



6. Submission of construction environmental management plan (CEMP) prior to commencement, to include details of wheel cleaning and road sweeping provision
7. Phase 2 site investigation, method statement and remediation strategy prior to commencement of development
8. Noise impact assessment at reserved matters stage and completed in accordance with the approved details
9. Foul and surface water to be drained on separate systems
10. Submission of surface water drainage scheme prior to commencement and completed in accordance with approved details
11. Submission of management and maintenance plan for sustainable drainage scheme
12. Energy efficiency
13. No tree felling or vegetation clearance during bird nesting season
14. Provision of electric vehicle charging points
15. Scheme for the construction of the site access and off-site highway works prior to commencement
16. The new estate road/access shall be constructed in accordance with the LCC Specification for Construction of Estate Roads to at least base course level prior to commencement
17. Scheme for the management and maintenance of streets prior to commencement
18. Scheme for 2.0m wide footpath to be provided to front of site along Whittingham Lane and for street lighting to be provided along Whittingham Lane prior to commencement and completed in accordance with approved details

#### Informatives

1. CIL informative
2. United Utilities information
3. Lead Local Flood Authority information

### **3 Information**

#### **3.1 Location**

The application site is an existing plot of land comprising grazing land, approximately 2.9 hectares in size. The site is bound to the north by Whittingham Lane, and to the east by the Grimsargh village recreation ground. The site lies beyond the western edge of the settlement boundary of the village of Grimsargh. The whole of the site is defined as Open Countryside, also falling within the Area of Separation, as identified on the Policies Map of the Adopted Preston Local Plan 2012-2026 (Site Allocations and Development Management Policies).

Permission was previously granted for residential development to the north of the site, to the north of Whittingham Lane (ref: 06/2016/0719), and there is a resolution to approve a residential development and care home facility immediately to the south of the site (06/2017/0676).

#### **3.2 Proposal**

The application seeks outline planning permission for the erection of up to 70no. dwellings with the matter of access applied for only. Matters of scale, layout, appearance and landscaping would be reserved. The proposal would create a new vehicular access to the north directly off Whittingham Lane. Illustrative details indicate that this would run largely

centrally through the site from north to south, with three shared access roads running off the main spine road. It is also proposed to provide a footpath link from the site eastward to the recreation areas within Grimsargh.

The indicative layouts show a mix of detached, semi-detached and terraced dwellings. 35% of those dwellings would be affordable housing. Three areas of on-site open space are to be provided, to the central, south and eastern sections of the site. An attenuation basin is proposed to the south western corner of the site. Three trees on site are to be removed, which are each rated as 'Category C' trees, and boundary treatment to the edges of the site particularly to the western edge are planned to be enhanced.

### 3.3 Relevant planning history

None of relevance

### 3.4 Planning Policy Framework

**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 made in accordance with the plan unless material considerations indicate otherwise.**

#### **The Development plan comprises:**

##### Central Lancashire Core Strategy

Policy 1 – Locating growth

Policy 2 - Infrastructure

Policy 3 - Travel

Policy 4 - Housing delivery

Policy 5 - Housing density

Policy 6 - Housing quality

Policy 7 - Affordable and special needs housing

Policy 14 - Education

Policy 17 - Design of new buildings

Policy 19 – Areas of Separation and Major Open Space

Policy 21 – Landscape character areas

Policy 22 - Biodiversity and geodiversity

Policy 24 – Sport and recreation

Policy 27 - Sustainable resources and new developments

Policy 29 - Water management

Policy 31 - Agricultural land

##### Preston Local Plan 2012-26 (Site Allocations and Development Management Policies)

Policy AD1(b) - Small scale development within existing villages (including the development of brownfield sites)

Policy HS1 - Allocation of housing sites

Policy HS3 - Green infrastructure in new housing developments

Policy ST1 - Parking standards

Policy ST2 - General transport considerations

Policy EN1 - Development in the open countryside

Policy EN4 – Areas of Separation

Policy EN7 - Land quality  
Policy EN9 - Design of new development  
Policy EN10 - Biodiversity and nature conservation  
Policy EN11 - Species protection

**Other Material Considerations:**

Central Lancashire Supplementary Planning Documents (SPD)  
Affordable Housing  
Design Guide  
Open Space and Playing Pitch

National Planning Policy and Guidance  
National Planning Policy Framework (The Framework)  
National Planning Practice Guidance (NPPG)  
National Planning Policy for Waste

**3.5 Consultation responses**

Environment Agency – No comments received to date.

