

Officer Report

Application Number: 06/2018/0590

Proposal: 24no. bungalows for person aged over 55 with associated parking, landscaping and open space with access from Cumeragh Lane

Site Address: Land at the junction of Cumeragh Lane and Camforth Hall Lane, Goosnargh, Preston

Case Officer: James Mercer

Decision: Approval with conditions

1	Information
1.1	Location
	The application site is located on the east side of Cumeragh Lane and to the south of Camforth Hall Lane, east of the village of Goosnargh. The site is within the Open Countryside and adjacent to the village boundary of Goosnargh, as defined by the Policies Map within the Adopted Local Plan 2012-26 (Site Allocations and Development Management Policies).
1.2	Proposal
	The application seeks approval for the erection of 24no. bungalows with associated parking, landscaping and open space with access taken from Cumeragh Lane. The proposed development would consist of 18no. detached dwellings and 6no. semi-detached dwellings. The dwellings would be a mix of four designs ranging from one-bedroom properties to three-bedroom properties.
1.3	Relevant Planning History
	No planning history.
1.4	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:
	<u>Central Lancashire Core Strategy</u>
	Policy 1: Locating Growth
	Policy 2: Infrastructure
	Policy 3: Travel
	Policy 4: Housing Delivery

	<p>Policy 5: Housing Density Policy 6: Housing Quality Policy 7: Affordable Housing and Special Needs Housing Policy 14: Education Policy 17: Design of New Buildings Policy 18: Green Infrastructure Policy 22: Biodiversity and Geodiversity Policy 27: Sustainable Resources and New Developments Policy 29: Water Management Policy 30: Air Quality Policy 31: Agricultural Land</p> <p><u>Preston Local Plan 2012-2026 (Site Allocations & Development Management Policies)</u> Policy AD1(a): Development within (or in close proximity to) the Existing Residential Area Policy AD1(b): Small scale development within Existing Villages 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 EN3: Future Provision of Green Infrastructure Policy EN7: Land Quality Policy EN9: Design of New Development Policy EN10: Biodiversity and Nature Conservation Policy EN11: Species Protection</p> <p>Other Material Considerations:</p> <p>Central Lancashire Supplementary Planning Document 1 (Affordable Housing) Central Lancashire Supplementary Planning Document 5 (Design Guide) Central Lancashire Supplementary Planning Document: Open Space and Playing Pitch</p> <p>National Planning Policy Framework (the Framework) National Planning Practice Guidance National Planning Policy for Waste National Design Guide</p> <p>The Community Infrastructure Levy Regulations 2010 (as amended)</p>
1.5	<p>Consultation responses</p>
	<p>Lead Local Flood Authority (LLFA) – No objections subject to conditions requiring the submission of a surface water drainage scheme, sustainable urban drainage scheme and management and maintenance plan and a surface water lifetime management and maintenance plan.</p> <p>County Highways – The proposed access to the development is acceptable in principle, however concerns have been raised surrounding the sustainability of the site and the lack of information submitted with the application to demonstrate the highway network can strategically support the impacts of the proposal. Should planning permission be granted,</p>

conditions relating to the proposed access and future management of the streets within the development are requested.

Parks and Streetscene (Landscape) – No objections subject to the submission of further landscaping details which could be secured by condition.

Electricity North West (ENW) – The proposal could have an impact on ENW infrastructure. Comments provided which would be communicated by way of an informative.

Environmental Health – No objections subject to conditions relating to contaminated land, noise and electric vehicle charging points.

United Utilities – No objections subject to conditions requiring the submission of foul and surface water drainage schemes.

Greater Manchester Ecology Unit (GMEU) – No objections subject to conditions requiring the submission of a Construction Environmental Management Plan, Invasive Species Management Plan and to restrict vegetation clearance during the bird nesting season.

Highways England – No objections. The proposal would not result in a severe impact on the Strategic Road Network.

Waste Management – No objections.

Whittingham Parish Council – Object to the application on the following grounds:

- No evidence to prove the development is in a sustainable location;
- The application is contrary to Policy 7 of the Core Strategy; and
- There is no demand for bungalows in the parish.

Ben Wallace MP has objected to the application on the following grounds:

- The site is not allocated for development in the Local Plan and sits outside the settlement boundary of Goosnargh within the open countryside and area of separation;
- The combined number of homes proposed in the village are unsustainable;
- The former Whittingham Hospital site has stalled and demonstrates there is no need for these developments;
- The applications should be delayed until housing supply targets have been amended; and
- The applications should be delayed until the remodelling of traffic using the A6 is completed.

Publicity – 178 representations objecting to the application have been received which can be summarised as follows:

- The development is in the Open Countryside and not consistent with the Local Plan;
- Development should be directed towards the Whittingham Hospital site in the first instance;
- Impacts on highway and pedestrian safety;
- Poor public transport links from the village;
- Increased risk of flooding;

