

Town and Country Planning Act 1990

## OUTLINE PLANNING PERMISSION

Application no: **06/2020/0051**



**Agent:**

Mr John Smith,  
Clydeview Ltd  
17, Hollybush Lane  
Castlebank  
Port Glasgow  
Inverclyde  
PA14 6QZ

**Applicant:**

Mr Paul Hughes,  
NATS  
C/O Agent

**Decision date:** 23-Jul-2020

**Valid date:** 02-Mar-2020

Development proposed:

**Outline planning application for up to 7no. dwellings (all matters reserved)**

at:

**Radar Station Site, Whittingham Lane, Broughton, Preston, PR3 2JJ**

Preston City Council hereby give notice that **OUTLINE PERMISSION HAS BEEN GRANTED** for the carrying out of the above development in accordance with the application plans and documents listed below or as may otherwise be amended following written approval by the Local Planning Authority and subject to the following conditions:

1. The development hereby permitted shall only be implemented in accordance with the approved plans. This approval relates to drawing numbers:

Site Location Plans - Received 16th January 2020

2. Before any development is commenced approval shall be obtained from the Local Planning Authority with respect to the reserved matters, namely, the layout, scale, appearance, access and landscaping. The landscaping proposals shall be carried out before any of the buildings are occupied or at such time as the approved proposals may provide.
3. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the

**Note**

For rights of appeal in respect of any conditions attached to the permission see the attached notes.

*C M Hayward*

**Director of Development**

Development Directorate  
Preston City Council  
Town Hall  
Lancaster Road  
Preston  
PR1 2RL

development must be begun not later than which ever is the later of the following dates:

- a) the expiration of three years from the date of this permission,
  - 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.
4. 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.
  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. As part of any future reserved matters submission, an ecological appraisal will be provided to the Local Planning Authority along with mitigation and or compensation proposals that demonstrate:
    - biodiversity net gain for habitat losses and ;
    - mitigation for impact on nesting birds or any other fauna
  7. As part of any future reserved matters submission the findings of Great Crested Newt Evaluation & Reasonable Avoidance Measures Method Statement by Pennine Ecology dated June 2020 shall be reviewed and revised as necessary and provided to the Local Planning Authority and agreed in writing. If the area of land proposed for development increases above 0.5 ha a full great crested newt survey or eDNA survey should be carried out.
  8. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
    - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
    - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
    - (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

9. Foul and surface water shall be drained on separate systems.

**The reasons for the conditions are:**

1. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
2. The permission is an outline planning permission.
3. Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.
4. 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.
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 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 adopted 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.
7. 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 adopted 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. Details are required prior to the commencement of the development in order to promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy 29 of the Central Lancashire Core Strategy and the National Planning Policy Framework.
9. To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy 29 of the Central Lancashire Core Strategy and the National Planning Policy Framework.

**INFORMATIVE:**

**Compliance with paragraph 38 of the National Planning Policy Framework**

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.