County Highways – No objections subject to conditions. Initially concerned that the site could not be easily accessed by pedestrians and cyclists, and a condition is therefore recommended for provision of footway and street lighting fronting the site, overcoming this concern.

Environmental Health – No objections subject to conditions. Noise impact assessment should be submitted at reserved matters stage. An intrusive ground investigation should be submitted, and a method statement and remediation strategy if necessary. Electric car charging points should be provided.

Greater Manchester Ecology Unit – No objections subject to conditions. Amphibian surveys for ponds 1 and 2 should be provided at reserved matters stage. No works to trees or shrubs should occur during the bird nesting season unless a suitable report confirming their absence has been carried out. Landscape and environmental management plan should be provided at reserved matters stage.

Lead Local Flood Authority – No objections subject to conditions, relating to a sustainable drainage scheme, a management and maintenance plan for this scheme, and a surface water lifetime management and maintenance plan.

United Utilities – No objections subject to conditions. Foul and surface water should be drained on separate systems and submission and subsequent provision and maintenance of a surface water drainage scheme is required.

Waste Management – No comments received to date.

Natural England – No objections to the proposal.

Parks and Streetscene – Arborist - No objections to the proposal.

Parks and Streetscene – Landscaping – Offers comments regarding the layout and landscaping of the site. A landscaping scheme should be submitted as part of a future planning application for reserved matters.

County Education – Seek financial contribution for 27 primary school places and 11 secondary school places.

Designing Out Crime Officer – Offers detailed comments regarding the future design of proposed buildings and external areas in order to seek to prevent crime.

Grimsargh Parish Council – Object on three grounds: Lack of footways would create safety and accessibility concerns, and therefore footpaths should be provided as suggested by LCC, which should continue towards Cow Hill and Whittingham Lane to ensure the safety of pedestrians; concerns are raised regarding traffic and congestion in the village, especially during peak times of the day, and this may prevent emergency services accessing the area; the proposed Neighbourhood Plan includes support for smaller affordable homes and bungalows, with little support for 4-5 bedroom executive homes, as shown on the illustrative layout plan.

Haighton Parish Council – Objects to the application on several grounds: The proposal would transform an attractive rural area into urban sprawl; the proposal fails to comply with Core Strategy Policy 1; No further applications for large scale development should be considered until the Whittingham Hospital site is fully developed; Grimsargh is not identified as a Rural Local Service Centre, and therefore no significant growth aspiration exists for the village; the proposal fails to comply with Local Plan Policy EN1, the proposal does not extend an existing area of residential development, rather creating a new zone beyond the recreation ground, resulting in a loss of amenity to the west and to those entering the village, and is therefore contrary to Local Plan Policy AD1(a); the proposal fails to comply with Local Plan Policy EN4, which applies to prevent the merging of settlements; there would be a significant change in the character of the area from open countryside to urbanised areas; the application would set a precedent for future schemes to extend the village towards the community of Cow Hill; Grimsargh has already absorbed a significant amount of Preston's housing allocation; the proposal would cause undue strain upon the highway network.

### Publicity

20 objections have been received. The issues raised can be summarised as follows:

- The additional traffic onto Whittingham Lane would have an undue impact upon the highway network. This could create safety concerns, and congestion issues.
- Public transport provision is not situated within a reasonable distance.
- A single, amalgamated access may be created through to the proposed retirement village (ref: 06/2017/0676), and access provided to Preston Road.
- Grimsargh already has sufficient housing stock, either constructed or previously granted planning permission, given the limited facilities the village offers.
- The proposed development would impact upon the infrastructure of the village, and does not offer any benefits to the village.
- The local schools are already at capacity.
- The application represents overdevelopment of the area.
- The proposal would result in the spread of Grimsargh village into Haighton, giving a

loss of local village identity and change to the character of the area.

- There would be a loss of visual amenity and greenspace on the approach to the village and surrounding the village green, and would be replaced with an urbanised area.
- The proposed development would be detrimental to residential amenity due to loss of the open countryside and noise and disturbance.
- The proposed development is contrary to Core Strategy Policy 1 and Local Plan Policy EN1.
- The proposed development would set a negative precedent allowing future development.
- New build properties are of a poor, uniform design.
- The proposed development would impact upon wildlife and have a negative impact upon the rural area.
- The development may create flooding concerns.