	<ul style="list-style-type: none"> • Lack of services and facilities in the village; • The sharp bend at the junction of Camforth Hall Lane and Cumeragh Lane is dangerous; • The proposed access is unsafe; • Inappropriate scale of development for a village location; • Negative impact on residential amenity; • The development will contribute to congestion along the A6 corridor; and • Lack of consultation.
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1.6	Analysis
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	<p><u>Principle of development and impact on the Open Countryside</u></p> <p>The application site consists of open countryside, falling outside of but adjacent to the defined village of Goosnargh, which distinguishes between the built-up elements of the village and the surrounding countryside, as identified on the Policies Map of the Adopted Preston Local Plan. Policy 1 of the Adopted Core Strategy 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 smaller villages, at the bottom of the hierarchy where development is expected to be small scale and limited to appropriate infilling unless there are exceptional needs for a larger scale redevelopment scheme.</p> <p>The site is set between the substantially built up frontages of Whittingham Lane and Cumeragh Lane, although the two frontages do not form one linear frontage, they meet at a right angle with the application site between them. The proposed development would be small scale in the context of the adjoining Goosnargh village and is considered to be appropriate infilling. The proposed development complies with Policy 1 of Core Strategy Policy 1(f).</p> <p>Policy EN1 of the Adopted Local Plan seeks to protect areas of open countryside from unacceptable development which would harm its open and rural character and limits development to that which it is needed for the purposes of agriculture or forestry or other appropriate rural uses, the re-use or re-habitation of existing buildings or infilling within small groups of buildings within smaller rural settlements. The supporting text to Policy EN1 states that it is important that these areas (of open countryside) are protected from unacceptable development which would harm its open character (the actual policy wording is silent on this matter).</p> <p>The proposed redevelopment 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 of the Adopted Local Plan.</p> <p>The Framework says 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.</p>
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Policy 21 of the Adopted Core Strategy 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. The development would not conflict with Policy 21 of the Adopted Core Strategy.

The proposed development complies with Policies 1 and 21 of the Core Strategy, but conflicts with Policy EN1 of the Local Plan. Assessing the proposed development against the development plan is the starting point for decision making. In this case two policies indicate approval, but another indicates refusal. Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. In this case the conflict is resolved in favour of Policy EN1. However, there is in this case other development plan policies to consider and there may be material considerations that indicate that the plan should not be followed, which all need to be weighed up in the planning balance at the end of the report.

Housing provision

Policy 4 of the Core Strategy 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 of 507 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 set out in adopted strategic policies, such as Policy 4, or against local housing need where the strategic policies are more than five years old (unless the strategic policies have been reviewed and found not to require updating) with an additional buffer of 5% to ensure choice and competition in the market for land.

Paragraph 11 of the Framework states that the presumption in favour of sustainable development means local planning authorities should approve development proposals that accord with the development plan without delay.

Given the development plan policy which contains the housing requirement for the Central Lancashire authorities (Policy 4) is more than five years old, and no review of that policy has been undertaken since its adoption in 2012, the Council is now using the local housing need figure, calculated using the standard methodology, to monitor and assess its housing land supply position.

In April 2020, following consideration by all three Central Lancashire authorities, the Central Lancashire Memorandum of Understanding and Statement of Co-Operation Relating to the Provision and Distribution of Housing Land (MOU) became effective. The MOU, in advance of the conclusion to the review of the Local Plan, ensures that the aggregate local housing need across Central Lancashire is met and that a consistent approach to monitoring housing land supply in Central Lancashire is established. In May 2020, the three Central Lancashire authorities issued a Statement of Common Ground, to provide the most up-to-date information on local housing need. The MOU, and associated Statement of Common

Ground, require Preston to supply 404 dwellings per annum. Against this figure, the Council can currently demonstrate a five year supply of deliverable housing land at 1 April 2020. In view of this, the development plan policies which are most important for determining the application are not considered to be out-of-date and can therefore be afforded full weight. For decision taking this means (in accordance with paragraph 11(c) of the Framework) approving development proposals that accord with an up-to-date development plan without delay.

On 1 June 2020 the Council received a Judicial Review claim to the rMOU containing five grounds of challenge, which are:

1. In arriving at the decision to adopt the rMOU the Council has misinterpreted and misunderstood national planning policy in relation to the use of the “standard method” for the calculation of five year land supply of specific deliverable sites;
2. In reaching the decision to redistribute the aggregate figure for Preston, South Ribble and Chorley, the Council (together with the other two authorities) has had regard to an immaterial consideration;
3. The Council has adopted the rMOU, which it is claimed is a development plan document, without following the legal requirements for the creation of a development plan document;
4. In reaching the decision to adopt the rMOU the Council wrongly had regard to the Chain House Lane appeal decision; and,
5. The decision to approve the rMOU was taken by the Leader of the Council when it could only have been taken by the Full Council.

The Council has instructed Leading Counsel and will strongly contest the claim. Officers are satisfied the Council was entitled to approve the rMOU; that the rMOU is not a development plan document and it was approved as required under the Council's constitution.

In August 2020 the Planning Inspectorate issued its decision in relation to an outline application for housing development within the administrative area of Chorley – Pear Tree Lane, Euxton (Appeal Ref: APP/D2320/W/20/3247136). The Inspector allowed the appeal, and in doing so attached limited weight to the rMOU due to ‘*significant unresolved objections to the recommended figures*’. The Inspector's assessment in this regard is specific to the situation in Chorley. Officers consider that the Council is entitled to continue to have regard to the rMOU as a material consideration in the determination of planning applications until such time as it is set aside. It is a matter for the Committee as to how much weight it attaches to the rMOU and it is not constrained to follow the Inspector in giving it limited weight. This Council would have a minimum local housing need of 250 dwellings per annum (at April 2020) using the standard methodology, as opposed to the minimum 404 dwellings per annum contained within the rMOU for the purpose of calculating whether or not it has a five year supply of deliverable housing land. In either case the Council can demonstrate a five year supply of deliverable housing land but its supply of deliverable housing land would be significantly increased if it were to revert to using the minimum local housing need of 250 dwellings per annum using the standard methodology. However, applying the minimum 404 dwellings per annum contained within the rMOU would further promote housing needs in Preston and the City Deal.

