

ITEM 3b - 21/00327/FULMAJ - Erection of 76no. affordable dwellings with access, parking, landscaping and all other associated works (including pumping station) - Land 120M East Of 27 Charter Lane, Charnock Richard

The recommendation remains as per the original report

An additional neighbour representation has been received which raises the same issues as already identified under paragraph 6 of the committee report.

An updated consultation response has been received from Lancashire County Council Education which provides an updated assessment of projected school places as of 17th March 2022. The assessment concludes the same requirements as outlined in the committee report of no contribution being required for primary school places and £92,247 for four additional secondary school places.

The case officer for the application has been made aware of a report from the Charnock Richard Residents Association (CRRA) that has been distributed to Members of the Planning Committee. Its not contents have not been fully assessed as it has not been formally submitted to the Local Planning Authority as a representation. That said, it is worth noting that the report refers to a Memo which the CRRA claims shows the application was originally to be recommend for refusal. The Memo was in fact internal advice provided by the Council's planning policy team to the case officer in April 2021 and did not represent a recommendation on the outcome of the planning application. Further, this response was made prior to the recent appeal decisions in the borough.

The following conditions are recommended:

No.	Condition																																				
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																																				
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="336 1435 1299 2027"> <thead> <tr> <th data-bbox="336 1435 794 1469">Title</th> <th data-bbox="794 1435 1066 1469">Plan Ref</th> <th data-bbox="1066 1435 1299 1469">Received On</th> </tr> </thead> <tbody> <tr> <td data-bbox="336 1469 794 1503">Location Plan</td> <td data-bbox="794 1469 1066 1503">CL/CL/LP/01</td> <td data-bbox="1066 1469 1299 1503">18 March 2021</td> </tr> <tr> <td data-bbox="336 1503 794 1559">Proposed Site Layout</td> <td data-bbox="794 1503 1066 1559">CL/CL/PSL/01 Rev M</td> <td data-bbox="1066 1503 1299 1559">3 March 2022</td> </tr> <tr> <td data-bbox="336 1559 794 1592">Material's Plan</td> <td data-bbox="794 1559 1066 1592">CL/CL/MP/01 Rev C</td> <td data-bbox="1066 1559 1299 1592">3 March 2022</td> </tr> <tr> <td data-bbox="336 1592 794 1648">Storey Heights Plan</td> <td data-bbox="794 1592 1066 1648">CL/CL/SHP/01 Rev C</td> <td data-bbox="1066 1592 1299 1648">3 March 2022</td> </tr> <tr> <td data-bbox="336 1648 794 1682">Hardstanding Plan</td> <td data-bbox="794 1648 1066 1682">CL/CL/HP/01 Rev C</td> <td data-bbox="1066 1648 1299 1682">3 March 2022</td> </tr> <tr> <td data-bbox="336 1682 794 1738">Boundary Treatment Plan</td> <td data-bbox="794 1682 1066 1738">CL/CL/BTP/01 Rev C</td> <td data-bbox="1066 1682 1299 1738">3 March 2022</td> </tr> <tr> <td data-bbox="336 1738 794 1794">Waste Management Plan</td> <td data-bbox="794 1738 1066 1794">CL/CL/WMP/01 Rev C</td> <td data-bbox="1066 1738 1299 1794">3 March 2022</td> </tr> <tr> <td data-bbox="336 1794 794 1861">Swept Path Analysis of Site Layout with a Refuse Vehicle</td> <td data-bbox="794 1794 1066 1861">A118747-TR04 Rev A</td> <td data-bbox="1066 1794 1299 1861">5 January 2022</td> </tr> <tr> <td data-bbox="336 1861 794 1928">Landscaping Proposals Sheet 1 of 2</td> <td data-bbox="794 1861 1066 1928">6341.01 Rev F</td> <td data-bbox="1066 1861 1299 1928">6 October 2021</td> </tr> <tr> <td data-bbox="336 1928 794 1995">Landscaping Proposals Sheet 2 of 2</td> <td data-bbox="794 1928 1066 1995">6341.02 Rev F</td> <td data-bbox="1066 1928 1299 1995">6 October 2021</td> </tr> <tr> <td data-bbox="336 1995 794 2027">Site Sections and Street Scenes</td> <td data-bbox="794 1995 1066 2027">CL/CL/SS/01 Rev B</td> <td data-bbox="1066 1995 1299 2027">2 December</td> </tr> </tbody> </table>	Title	Plan Ref	Received On	Location Plan	CL/CL/LP/01	18 March 2021	Proposed Site Layout	CL/CL/PSL/01 Rev M	3 March 2022	Material's Plan	CL/CL/MP/01 Rev C	3 March 2022	Storey Heights Plan	CL/CL/SHP/01 Rev C	3 March 2022	Hardstanding Plan	CL/CL/HP/01 Rev C	3 March 2022	Boundary Treatment Plan	CL/CL/BTP/01 Rev C	3 March 2022	Waste Management Plan	CL/CL/WMP/01 Rev C	3 March 2022	Swept Path Analysis of Site Layout with a Refuse Vehicle	A118747-TR04 Rev A	5 January 2022	Landscaping Proposals Sheet 1 of 2	6341.01 Rev F	6 October 2021	Landscaping Proposals Sheet 2 of 2	6341.02 Rev F	6 October 2021	Site Sections and Street Scenes	CL/CL/SS/01 Rev B	2 December
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	Site Section Pumping Station	CL/CL/SSPS/01 Rev B	2 December 2021
	House Type 6no. Cottage Apartments Elevations	CL/HT/CAPTE/03 Rev A	6 October 2021
	House Type 4no. Cottage Apartments Elevations	CL/HT/CAPTE/01 Rev B	6 October 2021
	House Type 6no. Apartments Plans	CL/HT/CAPT/04 Rev A	6 October 2021
	House Type 4no. Cottage Apartments Plans	CL/HP/CAPT/02 Rev B	6 October 2021
	Bin and Cycle Store	CL/CL/BCS/01	18 March 2021
	House Type BUNGALOW	CL/HT/BUN/01	18 March 2021
	House Type A	CL/HT/A/01	18 March 2021
	House Type A2	CL/HT/A2/01	18 March 2021
	House Type C	CL/HT/C/01	18 March 2021
	House Type D	CL/HT/D/01	18 March 2021
	House Type D2	CL/HT/D2/02	18 March 2021
	<i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>		
3.	<p>The external facing materials, detailed on the approved plans and Design and Access Statement (Revision A, dated February 2022), shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>		
4.	<p>Prior to any development taking place above DPC level, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>		
5.	<p>Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>		
6.	<p>No tree felling, vegetation clearance works, or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.</p> <p><i>Reason: Nesting birds are a protected species</i></p>		