### 3.6 Analysis

#### Principle of proposal

The application site consists of open countryside outside of the defined village settlement boundary which distinguishes between the built-up elements of the village and the surrounding countryside, as identified on the Policies Map of the Preston Local Plan (PLP). The site lies within an Area of Separation, which provides gaps between settlements and seeks to protect the identity and distinctiveness of settlements. Core Strategy (CS) Policy 1 relates to all types of development, seeking to focus growth and investment on well located brownfield sites, identified strategic locations and other main urban areas whilst protecting suburban and rural areas. The hierarchical sequence for locating development puts other places, including small villages, at the bottom of the hierarchy where development is expected to be small scale and limited to appropriate infilling, conversion of buildings and development to meet local need unless there are exceptional reasons for a larger scale redevelopment scheme. The proposed development would not constitute any of the types of development outlined in criterion (f) of Policy 1 and is therefore contrary to that policy.

PLP Policy EN1 seeks to limit development in the open countryside to that needed for agricultural, forestry or other uses appropriate to the rural area, the re-use of existing buildings or infilling within groups of buildings in smaller rural settlements. The proposal would not fall within any of these exceptions and as such is contrary to PLP Policy EN1.

The principle of the proposed development is therefore contrary to the hierarchy of locations for focussing growth and investment. It is not small scale in the context of Grimsargh as it relates to up to 70 dwellings on a 2.9ha site and would not constitute any of the other forms of development permitted by Core Strategy Policy 1 and Local Plan Policy EN1.

The Framework states that Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land and similarly Core Strategy Policy 31 seeks to protect the best and most versatile agricultural land (Grades 1, 2 and 3a) to achieve the full potential of the soil. It is considered that the land surrounding Grimsargh falls within Grade 3 and 4. An Agricultural Land Use Assessment submitted for land immediately to the north of the site confirmed that the land then assessed was Grade 3b, and of a moderate quality, therefore not leading to the loss of the

highest value of agricultural land. It is not unreasonable to assume that the application site falls within the same Grade 3b category. The application would not therefore conflict with the Framework or Core Strategy Policy 31.

#### Impact upon the Area of Separation

The site is identified as falling within an Area of Separation, where the requirements of Core Strategy Policy 19 and Local Plan Policy EN4 apply. These policies aim to avoid the merging of settlements and the prevention of any harm to the effectiveness of the gap between settlements. Proposals that lead to a risk of settlements merging will be resisted. Policy EN4 further states that proposals will be assessed in terms of their impact upon the Area of Separation, including any harm to the effectiveness of the gap between settlements and also the degree to which the development would compromise the function of the Area of Separation.

The site is situated to the western boundary of the settlement of Grimsargh adjacent to the recreational ground. The nearest residential settlement to the east of Grimsargh is Longridge, and to the west, the urban area of Preston. The main expanse of the area of separation is to the north and west of the application site. The nearest settlements in these directions are Goosnargh and Whittingham, at some distance away beyond the Area of Separation. It is considered that the proposal would not significantly encroach into the Area of Separation between Grimsargh and the urban area of Preston or between Grimsargh, Goosnargh and Whittingham. The development would in effect result in a continuation of development of the village of Grimsargh in a western direction. It would not narrow the gap between Grimsargh and Goosnargh to the north, and would not result in a physical merging of settlements.

The built environment to the east of the site is suburban in terms of character and appearance. It is considered that this development would also result in a suburban appearance and that subject to appropriate design, materials and landscaping which would be secured at reserved matters stage should outline permission be granted. There would be no significant change in character, and no unacceptable impact upon the identity or local distinctiveness of Grimsargh. Furthermore, it is noted that permission was granted for residential development to the north of the site, to the north of Whittingham Lane (ref: 06/2016/0719), and there is a resolution to approve a residential development and care home facility to the south of the site (06/2017/0676). The proposed development would not extend built development further west beyond these two sites to the north and south. It is therefore considered that the proposal would not conflict with the above policies or detrimentally impact upon the Area of Separation.

#### Impact on the open countryside and landscape character of the area

The supporting text to PLP Policy EN1 states that it is important that these areas (open countryside) are protected from unacceptable development which would harm its open character (the actual policy wording is silent on this matter). The Framework states that the intrinsic character and beauty of the countryside should be recognised, with the planning system contributing to and enhancing the natural and local environment. It does not seek to protect all countryside from development; rather it concentrates on the protection of “valued” and “distinctive” landscapes, and seeks to encourage development on previously developed land. Core Strategy Policy 13 requires development to conserve and where possible enhance the character and quality of the landscape. Core Strategy Policy 21 does

not have the objective of preventing development in principle. Instead it seeks to ensure that any development that does take place is compatible with its surroundings, further stating that it should contribute positively to its conservation or restoration or the creation of appropriate new features.