Type of housing proposed

Paragraph 59 of the Framework confirms the Government's objective of significantly boosting the supply of homes remains a key Government objective and stresses the importance of addressing the needs of groups with specific housing requirements. Paragraph 61 of the Framework states the size, type and tenure of housing needed for different groups in the community should be assessed, including, but not limited to, older people. The Framework glossary defines older people as people over or approaching retirement age, including the active, newly-retired to the very frail elderly, whose housing needs encompass accessible adapted general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

A new section of detailed and important guidance on policy and decision making involving 'Housing for Older and Disabled People' was added to the PPG on 26th June 2019. It also for the first time, sets out the Government's definition of the different types of specialist housing for older people which, in connection with this application and the applicant's developments, includes 'age-restricted general market housing'. It also recognises the significant viability challenges providers of older persons' housing face in acquiring land on the open market in competition with conventional house builders and developers.

The planning application was initially supported with a summary of ministerial statements and policy, research and good practice from key organisations, Government agencies, developers and providers within the older persons' retirement and specialist housing sector. This has been updated to include key evidence from the findings of the Housing, Communities and Local Government 2017 Select Committee Inquiry into Housing for Older People and the Government's response of September 2018, and a wide body of evidence confirming:

- the shifting trends in the quantitative and qualitative needs, preferences and aspirations of retired and active-elderly home-owning older people and households, for whom the 'one-size-fits-all' communal retirement apartment living model is unsuited and not fit for purpose;
- the lack of choice and availability of housing for the rapidly-growing retired and active elderly demographic is preventing older households moving (right-sizing) from over-sized and/or unsuitable properties into purpose built housing for older people;
- the need for and benefits of high quality bungalow development;
- the lack of supply of bungalow developments and the failure of the housing market (volume house builders) to provide sufficient numbers and quality; and,
- the negative impact of affordable housing and other planning obligations on the commercial viability of bungalows and other forms of specialist retirement and older persons' housing.

Consultation on the Issues and Options began in November 2019 and includes the Central Lancashire Housing Study (October 2019) produced by Icen Projects. Section 7 contains an up to date assessment of the housing needs of older people and people with disabilities in Central Lancashire and Preston. Paragraphs 7.2 and 7.3 explain that Central Lancashire is projected to see a notable increase in the older person population, with the total number of people aged 65+ projected to increase by 39% before 2036.

The applicant states that bungalows, such as those proposed, enable family homes to be unlocked by older people downsizing (right-sizing) and prevent sheltered accommodation

and residential care capacity (and local authority budgets) being over-subscribed. The applicant further states lack of supply is a key barrier to 'down-sizing' and means older person households and equity is tied-up in over-sized and under-occupied dwellings, which if released could result in many thousands of larger properties suited to meeting family needs becoming available.

Additionally the applicant asserts there are only a small number of specialist residential developers, of which the applicant is the most prolific, who exclusively deliver age-restricted bungalows for general market private sale. The applicant goes on to state that the new bungalows are provided within larger housing schemes, there is a tendency for volume developers to minimise costs (due to bungalows being less viable than two story housing) by providing only smaller bungalows (single or two bedroom) and/or providing them only as part of their affordable housing scheme. Relatively low numbers are provided for general market sale and very few are offered exclusively to the over 55 market and designed to be fully compliant with Part M4(2) building regulation standard.

The applicant further states that by offering 100% bungalow schemes, their developments are designed to meet demand and appeal strongly to people over 55 who do not want to live within a large family housing estate and do not choose the communal retirement-living apartment and service charges model. The benefits to mental health and well-being are well documented, and tailored accommodation for people at the stage in their life where living in a community with neighbours becomes increasingly important, without compromising on quality, privacy and space for visiting family and friends and activities.

It is considered that the proposed development would provide suitable homes to meet the needs of older people so they are able to live safely, comfortably and independently in their own homes for as long as possible in accordance with the Framework.

Affordable housing

Policy 7 of the Adopted Core Strategy seeks to ensure on-site affordable housing provision of 30% within urban areas and of 35% in rural areas subject to such matters as financial viability and contributions to community services. The threshold for that provision is 15 dwellings in the urban parts of Preston and 5 dwellings in rural areas. The Central Lancashire Supplementary Planning Document 1: Affordable Housing states 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 alternative provision. The SPD goes on to say that affordable units within residential developments should be dispersed to promote integration, mixed communities and to minimise social exclusion.

Paragraph 57 of the Framework states that it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The NPPG states that such circumstances could include where development is proposed on unallocated sites of a wholly different type to those used in the viability assessment that informed the plan, where further information on infrastructure or site costs is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people) or where a recession or similar significant economic changes have occurred since the plan was brought into force.

The application is accompanied by a Planning Statement which contains an affordable housing statement. The Planning Statement states that there are inherent disproportionate costs associated with the delivery of bungalows which are not common with conventional two storey housing development. This significantly affects viability and the delivery of bungalows. As such, the application is also accompanied by a Viability Assessment dated June 2018 which concludes that viability is a significant issue on the site, due to resultant land values and subsequent financial appraisals conducted as part of the assessment and finds that the scheme could not support the provision of affordable housing or any other Section 106 obligations.

The Viability Assessment and Financial Appraisals have been independently assessed by a third party. The independent assessment also took into consideration the residential housing market in Whittingham and surrounding areas, and the build and site cost of the proposed development.

An independent consultant was instructed to assess the applicant's viability case. The consultant assessed the applicant's evidence in accordance with the Planning Practice Guidance (PPG) on viability (published in July 2018 and updated in May 2019). For decision taking the guidance essentially seeks to assess viability in a hypothetical world, rather than on individual circumstances, to provide a level playing field amongst developers. In this particular case, the independent consultant concludes that as a scheme containing 35% affordable housing would achieve a profit of 14%, which is lower than the 15-20% return that the PPG considers to be a suitable and reasonable return. In other words, the level of return for the developer from this scheme is below the minimum rate that the guidelines suggest are required to deliver a viable scheme. The independent consultant therefore advises that the proposed development is unviable with the affordable housing policy requirement, increasing the risk that the scheme will not be delivered.

