

# ► Internal Consultation



<b>To:</b>	Mrs Janice Crook	<b>From:</b>	
<b>Position:</b>		<b>Position:</b>	
<b>Division:</b>	Development Management	<b>Division:</b>	Environmental Health
<b>Your Ref:</b>	07/2021/00886/ORM	<b>Our Ref:</b>	
<b>Extension No:</b>		<b>Extension No:</b>	
<b>Copy To:</b>		<b>Date:</b>	16 <sup>th</sup> November 2021

**Application No:** 07/2021/00886/ORM

**Development:** Outline planning application with all matters reserved except for the principal means of access for a residential-led mixed-use development of up to 920 dwellings (Use Classes C3 and C2), a local centre, including retail, employment and community uses (Use Classes E and Sui Generis), a two form entry primary school (Use Class F), green infrastructure, and associated infrastructure following the demolition of certain existing buildings

**Location:** Pickering's Farm Site, Flag Lane, Penwortham, Lancashire

<b>We have considered the follow:</b>			
Construction Activities	*	Storage of substances	
Contaminated Land	*	Insects	
Noise	*	Foul and surface water discharges	
Odour		Land Drainage	
Dust	*	Waste storage	
Light	*	Pest Control	
Air Quality	*	Radon	
Alternative fuel use	*	Food Safety	

Thank you for consulting me on this application. Further to my investigations and review of the application I have the following comments to make:

The application is of a significant size and has the potential to adversely impact on the surrounding area, both during what will be a protracted development/construction phase and the operational phase.

It is understood that the development of this site was to coincide with the completion of a cross borough link road taking in the new Cawsey route and continuing the road across to the A582. The application is to now move forward without the cross-borough link road, which forms a separate application and therefore there is no guarantee that if permission is granted the cross borough link will be constructed. This is likely to have significant adverse implications on the air quality in the declared AQMA of Lostock Hall.

## **Contaminated Land**

A phase I, contaminated land assessment has been submitted for the development, this identifies the potential for contamination at locations across the site, although no details are provided identifying these locations. Potential contaminants include asbestos from historic farm buildings and Hydrocarbons from historic vehicle repair centres and a dairy, made ground and filled ground have also been identified.

The report concludes that further investigations are required. As such should the planning authority be minded to grant this application then conditions would be required.

### **Air Quality Assessment.**

The air quality assessment (AQA) is based on the current traffic assessment and distribution of traffic. It is understood that Lancashire Highways have some concerns over this assessment. Should the traffic assessment not be accepted by the Highways authority or should any amendments be required which alter the proposed traffic distribution from that on which the air quality assessment is based, then the air quality assessment is no longer valid and will need to be reviewed.

Air quality has a significant impact on public health, both in terms of mortality and quality of life. It is therefore important that action is taken to minimise the impacts of poor air quality and this is identified within the National Planning Policy Framework.

South Ribble preferred methodology when assessing air quality impacts from developments seeks to minimise harmful pollutant emissions and avoid significant impacts while recognising that any development which introduces additional traffic or point source emissions will adversely impact on air quality. The methodology tailors assessment and mitigation requirements to the specific characteristics of a site considering the nature, scale and location of the development.

The submitted air quality assessment methodology has been undertaken in line with the Council's low emissions strategy methodology. This has identified a damage cost on air quality for the development of £252,046. Some mitigation measures have been suggested but these include standard requirements for all developments, and some measures that are required by other regimes e.g. by the Highways authority. Double counting measures is not acceptable.

No detail has been provided as to the potential 'improvement' suggested within the mitigation measures for example improved pedestrian links to public transport stops – what improvements above the norm are being suggested? No suggested costs associated with these works have been identified and therefore it is impossible to say how much of the £252,046 damage costs have been mitigated.

While the air quality report methodology and conclusion is acceptable the report as a whole is not as sufficient mitigation has not been identified to make the development acceptable.

The report fails to address the damage to be caused to air quality and as such fails to meet the requirements of the NPPF, through mitigating harmful impacts.