With the exception of rural exception housing (Local Plan Policy HS4) and agricultural workers dwellings (Local Plan Policy HS5), Local Plan Policy EN1 advises that development in the open countryside will be limited to:

- a) That needed for purposes of agriculture or forestry or other uses appropriate to a rural area including uses which help to diversify the rural economy;
- b) The re-use or re-habitation of existing buildings;
- c) Infilling within groups of buildings in smaller rural settlements.

The proposed development is not required for any exceptional purposes set out in Policy EN1, nor is it located within the defined boundaries of a small rural settlement or village. In this case the proposal would not comply with Policy EN1, however although not directly compliant, consideration can be given to whether the proposed development would be appropriate to the area. The explanatory text to Policy AD1(a) states that for proposals in close proximity to the existing residential area the appropriateness of any proposal may be judged by its compatibility with existing surrounding development and the principle consideration in areas dominated by residential uses will be the impact of the development proposal on residential amenity. It is also stated that development proposals should not result in an over-intensely developed site to the detriment of residential amenity and the character and appearance of the area.

The site would be located adjacent to the recreational ground of Grimsargh sited next to the settlement boundary of the village. Residential development has been approved to the north of the application site and residential development on the land to the south of the application site benefits from a resolution to approve. Therefore, it is considered that the development would be read in connection within the built development when viewed from the south of the site, along Whittingham Lane to the north and public footpaths which run through open land to the west. The proposed development would not extend built development further west beyond the two sites to the north and south of the application site described above. Therefore, although the proposal would result in the loss of greenfield land, it would not break out significantly beyond the built form into the open countryside. Notwithstanding the above, the failure to comply with Policy EN1 needs to be balanced against the benefits of the proposal and in particular the presumption in favour of sustainable development. This will be considered further within the below section of the report.

#### Housing Provision

Core Strategy Policy 1 aims to focus growth and investment within the urban areas of Preston. Core Strategy Policy 4 seeks to deliver a total of 22,158 new dwellings across the three Central Lancashire districts during the plan period of 2010-2026. The policy sets the minimum requirement of 507 new dwellings per annum for Preston. Policy 4 also seeks to ensure that at least 70% of new housing developments are located on brownfield sites.

Paragraph 73 of the Framework states that local planning authorities should identify a supply of specific deliverable sites to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in

the market for land. Paragraph 11 (d) the policies which are most important for determining the application are out-of-date, granting permission unless; the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The Council cannot demonstrate a five year supply of housing land. The contribution that this scheme would make to the boosting of the Council's supply of housing land is an important benefit and the weight to be attached to it will be considered in the planning balance section of this report.

### Affordable Housing

Core Strategy Policy 7 sets a target of 35% affordable housing from market housing schemes in rural areas on sites in or adjoining villages which have a suitable range of services. A site size threshold of 5 dwellings (or 0.15 ha) applies in rural areas. The thrust of the Policy is to achieve on-site provision of affordable housing in the first instance. The Affordable Housing SPD provides advice on how the Council's affordable housing policy is to be implemented, stating that where an element of affordable housing is required, at least 70% of the units shall be social rented or affordable rented, unless the Council is satisfied that an alternative mix meets an independently assessed proven need and agrees to such an alternative provision.

As the application proposes up to 70no. dwellings, affordable housing provision is required, and as the site lies within a rural area and adjoining an existing village the required provision would be 35% (up to a maximum of 25 units, if 70 units are to be progressed). The applicant has provided a planning statement which details proposals for the provision of affordable housing, but it is noted that the layout is indicative at this stage. The applicant has however confirmed that the development would provide 35% affordable housing provision as required by policy, and it considered that the type, tenure and delivery of the affordable housing would be secured through a Section 106 obligation. It is therefore considered that the application complies with the Affordable Housing SPD and Policy 7 of the Core Strategy.

### Traffic and Highway Safety

Core Strategy Policy 1 and Local Plan Policy EN1 seek to direct new development to the most sustainable locations, restricting development in the countryside. Local Plan Policy ST2 requires that proposals show that they would not prejudice road safety or the efficient and convenient movement of all highway users and would make appropriate provision for public transport and for access by foot or cycle. Core Strategy Policy 3 also promotes sustainable travel. Paragraph 109 of the Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The applicant has submitted a Transport Statement seeking to demonstrate that the local road network can accommodate the development. County Highways has confirmed that adequate visibility splays from the site entrance onto Whittingham Lane can be achieved.