Paragraph 57 of the Framework states the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. Having regard to all the circumstances in the case set out above, it is considered that the viability case made by the applicant is sufficient. The proposed development is not considered viable when assessed against the guidance set out in the PPG. The provision of affordable housing would reduce the developer's level of profit even further and therefore increase the risk of the scheme being undelivered. The fundamentals of the viability case are accepted and accord with the guidance set out in the PPG.

Given the above, it is therefore considered the proposed development would be unable to support the provision of on or off-site affordable housing due to the high costs involved in developing out the site for bungalows with a targeted age of over 55. It is considered the applicant has adequately demonstrated that the viability of the site would be compromised should affordable housing provision be required therefore it is considered the proposal as submitted would comply with Policy 7 of the Core Strategy, the Framework and NPPG in this regard.

Highways and parking

Core Strategy Policy 2 states that the Local Planning Authority will work with infrastructure providers to establish works that will arise from or be made worse by development

proposals. It further states that the Local Planning Authority will set broad priorities on the provision of the infrastructure to ensure that it is delivered in line with future growth. Core Strategy Policy 3 outlines a number of measures which are considered to constitute the best approach to planning for travel. These include reducing the need to travel, improving pedestrian facilities, improving opportunities for cycling, improving public transport, enabling travellers to change their mode of travel on trips, encouraging car sharing, managing car use and improving the road network.

Policy ST2 of the Adopted Local Plan requires development proposals to demonstrate that the efficient and convenient movement of all highway users and corridors which could be developed as future transport routes are not prejudiced, that existing pedestrian, cycle and equestrian routes are protected and extended; the needs of disabled people are fully provided for; appropriate provision is made for vehicular access, off-street servicing, vehicle parking and public transport services; and that appropriate measures are included for road safety and to facilitate access on foot and by bicycle. Adopted Local Plan Policy ST1 requires new development proposals to provide car parking and servicing space in accordance with the parking standards contained within the Appendix B to the Adopted Local Plan.

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 application is accompanied by a Highways and Transport Statement (TS) which states the proposed development would be served by a priority T-junction on Cumeragh Lane. The junction would have a carriageway width of 5.5m with 2m wide footways on either side. The access drawings show that visibility splays extending 43m east and west from the proposed access could be achieved. As part of the application, the existing footway along Cumeragh Lane would be widened to 2m, with a new section of footway provided along Camforth Hall Lane. The proposed site access off Whittingham Lane is considered acceptable by County Highways.

County Highways has reviewed the submitted information and note that the submitted TS does not include any traffic assessment either locally or across the wider highway network. Crucially, County Highways consider that the level of trips generated by the proposed development would have a minimal impact on the adjacent local highway network, therefore it is considered the impacts on the highway network in the village of Goosnargh could not be considered as severe.

County Highways considered that upon submission, the submitted TS did not sufficiently demonstrate that the cumulative impacts of the proposed development (together with committed and planned development) would not have a severe impact on the existing and proposed highway infrastructure, specifically the function of the A6 corridor/Broughton Bypass and Junction 1 of the M55. County Highways consider that users of the development are likely to utilise the A6 corridor, and the strategic motorway network, and that the number, scale and location of recent developments within the city and within neighbouring districts/boroughs may cumulatively cause congestion issues for this corridor. County Highways acknowledge that significant highways infrastructure is to be provided in the future, which would have some influence on the A6 corridor but consider that this

infrastructure would only satisfy demand from allocated and committed sites, some of which fund additional highway mitigation measures.

County Highway's traffic modelling for the A6 corridor was conducted in January 2019 and this was revisited and updated in August 2019. The August 2019 cumulative assessment shows there would be potential capacity on the A6 corridor for future developments with the consideration of the impact on the wider network at critical congestion points such as Junction 1 of the M55 (Broughton Roundabout) due to the delivery of the Preston Western Distributor and Junction 2 of the M55, which are now under construction. The delivery of this vital infrastructure will in turn provide relief to Junction 1. On this basis, County Highways raise no objections to the scheme based on highway capacity. Furthermore, Highways England have raised no objections to the scheme and state given the sites distance from Junction 1 of the M55, it is unlikely the development would have any impact on the Strategic Road Network.

Overall, the TS concludes that the site is sustainable and accessible by non-car modes of transport and by public transport, the proposed development would be able to be accommodated on the local highway network and would provide adequate off-street parking for all dwellings.

Given the site's location adjacent to the existing village, it is considered the development would be located in a sustainable location within walking distance of existing facilities within the village. Improved pedestrian facilities along Cumeragh Lane and Camforth Hall Lane would further ensure the site is accessible by pedestrians.

County Highways has requested that should planning permission be granted, conditions be attached requiring a scheme for the construction of the access to be submitted, that the estate roads be constructed in accordance with Lancashire County Council guidance, details for the future maintenance and management of the streets are submitted and wheel cleaning facilities be provided for the duration of construction.

In light of the above, it is considered that the proposed development would not have a severe impact on either the local highway network or the Strategic Road Network and would not have an unacceptable impact on highway safety. As such, it is considered the proposed development complies with Policy 3 of the Adopted Core Strategy, Policy ST2 of the Adopted Local Plan and the Framework.

