

Planning Committee Late Observations

01 February 2023

Appn No.	Location	Proposal
20/0094	LAND TO REAR OF FORMER LYTHAM POLICE STATION, BANNISTER STREET, LYTHAM ST ANNES, FY8 5HP	OUTLINE APPLICATION FOR THE ERECTION OF FOUR DWELLINGS (ACCESS, SCALE, APPEARANCE AND LAYOUT APPLIED FOR WITH ALL OTHER MATTERS RESERVED) FOLLOWING REMOVAL OF EXISTING BUILDINGS
Observations	<p>Assessment Update</p> <p>The officer report refers to an on-going discussion with the applicant regarding whether it is feasible to access the parking spaces that are proposed in the scheme described in that report. These are to be accessed via North Clifton Street, but as the local highway authority highlight the restricted width of that road they have requested that 'tracking' details are provided to demonstrate if the spaces can be accessed.</p> <p>Since the publication of the report the agent has provided these. They confirm that whilst the parking spaces can be accessed, this would only be possible if the resident parking bays that are currently in place on the opposite side of North Clifton Street were removed and that area was available for manoeuvring out of the spaces.</p> <p>As a result of this the agent has accepted that it would not be viable to include any parking within the development for the four dwellings. Accordingly a revised plan is provided for consideration which removes the proposed parking area from each dwelling and replaces it with a private rear garden for the property to be screened from North Clifton Street by a 1.8m high brick wall with a pedestrian gate inserted in it to allow access to the rear of the properties.</p> <p>Officer Comments on Update</p> <p>There are clearly high levels of pressure on the available on-street parking in the area, and so the failure of the scheme to provide any parking itself can only increase that pressure. However, the site is located in a highly accessible town centre location and this alone is not considered to be sufficient reason to justify a refusal of the application. There are other parking opportunities in the area including resident parking permits available for the Pleasant Street car park, that could be available to the future occupiers of the development.</p>	

21/1053	120 MYTHOP ROAD, LYTHAM ST ANNES, FY8 4HQ	ERECTION OF DETACHED DORMER BUNGALOW FOLLOWING DEMOLITION OF EXISTING TRUE BUNGALOW (PART RETROSPECTIVE)
Observations	<p>Revised Plans</p> <p>The assessment of the application revealed some minor discrepancies between the 'as built' property and the plans that were presented for this application. These relate to the position of the door on the rear side of the building (which were corrected prior to the report being published), and the height of the front porch (which has been corrected with a revised plan received since the agenda was published).</p> <p>Officer Comments</p> <p>The report assesses the issue with the back door position, but not that with the porch height. This has no material impact on the appearance of the property in the streetscene or to any neighbours, and so the revised plan correcting this issue is acceptable. Condition 1 on the agenda papers is to be revised to relate to this latest drawing which is Rev. D.</p>	
22/0188	LAND SOUTH OF QUEENSWAY LYTHAM ST ANNES LANCASHIRE FY8 3FY	CONSTRUCTION OF SIGNAL CONTROLLED CROSSROADS AT JUNCTION OF KILNHOUSE LANE, QUEENSWAY AND THE PROPOSED HEYHOUSES BYPASS (THE 'T5' ROAD) TO PROVIDE INTERIM MEANS OF ACCESS TO THE RICHMOND POINT DEVELOPMENT INCLUDING ASSOCIATED HIGHWAY RECONFIGURATION WORKS AND CONSTRUCTION OF PART OF THE HEYHOUSES BYPASS UP TO AND INCLUDING THE FIRST VEHICULAR ENTRANCE TO THE RICHMOND POINT DEVELOPMENT
Observations	<p>Additional consultee comments:</p> <p>Further comments were received on 24.01.23 from St Annes on the Sea Town Council in response to the amended plans sent to them on 16.12.22. These confirm that the Town Council has “no specific observations” to make.</p> <p>Additional neighbour comments:</p> <p>Following the publication of amended plans on 16.12.22, one additional letter of objection has been received from a neighbouring resident. The points made in the letter are summarised as follows:</p> <ul style="list-style-type: none"> • The existing junction is too busy to allow the creation of a further access into Richmond Point. There are already traffic jams of up to 30 minutes to go from Kilnhouse Lane to School Road and this would be exacerbated by the formation of an additional access into Richmond Point. • Vehicles turning right into Richmond Point through the junction would block other traffic heading towards Blackpool. 	