7.	<p>The development hereby approved shall be carried out in accordance with the details of tree protection (paragraphs 5.2.4 and 5.2.5), amphibians method statement (section 5.4), protection of ditch and pond (paragraphs 5.3.6 to 5.2.8), avoiding the spread of invasive species (paragraph 5.3.1), protection of bats (section 5.5) and birds (section 5.6) of the submitted Ecology Survey and Assessment report produced by ERAP, dated March 2021, ref. 2020-151.</p> <p><i>Reason: To safeguard protection species and the trees to be retained.</i></p>
8.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted a landscape and environmental management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:</p> <ul style="list-style-type: none"> o A description and evaluation of the habitat features to be created and enhanced (to include but not necessarily exclusively ponds, grasslands, tree planting and bird nesting and bat roosting habitat / boxes) o Aims and objectives of management o Preparation of a work schedule for implementation o Details of the organisations responsible for implementation and management o A five year monitoring and maintenance plan <p>The approved plan will be implemented in accordance with the approved details.</p> <p><i>Reason: To contribute to and enhance the natural and local environment</i></p>
9.	<p>Prior to the construction of the superstructure of any of the dwellings within a phase hereby permitted full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) within that phase shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p><i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>
10.	<p>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 any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 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..</p> <p><i>Reason: In the interest of the appearance of the locality.</i></p>
11.	<p>Prior to the construction of the superstructure of any of the dwellings within a phase hereby permitted details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the development of that phase will achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. The development thereafter shall be completed in accordance with the approved details.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy</i></p>