Design, layout and visual amenity

Core Strategy Policy 17 states 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. Core Strategy Policy 5 seeks to secure densities of development which are in keeping with local areas and which will have no detrimental impact on the character, appearance and distinctiveness of an area, whilst also making efficient use of land.

Policy EN9 of the Adopted Local Plan states that all new development proposals should be designed with regard to the principles set out and explained in the Central Lancashire Design Guide SPD, which are movement and legibility; mix of uses and tenures; adaptability and resilience; resources and efficiency; architecture and townscape. The

policy states applications will be approved where they accord with the Design Guide SPD, Core Strategy, national policy and CABE (Commission for Architecture and Built Environment) guidance; make a positive contribution to the character and local distinctiveness of the area; and are accompanied by a satisfactory Design and Access Statement that fully explains and justifies the design approach for the scheme.

The Design Guide SPD seeks to raise the level and quality of design of new buildings, sets out a number of well-established principles of good design and how these can achieve a clear and robust design concept for site.

Paragraph 124 of the Framework states that good design is a key aspect of sustainable development, and the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 130 states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. In addition, the National Design Guide illustrates how well-designed places can be achieved and sets out the Government's priorities for well-designed places in the form of ten characteristics.

The application is accompanied by a Design and Access Statement (DAS) which states it is proposed that the development would be inward facing along Cumeragh Lane, with dwellings orientated in such a way to retain the existing boundary and maintain a semi-rural character to the scheme. Within the site, dwellings would be orientated to face out onto the main route through the site and overlook the proposed area of public open space in the south east corner of the site. The proposed palette of materials is stated to include casement windows, coloured cills, a mixture of rough cast render, brick and vertical boarding to bays and gables and grey roofs. Overall, the design and layout of the proposed development is considered to be acceptable, as is the density of the development at 18 dwellings per hectare. The scale and appearance of the proposed dwellings are considered acceptable, sympathetic to the character and appearance of the surrounding area. The application therefore complies with Policies 5 and 17 of the Core Strategy, Policy EN9 of the Adopted Local Plan, the Design Guide SPD and the Framework.

Residential amenity

Policy AD1(a) of the Adopted Local Plan 2012-26 requires, amongst other things, that the development has no adverse impact on residential amenity. The Framework seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

All of the proposed dwellings would have substantial private amenity space to the rear and the density of the development proposed would ensure that the site would not appear cramped or unsympathetic to the character and appearance of the surrounding area. The proposed dwellings would not back onto any existing dwellings and the separation distances between existing dwellings and the application site exceed 21m. Furthermore, the proposed layout would achieve interfacing distances between dwellings which would be acceptable and would not compromise the amenity of future occupants. As such, it is considered the proposal complies with Policy AD1(a) of the Adopted Local Plan and the Framework.

Ecology

Policy 18 of the Core Strategy seeks to manage and improve environmental resources through a Green Infrastructure approach, which includes securing mitigation measures and/or compensatory measures where development would lead to the loss of, or damage to, part of the Green Infrastructure network. Policy 22 of the Core Strategy seeks to protect and find opportunities to enhance and manage the biological and geological assets of the area through certain measures, such as promoting the conservation and enhancement of biological diversity, having particular regard to the favourable condition, restoration and re-establishment of priority species and species populations; and seeking opportunities to conserve, enhance and expand ecological networks.

Policy EN10 of the Adopted Local Plan seeks to protect, conserve, restore and enhance biodiversity and ecological network resources in Preston. Policy EN11 states planning permission will not be granted for development which would have an adverse effect on a protected species unless the benefits of the development outweigh the need to maintain the population of the species in situ. Should development be permitted that might have an effect on a protected species, planning conditions or agreement will be used to mitigate the impact.

Paragraph 170 of the Framework states that planning policies and decisions should, amongst other things, contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 175 of the Framework states that when determining applications, local planning authorities should aim to conserve and enhance biodiversity by applying a number of principles.

The application is accompanied by an Ecological Appraisal and Arboricultural Impact Assessment. The Ecological Appraisal concludes the following:

- No notable or protected species were recorded on site;
- The small pond is assessed as being of poor suitability to support great crested newts;
- Japanese knotweed is present on the site and should be disposed of in line with industry standards; and
- None of the hedgerows around the site perimeter were considered as important under the Hedgerow Regulations (1997).

Greater Manchester Ecology Unit (GMEU) agree with the findings of the report and raise no objections to the scheme subject to conditions requiring the submission of a Construction Environmental Management Plan, a scheme to remove the invasive species, a scheme for biodiversity enhancement and the restriction of vegetation clearance during bird nesting season. The applicant has provided these in advance of the determination of the application to avoid the need for such conditions. The GMEU ecologist is satisfied with their contents subject to a condition ensuring the development is carried out in accordance with the submitted details.

The Arboricultural Impact Assessment concludes a small number of trees and a section of hedgerow on the site would be required to be removed to facilitate the development. The trees to be removed would consist of 1 no. Category C tree and 2 no. Category B trees. None of the trees on the site are protected by Tree Preservation Orders. The report recommends mitigation measures in the form of protective fencing to be erected around any trees which

are to be retained for the duration of the development to safeguard root systems and replacement planting to enhance the landscape and biodiversity of the site. The mitigation measures proposed would adequately protect the retained vegetation during development and could be secured by condition.

As such, it is considered the proposed development would not have an adverse impact on protected species, biodiversity or existing landscaping features on the site and therefore complies with Policies 18 and 22 of the Core Strategy, Policies EN10 and EN11 of the Adopted Local Plan and the Framework.

Ground conditions

Policy EN7 of the Adopted Local Plan seeks to address existing contamination of land by appropriate mitigation measures to ensure the site is suitable for the proposed use and seeks to ensure that proposed development would not cause land to become contaminated.