However, the assessment has been based on 0% of HDV traffic, given the proposed use of the development – i.e. school, shops, community centre, elderly accommodation, there is likely to be some HDV traffic associated with deliveries, waste removal etc. Although the HGV is likely to be very small.

To this end we must currently object to the application on the grounds of inadequate information to address air quality impacts.

### **Noise**

A noise assessment has been submitted with the application, however as the application is only an outline beyond identification of the background levels a full assessment of the impact on the development or from the development cannot be made. As such an additional noise assessment will be required for each phase of the development as part of the reserved matters application.

Any future assessment should begin with a design-criteria of 50dB  $L_{Aeq,16hr}$  for outside amenity areas and 35dB  $L_{Aeq,16hr}$  for internal rest areas (living rooms/bedrooms) and 30dB  $L_{Aeq,8hr}$  for bedrooms at night.

The submitted assessment has also looked at the impact from the traffic generated by the development on surrounding road networks. This has identified an adverse impact on most roads within the area with a significant impact on some areas.

The report suggests that this would only be for the short term and over the long term only result in a negligible adverse impact.

## Climate Change

The council declared a climate Emergency in July 2019 with a goal to ensure the borough was carbon neutral by 2030. The UK government have similarly made a declaration using 2050 as a target. Transportation accounts for around 26% of CO<sub>2</sub> emissions while domestic properties account for around 40%. It is therefore vital that in order to achieve both the Council's aim of net zero emissions by 2030 and the government's aim by 2050 the housing market needs to be decarbonised. The proposed development, one of the biggest to be seen in South Ribble which will take until 2035 to be completed suggest measures that will reduce the current CO<sub>2</sub> emission rate by 15% a far cry from what is really required.

The scheme, given its size is ideally suited to improved carbon reduction measures such as a central heating system (Ground source heat pumps), air source heating improved green energy production through the use of solar panels on every property something given the scale of the development will reduce installation costs and provide a much needed source of renewal power, & improved efficiency within the units.

No mention has been given to the reduction of water usage within the development, a lower designed water usage per property would result in savings for the developers on connection costs.

Given the scale, duration and prominence of the development the department considers that the applicant has not provided a sustainable or appropriate development proposal in line with the basic requirements of the National Planning Policy Framework. Therefore, the department would be minded to object to the development on these grounds.

However, if the planning committee wish to grant planning permission the following conditions should be attached.

## Burning

***There shall be no burning of waste material or vegetation on site.***

Reason: In the interests of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 in the Central Lancashire Core Strategy and the NPPF.

## Dust

***As part of the reserve matters application a Dust Management Plan shall be submitted, for written approval, to the local planning authority. The Dust Management Plan shall identify all areas of the site and site operations where dust may be generated and further identify control measures to ensure dust and soil does not travel beyond the site boundary. The Dust Management Plan shall consist of a suitable risk assessment in line with national guidance.***

***Once agreed the identified control measures shall be implemented and maintained throughout the duration of the site preparation and construction phase of the development.***

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

NOTE TO APPLICANT: A currently accepted risk assessment methodology includes that contained within the IAQM 'Guidance on the assessment of dust from demolition and construction'

## **Wheel Wash**

***A wheel wash shall be installed and used at the entrance of the site by all vehicles leaving the site to prevent the transfer of debris onto the public highway, during site preparation and construction phases of the development. Prior to the commencement of any works on site details of the wheel wash and its location shall be submitted to the local planning authority for written approval.***

Reason: In the interests of highway safety and other highway users in accordance with Policy 3 in the Central Lancashire Core Strategy and in the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy, and the NPPF.

## **Lighting & Noise**

***As part of the reserve matters application the location of the site compound and storage yard shall be agreed in writing with the local planning authority.***

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

## **Hours of construction**

***During the site preparation and construction of the development no machinery, plant or powered tools shall be operated outside the hours of 08:00 to 18:00 Monday to Friday 09:00 – 13:00 on Saturdays. No construction shall take place at any time on Sundays or nationally recognised Bank Holidays.***

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

***No deliveries of construction materials or removal of construction waste shall be undertaken outside the hours of 09:00 – 17:00 Monday to Friday. No deliveries or removal of waste shall be carried out at weekends or nationally recognised Bank Holidays.***

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

***Access to the site during the site preparation and construction phase of the development shall be made via Penwortham Way and not through the Lostock Hall (Leyland Road).***

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy.

