

**PRESTON CITY COUNCIL AND
WAINHOMES (NORTH WEST LTD)**

AGREED CONDITIONS (updated 05/02/21)

Appeal Site: Land at Cardwell Farm, Garstang Road, Preston, Barton,
PR3 5DR

Appeal Proposal: Outline planning application for up to 151 no.
dwellings and community building with associated works (access applied
for only)

Appeal By: Wainhomes (North West) Limited

Inspectorate Ref: APP/N2345/W/20/3258889

Preston City Council Ref: 06/2019/0752

Time Limit and Plans

1. The application for approval of all reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - (a) The expiration of five years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.

2. The development shall be limited to no more than 151 residential units and shall be carried out in accordance with the following plans:

16-154 LP01 – Location Plan

SCP/18205/SK05 Rev A – Site access proposed ghost island arrangement

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

Details for Reserved Matters

3. Details of the access, other than that shown on drawing SCP/18205/SK05 Rev A, appearance, landscaping, layout and scale, (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason: The permission is an outline planning permission.

4. Any application for approval of reserved matters for layout, scale and/or design shall be accompanied by full details of existing and proposed ground levels and proposed building finish floor levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on the previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of visual and residential amenities and in accordance with Policy AD1(a) of the Preston Local Plan (Site Allocations and Development Management Policies) and the National Planning Policy Framework.

5. Any application for approval of reserved matters for layout, scale and/or design for the community building hereby approved shall include a noise assessment in respect of the relationship of the community building with nearby residential uses. The development shall be carried out in accordance with any mitigation measures detailed within the approved noise assessment.

Reason: In order to ensure that the amenities of the future occupants of the proposed properties are not adversely impacted by the proposed community building in accordance with Policy AD1(a) of the Preston Local Plan (Site Allocations and Development Management Policies) and the National Planning Policy Framework.

6. Any application for approval of reserved matters for layout shall include an Arboricultural Impact Assessment and Tree Constraints Plan detailing existing trees and hedges to be retained and those to be removed. The Report shall also detail protection measures for trees, shrubs and hedges identified as being

retained and the development shall be carried out in accordance with the approved details.

Reason: To ensure that existing trees of visual amenity value are retained and adequately protected during construction in the interests of the visual amenity of the area in accordance with Policy EN10 of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).

7. Any application for approval of reserved matters for landscaping shall include details of a Landscape/Habitat Management Plan to include long-term design objectives, timings of works, habitat creation, enhancement management responsibilities and maintenance schedules for all landscaped areas (other than privately-owned domestic gardens). The requirements of the Landscape/Habitat Management Plan shall be informed by the submitted Ecological Appraisal (dated August 2018) and the recommended measures shall be carried out in accordance with the approved Plan.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with Policies EN10 and EN11 of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies), the National Planning Policy Framework and The Conservation of Habitats and Species Regulations 2010.

8. Any application for approval of reserved matters for landscaping shall include an updated survey to demonstrate that all the trees have been re-surveyed for the presence of bats/bat roosts. Any mitigation measures identified as being necessary during the survey work shall be implemented in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to adopt a precautionary measure to ensure the protection of European Protected Species 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.

Pre-commencement Conditions

9. Prior to commencement of the development hereby approved a method statement outlining preventative measures (Reasonable Avoidance Measures) to ensure protection of amphibians shall have been submitted to and approved in writing by the Local Planning Authority. The duly approved method statement shall then be adhered to throughout the construction phase.

Reason: In order to adopt a precautionary measure to ensure the protection of European Protected Species 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.

10. Prior to the commencement of the development hereby approved, a scheme shall be submitted and approved in writing by the Local Planning Authority to demonstrate that all dwellings shall achieve not less than a 19% improvement in the Dwelling Emission Rate (DER) over the Target Emission Rate (TER) as defined in Part L1A of the 2013 Building Regulations. The development shall thereafter be carried out in accordance with the approved scheme.

Reason: To ensure that the development contributes to a reduction in carbon emissions, in accordance with Policy 27 of the Central Lancashire Core Strategy. The scheme is required prior to the commencement of development to ensure that the measures identified in the scheme can be properly carried out at the appropriate stage of construction.

11. Further to the recommendations of the Phase 1 preliminary risk assessment, an intrusive Phase II Site Investigation shall be undertaken and submitted to the Local Planning Authority for verification prior to the commencement of any development on site. In the event that remediation is required, a Method Statement and Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: 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.

12. Prior to commencement of the development hereby approved (including clearance of site vegetation) an updated survey for the presence of badgers (together with proposals for mitigation/compensation, if required) shall be undertaken, submitted to and approved in writing by the Local Planning Authority. Any necessary and approved measures for the protection of badgers shall thereafter be implemented in full.

Reason: In order to adopt a precautionary measure to ensure the protection of species 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.

13. No development shall take place until a programme of archaeological work and Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. This WSI shall include a mitigation strategy detailing the excavation/preservation strategy where appropriate and a timetable for the carrying out of this work. The development shall be carried out in accordance with the approved scheme.

Reason: This information is required prior to the commencement of development to ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy 16 of the Central Lancashire Core Strategy, Policy EN8 of the Preston Local Plan 2012-26 (Site Allocations and Development Management Policies) and the National Planning Policy Framework.

14. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include:

- a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
- b) Proposed ground levels along the boundaries with nos.620-630, 654-666 Garstang Road, Barton, nos.18, 20 & 22 Woodlands Crescent, Barton and nos.22 and 23 Woodlands Way, Barton are required.
- c) The drainage strategy should be in accordance with the principles of the Betts Hydro Land at Cardwell Farm, Garstang Road, Barton Flood Risk Assessment & Drainage Management Strategy ref.HYD345_CARDWELL.FARM_FRA&DMS revision 1.0 dated 17th

June 2019 and demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. No surface water will be permitted to drain directly or indirectly into the public sewer and any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- d) Sustainable drainage flow calculations (1 in 1, 1 in 2, 1 in 30 and 1 in 100 + climate change).
- e) Plan identifying areas contributing to the drainage network
- f) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,
- g) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- h) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- i) Breakdown of attenuation volume in pipes, manholes and attenuation ponds.
- j) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the

development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To prevent the increased risk of flooding, both on and off site, details of which are required prior to the commencement of development in order to ensure the development is carried out in accordance with the agreed details, in accordance with Adopted Central Lancashire Core Strategy Policy 29 and the National Planning Policy Framework.

15. Prior to commencement of the development hereby approved details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In order to secure satisfactory final details of the highway scheme/works. This information is required prior to the commencement of development in the interests of the safety of all highway users in accordance with Adopted Central Lancashire Core Strategy Policy 3 and Policy ST2 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).

16. Prior to commencement of the development hereby approved a construction and environmental management plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction of that phase. 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.

Reason: To maintain the operation of the local and strategic highway networks and to protect to amenities of neighbouring residents prior to work commencing on site 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).

17. Prior to the commencement of development hereby approved, an Employment and Skills Plan that is tailored to the development and will set out the employment and skills training opportunities for the construction phase of the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved Employment and Skills Plan.

Reason: Information required prior to the commencement of development in order to improve local skills and economic inclusion in accordance with Policy 15 of the Central Lancashire Core Strategy and the Central Lancashire Employment Skills SPD.

Pre-occupation conditions

18. Prior to first occupation of any part of the development hereby approved, an external lighting scheme for public areas shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include luminance levels and shall demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution in relation to important wildlife habitats. External lighting in public areas shall only be installed in accordance with the approved scheme(s) and shall thereafter be retained as approved. No additional external lighting outside the curtilage of dwellings shall be installed without prior written consent from the Local Planning Authority.

Reason: In order to ensure that the amenities of the future occupants of the proposed properties and wildlife are not adversely impacted by external lighting in accordance with Policies AD1(a), EN10 and EN11 of the Preston Local Plan (Site Allocations and Development Management Policies) and the National Planning Policy Framework.

19. 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.

Reason: 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.

20. No part of the development shall be occupied until the new site access junction to Garstang Road (based on, but not restrictive to Drawing No. SCP/18205/SK05 Rev A) has been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The highway junction scheme shall include the provision of a pedestrian refuge north of the junction and the upgrade of the northbound bus stop in the vicinity of no. 709 Garstang Road, to full mobility standard with shelter.

Reason: To ensure that satisfactory vehicular and pedestrian access is provided to the site before the development hereby permitted becomes occupied in accordance with adopted Central Lancashire Policy 3 and Policy ST2 of the adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).

21. No more than 50 dwellings shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein.

Reason: To ensure the development provides sustainable transport options in accordance with Adopted Central Lancashire Core Strategy Policy 3 and Policy ST2 of the Adopted Preston Local Plan 2012-26 (Site Allocations and Development Management Policies).

22. 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 that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: 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.

23. 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.

Reason: 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 2012-2026 (Site Allocations and Development Management Policies).

Informatives:

- 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 which you will receive within the next 10 working days of this decision notice. Further details are available on the Council's website www.preston.gov.uk/CIL
- 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 Highways Team 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.

- The Applicant is advised to obtain the written approval of the Local Highway Authority for the details required under Condition 1, prior to the submission of such details to the Local Planning Authority in seeking to discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority.
- The applicant is advised that to discharge condition 3* 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.
- 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.
- This consent does not give approval to a connection being made to the County Council's highway drainage system. The applicant is further advised that highway surface water drainage system must not be used for the storage of any flood waters from the adoptable United Utility surface water system, or any private surface water drainage system.
- United Utilities water mains will need extending to serve any development on this site and the applicant may be required to pay a contribution.

- The applicant should be aware of water mains in the vicinity of the proposed development site. Whilst this infrastructure is located outside the applicant's proposed red line boundary, the applicant must comply with United Utilities 'Standard Conditions for Works Adjacent to Pipelines'. United utilities provide this information to support the applicant in identifying the potential impacts from all construction activities on United Utilities infrastructure and to identify mitigation measures to protect and prevent any damage to this infrastructure.
- United Utilities standard conditions document includes details of trees and shrubbery suitable for planting in the vicinity of a water main. The applicant should consult this document to ensure their landscaping proposals meet with the advice provided in the document. We also recommend the use of root barriers to afford additional protection to the water main.
- It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.
- It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.
- For the avoidance of doubt, this response does not grant the applicant permission to make connections to the ordinary watercourses 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.
- In order to keep people safe and feeling safe, it is recommended that the applicant develops these 151 new dwellings to achieve Secured by Design accreditation. Details regarding the Secured by Design New Homes 2019 scheme can be found at www.securedbydesign.com

- In order to comply with the requirements of Building Regulation ADQ, doors and windows must be certified to a recognised security standard such as PAS 24/2016 or LPS 1175. By developing the scheme as a Secured by Design New Homes 2019 Silver award, the requirements of ADQ will be met as well as further security measures for the residents.