Paragraph 178 of the Framework states planning decisions should ensure that the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. After remediation, as a minimum the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Paragraph 179 goes on to state that where a site is affected by contamination or land stability issues, the responsibility for securing a safe development rests with the developer and/or landowner.

The application is accompanied by a Geo-Environmental Investigation Report produced in October 2017 which finds that there is no evidence of contamination on site and the topsoil material present is suitable for re-use within the gardens of the proposed dwellings. The Environmental Health Officer raises no objections to the findings of the report but requests that, should planning permission be granted, a condition be attached requiring further information to be submitted should contamination be encountered during site preparation works. Subject to this condition it is considered the proposed development would not cause the land to become contaminated and therefore complies with Policy EN7 of the Adopted Local Plan and the Framework.

Air quality

Policy 3 of the Core Strategy seeks to encourage the use of alternative fuels for transport purposes. Policy 30 of the Core Strategy seeks to improve air quality through delivery of Green Infrastructure initiatives and through taking account of air quality when prioritising measures to reduce road traffic congestion.

The site does not fall within an Air Quality Management Area and the Environmental Health Officer has raised no objections to the scheme in terms of its impact on air quality. To encourage the use of alternative fuels and improving the air quality of the city, it is considered a condition be attached requiring the installation of an electric vehicle charging point for each dwelling. Subject to this condition, it is considered the proposal complies with Policies 3 and 30 of the Adopted Core Strategy.

Utilities/Drainage/Flood risk

Core Strategy Policy 29 seeks to improve water quality, water management and reduce the risk of flooding by number of measures including minimising the use of portable mains water in new developments; appraising, managing and reducing flood risk in new developments; managing the capacity and timing of development to avoid exceeding sewer infrastructure capacity; encouraging the adoption of Sustainable Drainage Systems; and seeking to maximise the potential of Green Infrastructure to contribute to flood relief.

Paragraph 163 of the Framework states that Local Planning Authorities should ensure flood risk is not increased elsewhere (i.e. outside areas at risk of flooding) and only consider development appropriate in areas at risk of flooding where proposals are informed by a site-specific flood risk assessment.

The application site is located in Flood Zone 1 which is identified as within the lowest risk of flooding. The Flood Risk Assessment (FRA) submitted with the application states that surface water run off would be collected and stored on site to enable the peak outflow rate to be limited to 11.75 litres per second, improving the situation of the existing greenfield run off rate. New surface water would flow into the local watercourse system at the northern boundary and foul water would drain into the existing public sewer network. United Utilities raise no objections to the proposal, subject conditions requiring the submission of detailed foul and surface water schemes. The Lead Local Flood Authority (LLFA) also raise no objections to the scheme subject to conditions requiring the submission of a surface water drainage scheme, sustainable urban drainage scheme and management and maintenance plan and a surface water lifetime management and maintenance plan. Subject to these conditions, it is considered the proposed development would be unlikely to lead to an increase in flooding and 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 has published a statement of intention in respect of this matter, and in accordance with this statement of intention the Council no longer requires new developments to comply with code standards. However the written ministerial statement (published on 25th March 2015) 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 which equates to a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined by Part L1A of the 2013 Building Regulations.

The application is accompanied by a Sustainability Statement which sets out a commitment to adopting energy efficiency standards within the development to exceed Building Regulations standards. SAP Calculations have been submitted to demonstrate all properties would meet the required energy efficiency thresholds. As such, it is considered the proposed development would comply with Policy 27 of the Core Strategy.

Waste management

The National Planning Policy for Waste seeks to ensure that new development makes sufficient provision for waste management and promotes good design to secure the

integration of waste management facilities, for example by ensuring there is discrete provision for bins to facilitate a high quality, comprehensive and frequent household collection service. Each property would be provided with adequate rear amenity space which could cater for the storage of waste and recycling facilities. Waste Management have raised no objections to the scheme therefore it is considered the proposal complies with the National Planning Policy for Waste.

Planning Balance – Compliance with the Framework

In terms of the consideration of this planning application, as mentioned earlier in this report, the development plan policy which contains the housing requirement for the Central Lancashire authorities (CS Policy 4) is more than five years old, and no review of this policy has been undertaken since its adoption in 2012, as such CS Policy 4 is considered to be out-of-date and consequently the Council is now using the Local Housing Need figure, calculated using the standard methodology, to monitor and assess its housing land supply position.

As this Council can demonstrate a healthy 5 year supply of housing land against the standard methodology it is considered all other relevant policies within the Core Strategy and Local Plan are not out of date and therefore the titled balance in paragraph 11(d) of the Framework is not engaged for this current application.

Notwithstanding the above, the Judicial Review claim to the rMOU sets out an interpretation of national planning policy and guidance whereby even in circumstances where the Council can demonstrate a five year supply of deliverable housing land it should apply the presumption in favour of sustainable development, the 'tilted' balance, when determining planning applications. The suggestion being that in circumstances where the Council uses its local housing need figure to monitor housing land supply, where this figure is significantly different to the development plan figure, the most important policies in the development plan ought to be considered out-of-date. Whilst officers do not consider this approach to have merit, a full assessment of this planning application should consider a scenario whereby all the most important policies for determining this application were out of date, and the titled balance within paragraph 11(d) of the Framework would be engaged. 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
- ii. 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.