- The current junction from Salisbury Avenue gives drivers a chance to divert to other routes and join traffic already slowed for lights. Therefore, this should remain in place.

Modification to description of development:

Paragraph 23.1.2 of the planning obligation (as amended) for the development identifies a requirement “To clearly designate the Interim Queensway Junction in any subsequent planning application as an initial phase of the Queensway Roundabout and to construct it in accordance with a design and specification to be approved by the County Council and the Council.” Accordingly, it is considered that the term “Interim Queensway Junction” should appear explicitly within (and be added to) the current description of development to dovetail with the requirements of the s106.

Alterations to suggested conditions:

The suggested conditions on p. 158 – 164 of the agenda papers have been sent to the applicant for their observations in advance of the committee meeting. In response, the applicant has requested that the wording of conditions 3, 5, 6, 9 and 11 be amended to:

- remove the ‘pre-commencement’ trigger from conditions 3, 5, 6, 9 and 11 to allow site clearance, ground surcharging and associated enabling works to take place in advance of those conditions being discharged; and
- alter the wording in part a) of condition 11 to allow surface water to be discharged to a suitable, agreed location away from the site (rather than be retained within it) during the construction period.

Officer response:

Additional consultee & neighbour comments:

The Town Council have confirmed that they have no further observations to make in relation to the scheme. Whilst the additional letter of objection expresses a desire for the retention of the existing access from Salisbury Avenue in favour of creating a new access off the signalised junction, the current priority junction is a temporary access which lacks the capacity to serve the entire Richmond Point development and the creation of a new access for Richmond Point from the Kilnhouse Lane/Queensway junction is a long-established principle of the original planning permission for the development (08/0058).

Modification to description of development:

The following amended description of development, which introduces explicit reference to the “Interim Queensway Junction”, has been agreed with the applicant to address the issue identified above (with the change highlighted in bold for clarity):

CONSTRUCTION OF SIGNAL CONTROLLED CROSSROADS AT JUNCTION OF KILNHOUSE LANE, QUEENSWAY AND THE PROPOSED HEYHOUSES BYPASS (THE 'T5' ROAD) TO PROVIDE INTERIM MEANS OF ACCESS TO THE RICHMOND POINT DEVELOPMENT (**THE ‘INTERIM QUEENSWAY JUNCTION’**) INCLUDING ASSOCIATED HIGHWAY RECONFIGURATION WORKS AND CONSTRUCTION OF PART OF THE HEYHOUSES BYPASS UP TO AND INCLUDING THE FIRST VEHICULAR ENTRANCE TO THE RICHMOND POINT DEVELOPMENT

This revised description will appear on the decision notice in place of the one currently contained in the agenda papers.

Alterations to conditions:

The applicant's requested changes to the wording of conditions 3, 5, 6, 9 and 11 are considered reasonable and reduce the number of 'pre-commencement' conditions (as advised in paragraph 56 of the NPPF) without fundamentally altering the substance of the conditions. They will also allow site preparation works to come forward in advance of the conditions being discharged and so assist in expediting construction of the new junction. Accordingly, the wording of conditions 3, 5, 6, 9 and 11, along with a consequential change to the wording of condition 7, has been amended to read as follows (with changes highlighted in bold for clarity):

3. **Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them)**, no development shall take place until a scheme for the design and construction of the following works (the layout and extent of which are shown on drawing no. SCP/210287/D03 Rev M) has been submitted to and approved in writing by the Local Planning Authority:

- i) the formation of the new access on the southeast side of the B5261;
- ii) the modification works to the existing highway within and surrounding the junction of the B5261 with Kilnhouse Lane and the new access in i); and
- iii) the construction of the new road extending from the access in i) up to and surrounding the junction with Parkinson Boulevard.