Whittingham Lane is classified as a secondary distributor road. It is semi-rural in this location, without street lighting. It has the benefit of a continuous footway on the north side

of the highway, but no footway to the south side fronting the site. It is therefore recommended that a footpath, of at least 2.0m wide, be provided fronting the site, in addition to the installation of new street lighting, running from the existing lit section of the road which runs through the village to the east. Furthermore, it is considered that the inclusion of a footpath in this location would aid the visibility sight lines recommended for vehicles accessing the site. It is considered that the provision of a new footway and additional street lighting could be controlled by means of a planning condition.

Subject to a number of recommended planning conditions being imposed, County Highways considers that safe access via vehicles and pedestrians can be provided to the site. With clear links via the proposed footpath (to benefit from street lighting), sustainable transport connections would be provided to the village amenities, and to a bus stop within the village which would provide sustainable transport links, reducing reliance upon the private car.

On the basis of the above the proposal satisfies the requirements of Core Strategy Policy 3, Local Plan Policy ST2 and the Framework.

#### Design and layout

Core Strategy Policy 5 seeks efficient use of land, stating that development densities should be in keeping with local areas and have no detrimental impact on the amenity, character, appearance, distinctiveness or environmental quality of an area. Core Strategy Policy 6 seeks to improve the quality of housing by, amongst other things, facilitating the greater provision of accessible housing and use of higher standards of construction. Core Strategy Policy 17 states that the design of new buildings is expected to take account of the character and appearance of the local area, including siting, layout, massing, scale, design, materials and landscaping. Local Plan Policy EN9 states that applications will be approved where they accord with the principles and guidance set out in the Central Lancashire Design SPD which stresses the importance of good design and of setting out design principles and aspects of good design. In addition, Core Strategy Policy 26 requires the reduction of crime and improvement of community safety. Paragraph 127 of the Framework states that decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The applicant has submitted a basic parameters plan, indicating how the site could be developed with an area of open space in the centre of the site, providing a split between the built development, with landscaping to the edges of the site and an attenuation pond to the south west corner, and additional open space to the southern and eastern sections of the site. A footpath link is proposed to the adjacent recreation area beyond the east of the site, which is considered positive providing sustainable connections for future occupiers.

The density of development would be 25 dwellings per hectare, which is considered to be acceptable given the context of the surrounding area. It is noted that the development approved to the north of the site (ref: 06/2017/0719) has a density of 24 dwellings per hectare, and the proposal is therefore similar to this which is considered acceptable.

This outline proposal would not conflict with Core Strategy Policies 5 and 17, Local Plan Policy EN9, Design Guide SPD and the Framework.

### Impact on residential amenity

Paragraph 127 of the Framework states that decisions should ensure that developments ensure a high standard of amenity for existing and future users. Core Strategy Policy 17 and Local Plan Policy EN9 state that the design of new buildings will be expected to take account of the character and appearance of the local area, being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the local area.

Issues relating to impacts on privacy, overlooking, loss of light and overshadowing cannot be properly assessed at this stage. The indicative site layout plan seeks to demonstrate that the proposed development could be satisfactorily accommodated on site without having any unacceptable adverse impacts upon residential amenity. Given the size of the site and the number of units proposed it is considered that an acceptable layout could be achieved to satisfactorily safeguard the amenities of existing and future residents.

Environmental Health officers have noted the close presence of traffic, and sporting activities being held on the adjacent recreation area. It is therefore recommended that a noise impact assessment be submitted at reserved matters stage, in order to ascertain noise and disturbance to future occupiers. A relevant condition is therefore recommended.

### Education

Core Strategy Policy 14 states that educational requirements will be provided for by enabling seeking contributions towards the provision of school places where a development would result in or worsen a lack of capacity at existing schools.

County Education has requested a financial contribution towards 27 primary school places, and 11 secondary school places. This provision would need to be recalculated prior to the commencement of development to take account of the approved design details of the dwellings – specifically the bedroom numbers. The contribution including recalculation requirement, and named infrastructure project for the funding, would be secured through a Section 106 obligation. On this basis, the proposal accords with the above policy.