If all the most important policies for determining this application were considered to be out of date and Paragraph 11 was engaged, the application site is not within a protected area and not adjacent to any designated asset, as such there is no clear reason for refusing the development proposed in relation to Paragraph 11(d)(i). In terms of Paragraph 11(d)(ii), there is a presumption in favour of sustainable development unless the adverse impacts of approving the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Given the Council

	<p>can currently demonstrate a five year supply of deliverable housing land, even if the most important policies for determining this application were to be considered out of date, it does not follow that out-of-date policies should be given no weight, indeed considerable weight may be attributed to those policies and the development plan as a whole, especially where those policies are considered to be consistent with national planning policy and guidance. As mentioned earlier the application site sites on the boundary of the village of Goosnargh and is set between the substantially built up frontages of Whittingham Lane and Cumeragh Lane, although the two frontages do not form one linear frontage, they meet at a right angle with the application site between them. The proposed development would be small scale in the context of the adjoining Goosnargh village and is considered to be appropriate infilling. Whilst the proposal does not comply with Policy EN1, the development would provide an alternative, much-needed type of housing for older people and as detailed throughout this report the proposal accords with the relevant local and national polices relating to technical matters. It is therefore considered that there would be no adverse impacts of approving this development that would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as whole, and in such circumstances the Framework advises that permission should be granted. It is therefore concluded that if the titled balance within Paragraph 11 of the Framework was engaged, this application should be approved.</p>
1.7	<p>Value Added to the Development</p>
	<p>Additional information was submitted relating to drainage and highway capacity.</p>
1.8	<p>Conclusions</p>
	<p>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 which have been carefully considered and taken into account as part of this planning application.</p> <p>Paragraph 10 states that so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 8 of the Framework states that achieving sustainable development means the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these being an economic objective, a social objective and an environmental objective. Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate the plan should not be followed.</p> <p>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. Whilst the proposal is considered to conflict with Policy EN1 of the Local Plan, it complies with Policies 1 and 21 of the Central Lancashire Core Strategy. Notwithstanding this, however, as</p>

	<p>demonstrated in the report there are a number of material considerations to be considered. In terms of achieving an economic objective, the development would provide land on the edge of a rural settlement, bounded by the existing village on two sides, therefore in the right place at the right time to support the growth of Goosnargh and Whittingham. By providing 24no. open market bungalows for persons aged over 55, the development would achieve a social objective by ensuring a sufficient number and range of homes can be provided in the village in a well-designed environment, whilst complying with government guidance and the Framework in terms of delivering homes for older persons. Finally, whilst the development would result in the loss of a field identified as open countryside, the proposal would ensure an effective use of land, bordered on two sides by the existing village and within walking distance of local amenities and services and be of a good design. The site is not however of any notable landscape value in terms of its character and appearance and the impact of the proposal is therefore not considered to be significant.</p> <p>The proposed development is also considered acceptable in terms of its impact on visual and residential amenity, drainage, flooding, energy efficiency, air quality, ground conditions and waste management subject to the conditions imposed. The proposed development would not have a severe impact on the operation of the road network or an unacceptable impact on highway safety. Therefore it is considered that the harm of the proposed development would not outweigh the benefits outlined in the report.</p> <p>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.</p>
1.9	Recommendation
	Approval with conditions.
2	Compliance with paragraph 38 of the National Planning Policy Framework
	<p>The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application (as originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.</p>

Conditions

1. The development hereby permitted shall only be implemented in accordance with the approved plans. This approval relates to drawing numbers:
17-13-LP01, Location Plan;
17-13-P01 Rev. D, Proposed Site Layout;
17-13-P01, Proposed Materials Plan;
17-13-SS01, Proposed Street Scenes;
P.911.18.03, Planting Plan; and
P.911.18.04, Landscape and Maintenance Specification and Schedules;

House Types

- HT-A01B, Proposed house type A - Vertical Boards Option (B) Floor Plans and Elevations;
HT-A01T, Proposed house type A - Tile Hanging Option (T) Floor Plans and Elevations;
HT-B01B, Proposed house type B - Vertical Boards Option (B) Floor Plans and Elevations;
HT-B01T, Proposed house type B - Tile Hanging Option (T) Floor Plans and Elevations;
HT-C01BC, Proposed house type C - Vertical Boards Option (B) Floor Plans and Elevations - Chimney Detail;
HT-C01B, Proposed house type C - Vertical Boards Option (B) Floor Plans and Elevations;
HT-C01T, Proposed house type C - Tile Hanging Option (T) Floor Plans and Elevations;
HT-D01B, Proposed house type D - Vertical Boards Option (B) Floor Plans and Elevations;
HT-DO1T, Proposed house type D - Tile Hanging Option (T) Floor Plans and Elevations; and
SG01, Single garage detail.
2. The development hereby permitted must be begun not later than the expiry of three years beginning with the date of this permission.
3. No materials shall be used on the external elevations or roof of the proposed development other than those referred to on the approved plans / supporting documentation.
4. The development hereby approved shall be carried out in accordance with the submitted SAP Calculations for Plot nos. 1-24 submitted to the Local Planning Authority on 23rd April 2019.
5. Prior to the first occupation of any dwelling, that dwelling shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
6. The development hereby approved shall be carried out in accordance with the submitted drainage details as detailed on the following plans:
30157-655 Rev. A, Drainage Plan;
30157-665 Rev. P1, Typical Drainage Details Sheet 1;
30157-670 Rev. P1, Typical Attenuation Tank Details;

30157-685 Rev. P1, Exceedance Route Plan;
30157-6025 Rev. P2, Indicative Longsection 1 of 2;
30157-3026 Rev. P2, Indicative Longsection 2 of 2; and
30157 MASTER 11.75LS-2.MDX, SW Calculations.

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

7. The development hereby approved shall be carried out in accordance with the submitted SuDS Management and Maintenance for Cumeragh Lane document (ref.LRD30157 dated September 2019).