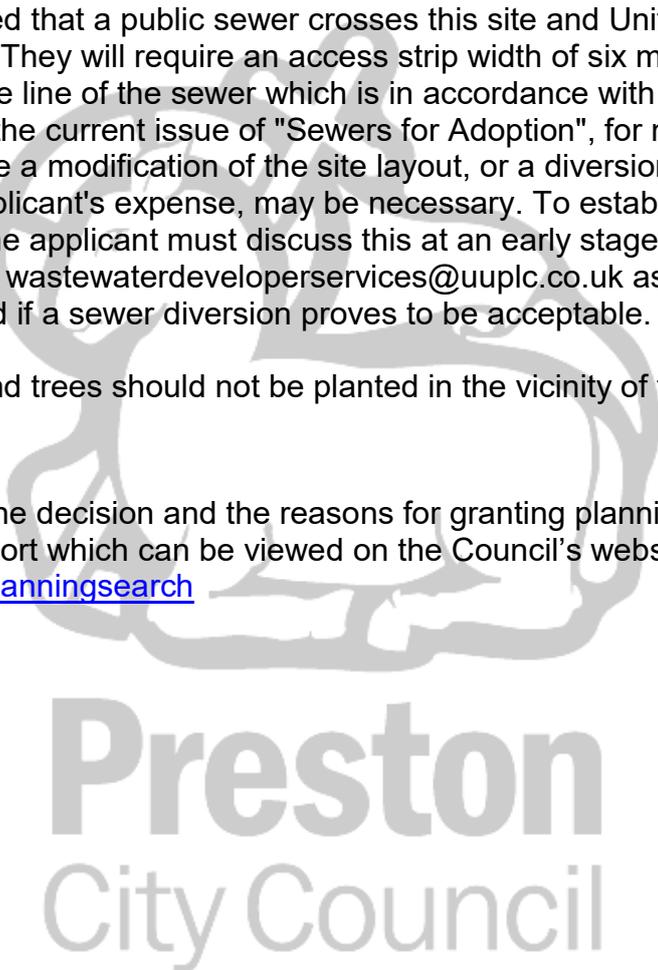
**NOTES:**

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. CIL Liability is not calculated at outline or permission in principal stage. However this development will be CIL liable on approval of the final reserved matters or technical details consent, if approved. Further details are available on the Council's website [www.preston.gov.uk/CIL](http://www.preston.gov.uk/CIL)

The applicant is advised that a public sewer crosses this site and United Utilities may not permit building over it. They will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with United Utilities Developer Engineer at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

For further details on the decision and the reasons for granting planning permission please see the application report which can be viewed on the Council's website [www.preston.gov.uk/planningsearch](http://www.preston.gov.uk/planningsearch)



**Preston**  
City Council

## **APPEAL PROCEDURE FOR PUBLIC INQUIRES**

Appellants seeking an inquiry are asked to give the Planning Inspectorate and Local Planning Authority at least 10 days' notice that they intend to submit an inquiry appeal.

Appellants should send an email to the Local Planning Authority's email [devcon@preston.gov.uk](mailto:devcon@preston.gov.uk) and also to the Planning Inspectorate's email [inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk) at least 10 working days before submitting a planning appeal they wish to follow the inquiry procedure.

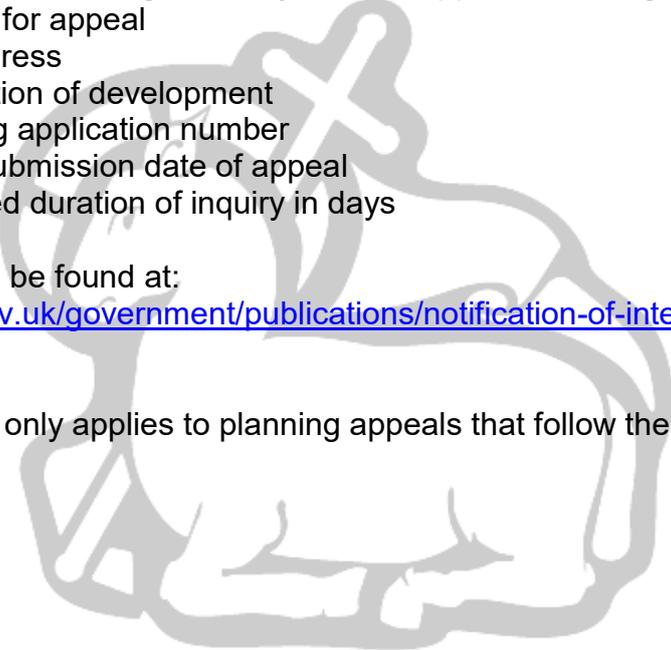
In the notification, appellants should include:

- Appellant name
- The Local Planning Authority that the appeal will be against
- Reason for appeal
- Site address
- Description of development
- Planning application number
- Likely submission date of appeal
- Proposed duration of inquiry in days

A template can be found at:

<https://www.gov.uk/government/publications/notification-of-intention-to-submit-an-appeal>

For clarity, this only applies to planning appeals that follow the inquiry procedure.



**Preston**  
City Council

## **NOTE:**

### **Appeals to The Secretary Of State**

#### **Planning Applications**

You have the right to appeal against the Local Planning Authority's refusal of planning permission or grant of permission subject to conditions. You may appeal to the Secretary of State for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990. For further information on how to make an appeal please visit the Planning Portal website [www.planningportal.co.uk](http://www.planningportal.co.uk)

**If you want to appeal, then you must do so within six months of the date of the enclosed notice. Please note, only the applicant possesses the right to appeal.**

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions which it imposed.

The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction by him.

#### **Purchase Notices**

##### **Planning Applications**

If either the local planning authority or the Secretary of State for Communities and Local Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the City Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

##### **Other Permissions**

This notice relates only to the application as described. It does not convey a decision under any other enactment, byelaw, order or regulation. Separate applications may be needed for such other approvals as may be required e.g. Planning Permission, Approval of Reserved Matters, Listed Building Consent, Express Consent to Display Advertisements, Building Regulations, etc.

Please visit the Council's website for further information.