The scheme shall include, but not be limited to, the following details:

- a) full engineering, drainage, street lighting and constructional details of carriageways and footways;
- b) details of the visibility splays to be provided in both directions at the junction of the new access in i) with the B5261;
- c) the installation of traffic signal heads;
- d) the provision of pedestrian refuges and traffic islands;
- e) the provision of Toucan and Pegasus crossings;
- f) signing and carriageway marking details;
- g) the provision of tactile paving and dropped kerbs.

All of the works described in i), ii) and iii) shall be constructed and made available for use in full accordance with the duly approved scheme before the new road in iii) is first opened to traffic (other than construction traffic). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splays in b) shall thereafter be kept free of any obstructions (including buildings, walls, gates, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.

5. **Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them)**, no development shall take place until a hard landscaping scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include the following details:

- a) Carriageway, footway and cycleway surfacing materials.
- b) The layout, scale, design, materials and colour treatment of all highway appurtenances and other street furniture associated with the construction of the works described in i), ii) and iii) of condition 3 of this permission.

All hard landscaping works shall be carried out in accordance with the duly approved scheme before the new road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic).

6. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, **other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them)**, no development shall take place until a soft landscaping scheme for the development has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the local planning authority, the soft landscaping scheme shall include the following details:

- a) all trees, hedgerows and any other vegetation on/overhanging the site to be retained;
- b) all trees, hedgerows and any other vegetation on/overhanging the site to be removed;
- c) compensatory planting to replace any trees or hedgerows to be removed under b);
- d) the introduction of landscaping to provide suitably tree-lined streets in the following locations: 1) alongside the site's south-eastern frontage with the B5261 in the area indicated on drawing no. 4178/IJ/01 Rev B; and 2) alongside the north and south sides of the new road described in iii) of condition 3 of this permission for its full length between its junctions with the B5261 and Parkinson Boulevard;
- e) the introduction of additional planting within the site which does not fall within a), c) or d);
- f) the number, size, species (which shall include native and wildlife attracting species), siting, planting distances/densities and the programme of planting of trees, hedges and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season that occurs after the access road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic). The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the Local Planning Authority before the access road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic). Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

7. **Notwithstanding the provisions of conditions 3, 5, 6 and 9 of this permission**, no clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any

active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

9. **Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them),** no development shall take place until a scheme for the disposal of surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with the principles contained within the document titled "Flood Risk & Drainage Assessment" by Ironside Farrar Limited dated April 2022 (report reference 30511/SRG) and be based on the 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 shall include:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1 year, 1 in 30 year +40% climate change event, and 1 in 100 year +50% climate change event).
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. A plan identifying areas contributing to the drainage network, including surface water flows from outside the site as necessary.
 - ii. The sustainable drainage system layout showing all pipe and structure references, dimensions and design levels.
 - iii. Details of all sustainable drainage components, including drawings showing their topography and slope gradient as appropriate.
 - iv. A plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems.
 - v. Finished levels for the development in AOD with adjacent ground levels on all sides of the development and connecting cover levels to confirm a minimum 150mm+ difference for finished levels.
 - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary.
 - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitably clean water to sustainable drainage components.
- c) Evidence of an agreement in principle with any third party landowners to connect to the off-site surface water drain (where applicable).

The duly approved scheme shall be implemented before the new road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic).

11. **Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them),** no development shall take place until a Construction Surface Water Management Plan (CSWMP) has been

submitted to and approved in writing by the local planning authority. The CSWMP shall set out how surface water and stormwater will be managed on the site to prevent pollution during the construction period **(excluding during works involving the clearance and surcharging of the land)** and shall include the following details:

- a) Measures taken to ensure surface water flows are retained on-site during the construction period (including temporary drainage systems) **or**, if surface water flows are to be discharged from the site, that they are done so **to a suitable location** at a specified, restricted rate that **has first been agreed in writing with the Local Planning Authority**.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall thereafter be carried out in accordance with the duly approved CSWMP for the entirety of the construction period.

Change to recommendation:

It is recommended that members of the committee resolve to delegate authority to the Head of Planning to GRANT permission in accordance with the recommendation on p. 158 of the agenda, subject to the changes to the wording of conditions 3, 5, 6, 7, 9 and 11 within stipulation 3 as set out above (with the reasons for imposing each condition being unchanged).