### Open space provision

Core Strategy Policy 17 states that the provision of landscaping and open space should form an integral part of new development proposals, including enhancing the public realm. Core Strategy Policy 18 seeks to manage and improve environmental resources through the protection and enhancement of the natural environment. Core Strategy Policy 24 seeks to promote access to sport and recreation facilities, including children's play provision, through developer contributions where new development would result in a shortfall in provision.

Local Plan Policy HS3 states all new residential development resulting in a net gain of five dwellings or more will be required to provide sufficient public open space to meet the recreational needs of the development in accordance with standards set out in the Open Space and Playing Pitch SPD.

The Framework states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It advises that Local Planning Authorities should seek to protect and enhance

public rights of way and access.

Local Plan Policy HS3 and the Central Lancashire Open Space and Playing Pitch SPD set out the minimum local standards and how they will be applied, along with accessibility and qualitative assessments, to determine the amount of new open space and playing pitch provision or appropriate financial contributions required from new residential developments. On-site provision for children/young people would not be required as the development would be below the 100 dwelling threshold level and the financial contribution for off-site provision would come via the Community Infrastructure Levy charge on the development.

The illustrative layout indicates that there would be areas of open space provided within the site, although it is unknown at this stage how the final layout would be laid out at reserved matters stage. The management and maintenance of the greenspace would be secured through a Section 106 obligation. Subject to this requirement, the application accords with the above policies and the Framework.

### Ecology and trees

Core Strategy Policy 22 and Local Plan Policies EN10 and EN11 seek to conserve, protect, and enhance the biological and geological assets of the area, including protected species. Paragraph 170 of the Framework states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

It is noted that the development sits partly alongside Grimsargh Green Recreation Ground to the east and agricultural land to the west. Topographically, the site sits on a slightly elevated area.

The proposed buildings would be visible to varying degrees from surrounding public vantage points. It is considered however that the existence of trees and hedgerow would alleviate this to some degree. The Landscape Officer considered that there is scope to integrate the development into the wider landscape, primarily through carefully designed hedgerow and woodland planting inside the site, particularly to the western edge. Furthermore, the introduction of soft landscaping within the site would create an appropriate setting for the development as a whole, and would compensate for loss of hedgerow. This furthermore would assist with promoting habitat and biodiversity.

It is noted that potential links via footpaths are proposed from the site to the adjacent Grimsargh Green Recreation Ground. This is considered to enhance the development, however the footpath should be constructed in appropriate materials and choose an optimal route.

The Landscape Officer has requested a future landscaping scheme which would be required at reserved matters stage. The submitted Arboricultural Impact Assessment indicates that the site is not occupied by any trees protected by a Tree Preservation Order (TPO), and the majority of trees on site are to be retained. Three trees are to be removed, which are Category C trees, and are of a lower quality and not considered worthy of retention.

Greater Manchester Ecology Unit have noted sections of hedgerow and three trees are proposed for removal, and have recommended a condition be attached to ensure this is not

carried out during the bird nesting season, without appropriate surveys to demonstrate no nesting birds are present.

The Ecology Unit have stated that the indicative layout has potential to achieve no net loss of ecological features, however the areas proposed for use as open space may be inadequate due to public pressures preventing good conditions of these areas. Thereby, it is recommended that a landscape and environmental management plan be submitted, demonstrating that adequate mitigation is being provided and management is in place to achieve and maintain the proposals.

Though most ponds on and surrounding the site have been surveyed and have proven negative for great crested newts (a protected species), one pond within the adjacent field has not been surveyed. It is considered from a desk study carried out by the Ecology Unit that the likelihood of great crested newts occupying this pond are low, however it is recommended that surveys be provided at reserved matters stage, in order that adequate protection can be afforded to this protected species. Subject to the above recommended conditions, it is considered that the tree proposals are acceptable and ecological matters have been adequately addressed, according with the above policies and the Framework.

#### Ground conditions

Core Strategy Policy 17 and Local Plan Policy EN7 state that proposals should ensure that contaminated land and other risks are considered and addressed through appropriate remediation and mitigation measures. The Framework states that where a site is affected by contamination, responsibility for securing a safe development rests with the developer/landowner. The National Planning Practice Guidance (NPPG) also states that local authorities should use conditions to secure the adequate remediation of contaminated land.

