASON: In order that traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of completion of the highway works, in the interests of highway safety.

19. No dwelling shall be occupied until visibility splays 2.4 metres back from the centre line of the access and extending 43 metres on the nearside carriageway edge in both directions have been provided at the access as shown on the approved plans. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

REASON: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

20. Prior to the first use of the development hereby permitted, a detailed Travel Plan shall be submitted to, and approved in writing, by the Local Planning Authority in consultation with the Highway Authority. The Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

Reason: To promote and provide access to sustainable transport options.

21. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

22. Deliveries to the approved development shall only be accepted between the hours of (9.30am) and (2.30pm) Monday – Friday, to avoid peak traffic on the surrounding highway network.

Reason: In the interest of highway safety.

23. 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, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety.

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

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

*Drainage and flood risk*

22. No development shall commence until final details of the design and implementation of an appropriate surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:
- a) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
  - b) A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);
  - c) A full set of flow calculations for the surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus an additional 40% allowance for climate change and a 10% allowance for urban creep. The calculations must demonstrate that surface water runoff will not exceed the existing pre-development greenfield runoff rates and volumes for the corresponding rainfall event;
  - d) A final site plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;
  - e) Confirmation of how surface water is to be managed within any non-drained areas of the site, i.e. gardens and public open space;
  - f) A final site plan showing all overland flow routes and flood water exceedance routes, both on and off site;
  - g) Details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
  - h) Details of an appropriate management and maintenance plan for the surface water drainage network over the lifetime of the development.

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

REASON: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed development, to ensure that water quality is not detrimentally impacted by the development proposal and to ensure that appropriate maintenance mechanisms are put in place for the lifetime of the development.

23. The application for the approval of reserved matters shall be accompanied by full details of the proposed surface water attenuation pond. For the avoidance of doubt the submitted information shall include proposed sections through the pond including relevant existing and proposed land levels and details of all associated landscaping and boundary treatments where applicable. The development shall be carried out in strict accordance with the approved details.



REASON: To ensure a satisfactory form of development in the interests of visual and residential amenities and to ensure the Local planning Authority can make an accurate assessment of the details relating to matters of flood risk and sustainable drainage.

24. No development shall commence until details of how surface water and pollution prevention will be managed have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that the construction of development does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

25. 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. 18522, Dated: August 2019) which was prepared by Topping Engineers. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

26. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

Notes:

**Surface water drainage:**

The surface water drainage proposals outlined within the applicant's flood risk assessment (ref: 18522, dated: August 2019) are only preliminary and may change following further detailed design and investigation. The applicant will therefore be expected to provide a final surface water drainage scheme for the site once all detailed design and investigation work has been completed. The final scheme will need to be submitted to and approved by the LPA prior to the commencement of any development, and must comply with the requirements of the National Planning Policy Framework and the non-statutory technical standards for sustainable drainage systems; March 2015. The strategy must also be accompanied by an appropriate management and maintenance plan that details how the surface water drainage network will be managed and maintained over the lifetime of the development. The LLFA is satisfied that these details can be secured through the inclusion of the above recommended planning condition.

For the avoidance of doubt, the LLFA is not able to assess or comment on the suitability of the proposed surface water runoff rates or volumes at this time. That is because the final surface water runoff rates and volumes are directly influenced by the amount of impermeable area within the proposed development site. An agreement on this can only be reached once the final site layout has been agreed with the LPA.

The applicant is reminded that the final surface water drainage scheme must comply with the drainage hierarchy established under planning practice guidance. Before a drainage connection

to the watercourse can be agreed, the applicant will need to provide further evidence and justification to show why disposal via infiltration is not possible. This should include an assessment of the site conditions to confirm infiltration rates.

### **Sustainable Drainage Systems:**

The applicant is encouraged to maximise the use of sustainable drainage systems (SuDS) when designing the surface water drainage scheme for the development site. That is because sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk.

Sustainable drainage systems can attenuate the rate and quantity of surface water run-off from a site, and they can also absorb diffuse pollutants and promote groundwater recharge. Ponds, reed beds and seasonally flooded grasslands are also particularly attractive features within public open space. The wide variety of available sustainable drainage techniques means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Some SuDS features, for example rainwater harvesting and permeable paving used on roads and driveways, must not be included as part of the hydrological calculations for the site. This is because occupants may change or remove these features in the future and this could have the potential to increase surface water runoff from the site. Where SuDS features such as rainwater harvesting and permeable paving are included in the hydrological calculations, the local planning authority would be advised to consider the removal of permitted development rights.

### **Land Drainage Consent:**

The LLFA are the consenting body for works on Ordinary Watercourses. Under Section of Schedule 2 of the FWMA (2010) anyone who intends to carry out works which may obstruct or affect the flow of an ordinary watercourse needs written consent from Lancashire County Council.

It is important to note that Land Drainage Consent is a separate application process that lies outside the planning legislation. It should not be assumed therefore the grant of planning permission means that Land Drainage Consent will automatically be given. Parallel processing of Land Drainage Consent applications is advised, as any land drainage consenting issues could directly impact the suitability of the proposed site layout.

Land Drainage Consent applications can take up to eight weeks to process following receipt of all required information and payment (£50 per structure). Retrospective consent cannot be issued.

### **Construction Phase including enabling works:**

It is critical that flood risk is appropriately managed during the construction phase(s) of the development. Compaction of the soil is likely to speed up the run-off rate whilst the site is cleared and the permanent drainage systems and/or attenuation systems are constructed and brought into use.

The developer should identify the flood risk associated with this phase of the development and provide details of how surface water will be managed during construction, including any

mitigation. The LLFA is satisfied that these details can be secured through the inclusion of the above recommended planning condition.

**Highway Drainage / Highway Adoption:**

This response does not cover highway drainage, matters pertaining to highway adoption (s38 Highways Act 1980) and/or off-site highway works (s278 Highways Act 1980). Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the local highway authority.

The applicant is also encouraged to discuss the suitability of any overland flow routes and/or flood water exceedance with the local highway authority should they have the potential to impact the public highway network and/or public highway drainage infrastructure (either existing or proposed).