	<p><i>27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>
12.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate for all dwellings on the site, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the development has achieved the overall Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>
13.	<p>Prior to the construction/provision of any services within a phase, a strategy to facilitate super-fast broadband for future occupants within that phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a super-fast broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works within the site boundary only.</p> <p><i>Reason: To ensure a sustainable form of development.</i></p>
14.	<p>The development shall not commence until an Employment and Skills Plan that is tailored to the development and will set out the employment skills opportunities for the construction phase of the development has been submitted to and approved by the council as Local Planning Authority (unless otherwise agreed in writing by the council). The development shall be carried out in accordance with the Employment and Skills Plan (in the interests of delivering local employment and skills training opportunities in accordance with Core Strategy Policy 15: Skills and Economic Inclusion).</p> <p><i>Reason: In the interests of delivering local employment and skills training opportunities as per the Central Lancashire Core Strategy Policy 15: Skills and Economic Inclusion and the Central Lancashire Employment Skills Supplementary Planning Document September 2017. No Employment and Skills Plan was submitted with the application.</i></p>
15.	<p>The development permitted by this planning permission shall be carried out in accordance with the principles set out within the Flood Risk Assessment and Drainage Strategy (February 2021, Reford Consulting Engineers Limited). The measures shall be fully implemented prior to first occupation of any dwelling and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.</p> <p><i>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical</i></p>

	<i>Standards for Sustainable Drainage Systems.</i>
16.	<p>No development shall commence until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.</p> <p>Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep. b) Final sustainable drainage plans appropriately labelled to include, as a minimum: <ul style="list-style-type: none"> i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary; ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels; iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate; iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems; v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL. c) Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components; d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance. <p>The sustainable drainage strategy shall be implemented in accordance with the approved details.</p> <p><i>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems</i></p>
17.	<p>No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.</p> <p>Those details shall include for each phase, as a minimum:</p> <ul style="list-style-type: none"> a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA. b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance. <p>The development shall be constructed in accordance with the approved details.</p> <p><i>Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.</i></p>

18.	<p>No dwelling of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.</p> <p>The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.</p> <p>Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p><i>Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.</i></p>
19.	<p>Due to the proposed sensitive end-use (housing with gardens), no development shall take place until:</p> <p>a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011+A2:2017 Investigation of potentially contaminated sites - Code of Practice. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;</p> <p>b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;</p> <p>c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.</p> <p>Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.</p> <p>Should, during the course of the development, any contaminated material other</p>

	<p>than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: Please note it is the applicants responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).</i></p>
20.	<p>No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.</p> <p>The programme of field investigation should include an initial phase of geophysical surveying and trial trenching, followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.</p> <p><i>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.</i></p>
21.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. If a phasing plan is proposed for the off-site works, this shall be included as part of the scheme and shall detail the specific off-site works that shall be completed by specific milestones in the site's development. The approved development shall be implemented in strict accordance with the scheme.</p> <p><i>Reason: To satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</i></p>
22.	<p>No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access has been constructed and completed in accordance with the scheme details.</p> <p><i>Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.</i></p>
23.	<p>Before the use of the site hereby permitted is brought into operation and for the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. The roads adjacent to the site shall be mechanically swept as required during the full construction period.</p> <p><i>Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.</i></p>

24.	<p>Before the development hereby permitted becomes operative, the existing vegetation on the highway frontage of the site to Charter Lane and within the visibility splays shown on the approved site plan shall be reduced to and be permanently maintained henceforth at a height not greater than 1m above the crown level of the carriageway of the highway.</p> <p><i>Reason: To ensure adequate visibility for the drivers of vehicles entering and leaving the site.</i></p>
25.	<p>Prior to commencement of development, Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:</p> <ul style="list-style-type: none"> - the parking of vehicles of site operatives and visitors. - hours of operation (including deliveries) during construction. - loading and unloading of plant and materials. - storage of plant and materials used in constructing the development. - siting of cabins. - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate. - wheel washing facilities. - measures to control the emission of dust and dirt during construction. - a scheme for recycling/disposing of waste resulting from demolition and construction works. - the routing of construction vehicles and deliveries to site. <p><i>Reason: In the interest of highway safety and to protect the amenities of the nearby residents.</i></p>
26.	<p>No part of the development hereby approved shall commence until, a Framework Travel Plan is submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. The approved Framework Travel Plan must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highway Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used for a minimum of at least 5 years.</p> <p><i>Reason: To ensure that the development provides sustainable transport options.</i></p>
27.	<p>Prior to the first occupation of any of the Cottage Apartments, the bin and cycle stores identified on the approved Proposed Site Layout drawing ref. CL/CL/PSL/01 Rev M and the Bin and Cycle Store drawing ref. CL/CL/BCS/01 shall be completed and ready for use.</p> <p><i>Reason: To ensure safe storage is provided for bins and cycles associated with the apartments.</i></p>