A desk top study (phase 1 assessment) has been submitted with the application. The Environmental Health officer has advised that an intrusive ground investigation shall be undertaken as per the recommendations of the submitted assessment, in order to assess the ground conditions beneath the site. Dependant on the outcome of this assessment, a method statement and remediation strategy must then be submitted to the Council for verification. This can be secured by condition. The site is capable of being safely developed and the proposal would comply with the above policies and the Framework and the Guidance.

#### Flood risk and drainage

Core Strategy Policy 29 seeks to improve water quality, water management and reduce the risk of flooding. The Framework states that when determining planning applications, Local Planning Authorities should ensure flood risk is not increased elsewhere.

The site is situated in Flood Zone 1 (low probability of river flooding i.e. less than a 1 in 1000 annual probability) where there is a low risk of flooding. The Lead Local Flood Authority have no objections subject to conditions requiring an appropriate surface water drainage scheme, no occupation of the development until completion of a sustainable drainage scheme and a management and maintenance plan, and a surface water lifetime management and maintenance plan. United Utilities have recommended conditions requiring foul and surface water to be drained on separate systems, and submission and subsequent provision and management of a surface water drainage scheme. No response

has been received from the Environment Agency and no objections have been raised. As such, the proposal would comply with the above policies and the Framework.

#### Energy efficiency

Whilst Core Strategy Policy 27 requires all new dwellings meet Level 4 of the former Code for Sustainable Homes (CSH), the Government published a statement of intention in respect of this matter, and in accordance with this statement the Council no longer requires new developments to comply with code standards. However the statement confirms that for the specific issue of energy performance, Local Planning Authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations. Therefore, the Council requires only the energy efficiency levels of new developments to be equivalent to Level 4 of the former CSH (19% improvement over the Building Regulations).

The applicant states that the proposed dwellings would be built to achieve the equivalent energy requirements of Level 4 of the CfSH. A condition would be necessary to secure this as far as it would achieve energy efficiency levels equivalent to Level 4. With this provision, the proposal would comply with the objectives of the above Policy and the Framework.

#### Air Quality

Core Strategy Policy 3(i) supports the use of alternative fuels for transport purposes and the supporting text (paragraph 7.1) refers to enabling the use of alternative fuels for transport purposes such as electric vehicle charging stations. Core Strategy Policy 30 seeks overall improvements in air quality. Paragraph 181 of the Framework requires that planning decisions should ensure that any new development in Air Quality Management Areas (AQMAs) is consistent with the local air quality action plan.

The impact of the development on the air quality in the area is likely to be minimal. Notwithstanding this, the Environmental Health officer recommends mitigation against the potential increase in traffic pollution. A condition is therefore recommended requiring dwellings be fitted with an external electric vehicle charging point, where this can be satisfactorily provided i.e. where there would be a dedicated garage, driveway or parking area. On this basis, the application accords with the above policies.

#### Waste

The National Planning Policy for Waste states that proposals should make sufficient provision for waste management and promote good design to secure the integration of waste management facilities with the rest of the development. It suggests that this should provide for the discrete provision of bins.

No comments have been received from the Waste Management. However, details of the layout of the site at reserved matters stage would allow further consideration of these matters.

#### Design for Security

Core Strategy Policy 26 states that applications should plan for reduced levels of crime and improved community safety by encouraging the inclusion of Secured by Design principles in new developments.

A consultation response has been received from Lancashire Constabulary, which provides detailed advice regarding site security and future design of properties in a manner which helps to minimise crime and reduce fear of crime. The majority of recommendations do not relate to the planning process, however it is recommended that the development is built to Secured By Design 'Homes 2016' standards, once designed at reserved matters stage. An informative drawing the attention of the applicant to these comments is therefore recommended. The application therefore accords with Core Strategy Policy 26.

#### Planning Balance - Compliance with the Framework

Having specific regard to residential developments, Paragraph 73 of the Framework states that local planning authorities should identify a supply of specific deliverable sites to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land.

Paragraph 11 of the Framework sets out a 'presumption in favour of sustainable development' and for decision-taking this means 1) approving development proposals without delay; and 2) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- i) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Given that the Council cannot demonstrate a five year supply of deliverable housing land and Core Strategy Policy 4 is therefore considered to be out-of-date, this means that planning permission should be granted for this proposal unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits or the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the proposed development.

The Framework supports the presumption in favour of sustainable development. Paragraph 8 of the Framework states that achieving sustainable development means the planning system has three overarching objectives: the 'economic objective', the 'social objective', and the 'environmental objective'.