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

8. All ecological measures and works shall be carried out in accordance with the details contained in Construction Environmental Method Statement and Habitat Improvement Works by Envirotech dated 05/04/2019 and retained thereafter.
9. Prior to the commencement of the development hereby approved, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be 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.
10. Prior to any above ground works commencing on site, a scheme detailing the proposed off-site highway works and details of the new access junction to Cumeragh Lane shall be submitted to and agreed in writing by the Local Planning Authority. No part of the development shall be occupied until the agreed scheme for the access and off-site highway works have been constructed. The highway works shall include, widening to 2 metres the existing footway along the Cumeragh Lane frontage to the site and provide a new section of 2m footway along Camforth Hall Lane frontage.
11. The new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
12. Prior to the commencement of development hereby approved, a construction and environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide for: (i) The means of highway access and parking for construction vehicles, plant and construction workers' vehicles and sustainable travel methods for construction workers, (ii) loading and unloading of plant and materials, (iii)

storage of plant and materials used in constructing the development, (iv) storage, disposal and removal of spoil and waste arising out of the construction works, (v) hours of working and access, (vi) site security arrangements, including hoardings and other means of enclosure, (vii) piling methods, if used, (viii) wheel cleaning facilities, (ix) measures to control the emission of dust and dirt during construction, (x) measures to control the emission of noise. The approved CEMP shall be adhered to throughout the construction phase of the development.

13. The development hereby approved shall be carried out in accordance with the submitted Arboricultural Impact Assessment (ref. P.911.17 dated May 2018) and Planting Plan (ref. P.911.18.03 dated May 2018).
14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
15. If during site preparation or development works contamination is encountered, or is suspected in areas where it had not been anticipated, then a scheme for detailed investigation, risk assessment, remediation and verification shall be submitted for the written approval of the Local Planning Authority prior to all but urgent remediation works necessary to secure the area. The remediation scheme shall be carried out in accordance with the approved details.
16. The development shall proceed in accordance with the inclusion of the mitigation measures, as recommended in the Noise Impact Assessment undertaken by Martin Environmental Solutions (Report reference no. 1576-1 May 2018).
17. There shall be no tree felling, vegetation clearance works, or other works that may affect nesting birds on the development site or off-site habitat creation areas, between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections submitted to and approved in writing by the Local Planning Authority.

Reasons

1. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
2. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
3. To secure a satisfactory development in materials which are appropriate for the locality in accordance with Policy EN9 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the guidelines of the Central Lancashire Supplementary Planning Document 5: Design Guide.

4. To ensure that the development contributes to a reduction in carbon emissions, in accordance with Policy 27 of the Central Lancashire Core Strategy.
5. To enable the use of alternative fuels for transport purposes such as electric vehicle charging stations in order that sustainable travel alternatives need are supported and promoted within the development in accordance with Policy 3 of the Adopted Central Lancashire Core Strategy.
6. To ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development in accordance with Policy 29 of the Adopted Central Lancashire Core Strategy and the National Planning Policy Framework.
7. To ensure that the appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system in accordance with Policy 29 of the Adopted Central Lancashire Core Strategy and the National Planning Policy Framework.
8. To ensure that protected species are not unacceptably affected by the proposed development in accordance with Policy 22 of the Central Lancashire Core Strategy, Policies EN10 and EN11 of the Preston Local Plan 2012-2026 (Site Allocations & Development Management Policies), the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).
9. Details are required prior to the commencement of the development to ensure future management and maintenance of the proposed streets is secured in accordance with Policy ST2 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
10. To ensure safe and adequate access is provided into the site in accordance with Policy ST2 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
11. To ensure that satisfactory access is provided to the site to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Policy ST2 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
12. Details are required prior to the commencement of the development to maintain the operation of the local and strategic highway networks and to protect to amenities of neighbouring residents in accordance with Adopted Central Lancashire Core Strategy Policy 3 and Policies ST2 and AD1(a) of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).

13. In the interests of visual amenity development in accordance with Policy EN9 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
14. In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings development, in accordance with Policy EN9 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).
15. In order to identify all previous site uses, potential contaminants that might reasonably be expected given those uses, and the source of contamination, pathways and receptors; to enable a risk assessment to be undertaken, refinement of the conceptual model, and the development of a Method Statement and Remediation Strategy; to ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site; to ensure that the potential effects of ground contamination are known about and adequately mitigated in accordance with the Policy EN7 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
16. In order to ensure that the amenities of the future occupants of the proposed properties are not adversely impacted by noise in accordance with Policy AD1(a) Adopted Preston Local Plan (Site Allocations and Development Management Policies) and the National Planning Policy Framework.
17. In order to ensure that ground nesting birds are not unacceptably affected, in accordance with Policies EN10 and EN11 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.

Informatives

1. You are advised that as of 30th September 2013, the Central Lancashire Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL applies to all applicable planning permissions granted on or after this date. The development has been assessed and it is the Council's view that it is CIL LIABLE. Full details are available on the CIL liability notice and on the Council's website www.preston.gov.uk/CIL
2. COUNTY HIGHWAYS
 - a) The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Lancashire Highways at Cuerden Mill Depot, Cuerden Way, Bamber Bridge, Preston PR5 6BJ in the first instance to ascertain the details of such an agreement and the

information to be provided.

b) The applicant is advised that to discharge condition 11 the Local Planning Authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980, or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

c) The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.

3. LEAD LOCAL FLOOD AUTHORITY

For the avoidance of doubt, the applicant is reminded that this consent does not grant permission to connect to the ordinary culverted watercourse at the north end of the site near Camforth Hall Lane and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process can be found on www.lancashire.gov.uk