## **Piling**

***As part of the reserve matters application, details of all piling activities shall be submitted to the local planning authority together with all mitigation measures to be taken. Piling activities shall be limited to 09:30-17:00 Monday to Friday with no activity Saturday, Sunday or nationally recognised Bank Holidays.***

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Note to Applicant: Mitigation measures may include and are not limited to:

- I. The use of low impact piling, auger piling
- II. Boundary vibration and noise monitoring
- III. Informing neighbouring properties on the times and duration of piling activities.

## Contaminated Land

### Contaminated Land - Full

***As part of the reserve matters application, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:***

- (a) ***The findings of a detailed site investigation undertaken to address the nature, degree and distribution of contamination and/or ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied buildings, on services and landscaping schemes, and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and be approved in writing by the LPA prior to the start of the site investigation survey.***
- (b) ***A remediation statement, detailing the recommendations and remedial measures to be implemented within the site.***
- (c) ***On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.***

***Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.***

**REASON:** To ensure that:

- the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and
- the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990,

in accordance with:

- Policy 17 of the Central Lancashire Development Plan,
- the National Planning Policy Framework.

### Contaminated Land – Contamination Found During Works

***Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at South Ribble Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.***

***Should no adverse ground conditions be encountered during site works and/or development, a verification statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building/s, which confirms that no adverse ground conditions were found.***

**REASON:** To ensure that the site is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site, in accordance with:

- Policy 17 of the Central Lancashire Development Plan,
- the National Planning Policy Framework.

**NOTE TO APPLICANT:**

If no adverse conditions are encountered to discharge this condition photographic evidence of all ground workings shall be submitted together with a description of the ground encountered

## **Contaminated Land – Importation of Material**

***Prior to the importation of any subsoil and/or topsoil material into the proposed development site, information supporting the suitability of the material shall be submitted to the Local Planning Authority for approval in writing.***

***The information submitted shall include details of the material source, sampling methodologies and analysis results, which demonstrates the material does not pose a risk to human health as defined under Part 2A of the Environmental Protection Act 1990.***

**REASON:** To ensure that the site is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site, in accordance with:

- Policy 17 of the Central Lancashire Development Plan,
- the National Planning Policy Framework.

## **Acoustic Survey**

***As part of the reserve matters application an acoustic survey shall be undertaken covering the impact to proposed and existing residents, health and educational uses from the existing road network and any proposed roads, commercial, industrial, leisure, health or educational facilities. Details of the findings of the survey and any mitigation measures identified shall be submitted for approval to the local planning authority. Once approved the mitigation measures shall be carried out as approved prior to the first occupation of the site or as agreed otherwise with the local planning authority. The approved mitigation measures shall be retained and maintained thereafter.***

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and NPPF.

Advice: it is strongly recommended to agree the methodology of the assessment with the local planning authority prior to its undertaking.

## **Extraction/Ventilation to commercial.**

***As part of the reserve matters application details of any proposed extraction/ventilation systems including full details of the noise levels to be experienced at the nearest properties and the fixings to be used shall be provided to the local planning authority for written approval. The approved system shall then be installed as agreed and thereafter maintained as approved. Any changes to the system shall first be agreed with the local planning authority in writing.***

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

NOTE TO APPLICANT:

The extraction/ventilation system shall be so designed to ensure the following standards are achieved:

The proposed development shall be designed so the rating levels for cumulative noise from all noise sources shall not exceed, *10 dB(A) below the existing  $L_{A90}$* , at the nearest noise-sensitive premises to the proposed development as assessed in accordance with British Standard 4142 (2014).

or

$L_{Aeq}$  50 dB 16 hours – gardens and outside living areas (for example balconies)

$L_{Aeq}$  35 dB 16 hours – indoors daytime

## **Extraction System to commercial**

***As part of the reserve matters application an assessment of the potential impact of odour from the development shall be undertaken and mitigation measures identified. This shall be submitted to the local planning authority for approval. The assessment shall be undertaken in line with ‘Control of Odour & Noise from Commercial Kitchen Exhaust Systems 2018’, and***