This proposal is contrary to Core Strategy Policy 1, 13 and 21 and Local Plan Policy EN1, as discussed above. However, in terms of the three objectives of sustainable development, as set out in the Framework, the proposal would perform an economic role as a result of the employment of construction workers to carry out the various aspects of the development. Occupation of the development would also bring inhabitants to a location with links by public transport and improved pedestrian and cycle routes to other nearby villages and Preston city centre. It would deliver community infrastructure levy receipts and new homes bonus. The proposal would also make an important contribution to the supply of housing. In relation to the social role, the proposal would provide affordable housing on the site. In terms of the environmental role, the proposed development would result in the loss of existing fields and would introduce built development into what has been identified

as open countryside that clearly has value locally. The site is not however of any notable landscape value in terms of its character and appearance and the impact of the proposal is not therefore considered to be significant. The potential impact upon Great Crested Newts can be satisfactorily mitigated and the proposed development would cause no long term harm. Subject to conditions and a S106 obligation, there would be no unacceptable impact on protected species. It would also achieve energy efficiency levels equivalent to level 4 of the former CSH and electric vehicle charging points would be provided.

It is considered that there are no adverse impacts as a result of the proposed development that would significantly and demonstrably outweigh the benefits of the scheme and which would direct the Local Planning Authority to refuse the application. It is therefore considered that the proposal is in accordance with the Framework and that planning permission should be granted.

#### Section 106 Obligation

In addition to CIL and the New Homes Bonus this application would also generate a requirement for affordable housing and on-going management and maintenance of open space at the site and contributions towards education provision, all of which are required to be secured by a Section 106 Obligation. The Section S106 Obligation would secure the following:

- The provision of 35% affordable housing to be provided on-site;
- A financial contribution to the provision of primary and secondary school places;
- The agreement of, implementation and on-going management and maintenance of amenity open space and its function across the site.

As noted above in the corresponding sections and analysis the above contributions are considered necessary to make the development acceptable and to ensure that the development is compliant with relevant Development Plan Policy and the Framework.

### **3.7 Value Added to the Development**

- The applicant has agreed to a financial contribution towards the provision of primary and secondary school places.
- Conditions would secure improvements to pedestrian and vehicular infrastructure along Whittingham Lane.

### **3.8 Conclusions**

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.

Statutory consultee comments and representations have been received, including those from Grimsargh Parish Council and Houghton Parish Council, which have been carefully considered and taken into account as part of this planning application. The application site is not identified for development on the Preston Local Plan 2012-26 Policies Map for the future provision and delivery of housing or for any other development, within the Central Lancashire Core Strategy and Preston Local Plan 2012-26. As such, the proposed development would result in the loss of an area of open countryside, which would be

contrary to the primary policy objectives set out in Policy 1 of the Central Lancashire Core Strategy and Policy EN1 of the Preston Local Plan. The proposal therefore does not comply with the development plan.

The Framework requires Local Planning Authorities to 'boost significantly the supply of housing'. As stated above, given that the Council cannot demonstrate a five year supply of housing land, the tilted balance, as set out within the Framework, applies to the determination of the proposal. In terms of the three dimensions of sustainable development, as set out within the Framework, the proposal would perform an economic role as a result of the employment of construction workers to carry out the various aspects of the development. Occupation of the development would also bring inhabitants to a location with links by public transport and improved pedestrian and cycle routes to other nearby villages and Preston city centre. It would deliver community infrastructure levy receipts and new homes bonus. The proposal would also make an important contribution to the supply of housing. In relation to the social role, the proposal would provide affordable housing on the site. In terms of the environmental role, the proposal would deliver transport improvements and improve access for future and existing residents. It is furthermore considered that although the proposal would result in the loss of greenfield land, it would not break out significantly beyond the built form into the open countryside, especially considering proposed developments to the north and south of the application site. Therefore in applying the tilted balance for the determination of the proposal, it is considered that the harm of the proposed development would not significantly and demonstrably outweigh the benefits.

Given such circumstances and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework planning permission should be granted.

### **3.9 Recommendation**

1. Subject to a S106 obligation being secured providing for 35% affordable housing, management and maintenance of amenity greenspace on-site and contributions for school places, planning permission be granted subject to conditions addressing those matters listed in paragraph 2.1.

AND

2. In the event that a satisfactory Section 106 Agreement is not concluded by 14 December 2018, or by the expiration of an agreed extension of time, delegate authority to the Director of Development to refuse planning permission on the grounds that the obligations which make the development acceptable have not been legally secured.