**shall include a maintenance plan. Once agreed the identified mitigation measures shall be fully implemented prior to first use of the site and shall thereafter be retained and maintained in efficient working order in line with the approved scheme for the duration of the approved use.**

**Any changes to the approved scheme must first be agreed with the local planning authority.**

Reason: In the interests of the amenity and to safe guard the living conditions of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

Advice: Information on the suggested contents of the scheme is available from South Ribble Borough Council's Environmental Health Department. Details to be included as a minimum shall consist of:

- Operational hours
- Discharge heights
- Sound levels produced by the system
- Anticipated sound levels at the nearest noise sensitive property
- Full details of all grease and odour control systems
- Maintenance plan for the system

## **Waste**

**As part of the reserve matters application full details of the waste storage facilities within the site shall be submitted to and approved in writing by the local planning authority. Once approved the waste storage facilities shall be provided prior to first use of the development and shall be retained and maintained thereafter.**

Reason: To provide effective and sufficient storage facilities for refuse and to safeguard amenities and living conditions of any nearby residents particularly with regards to odour, noise and insects in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

## **Air Quality & Transport**

**As part of the reserve matters application details on the additional mitigation measures to be utilised shall be submitted for approval to the local planning authority.**

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

ADVICE: The assessment submitted with the outline application identified damage costs which need to be mitigated by the development. Mitigation measures cannot include standard measures to be taken e.g. electric vehicle charging points and secure bike storage or measures required for other reasons e.g. green infrastructure, although these can be enhanced and the enhancement put towards the mitigation of the damage costs.

## **Electric Vehicle Recharge Points**

### **Residential**

**Electric vehicle recharge points shall be provided to every property, prior to occupation. This shall consist of as a minimum a 7Kwh electrical socket located externally (or in the garage if available) in such a position that a 3 metre cable will reach the designated car parking spaces. A switch shall be provided internally to allow the power to be turned off by the residents.**

Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.

Note to applicant: The electrical charging point shall be fitted with a weather proof cover.

### **Commercial e.g. Shops**

**Prior to the first use of the development 10% of parking bays shall be provided with a rapid (30 mins) electric vehicle recharge point to the parking area. The parking bay shall be appropriately marked to ensure the sole use by electric vehicles and an adequate charging**



**infrastructure with associated cabling provided for the designated parking bay. The charging point shall be located so that a 3m cable will readily reach the vehicle to be charged when parked in the designated parking bay.**

Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.

### **Commercial, e.g. offices/industrial**

**Prior to the first use of the development 10% of parking bays shall be provided with a fast (3-4 hrs) electric vehicle recharge point to the parking area. The parking bay shall be appropriately marked to ensure the sole use by electric vehicles and an adequate charging infrastructure with associated cabling provided for the designated parking bay. The charging point shall be located so that a 3m cable will readily reach the vehicle to be charged when parked in the designated parking bay.**

Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.

### **Biomass**

***No solid fuel appliances shall be installed within the permitted development without first obtaining written permission from the local planning authority in consultation with the Environmental Health Department. A covenance to this effect shall be included within the deeds to all parts of the development.***

Reason: Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.

### **Travel Plan**

**Prior to the first use of the development, a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Where the Local Planning Authority agrees a timetable for implementation of the Full Travel Plan, the elements are to be implemented in accordance with that timetable unless otherwise agreed in writing with the Local Planning Authority.**

REASON: To promote and provide access to sustainable transport options in accordance with Policy 3 in the Central Lancashire Core Strategy.

### **Cycle Storage**

***The provision of secure cycle storage for all dwellings has be provided as part of the development. Full details of the cycle storage provision shall be submitted for approval by the local planning authority prior to commencement of any works onsite.***

Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.

### **Air Quality Monitoring**

***The developer will carry out 1 year of air quality monitoring following 80% occupancy of the development. The location and timing of the monitoring shall be agreed with the local planning authority and the results made available to them.***

Reason: In the interests of the amenity of the nearby residents in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.