



FYLDE BOROUGH COUNCIL

## Meeting Agenda

**Development Control  
Committee  
Council Offices, Derby Road,  
Wesham  
21 September 2005, 9.30a.m.**

# Membership

## Development Control Committee

CHAIRMAN - Harold Butler  
VICE-CHAIRMAN - Barbara Pagett

Councillors	John Bennett	Councillors	Ray Norsworthy
	George Caldwell		Linda Nulty
	Kevin Eastham		Albert Pounder
	Dr. Trevor Fiddler		Heather Speak
	Richard Fulford-Brown		William Thompson
	Peter Hardy		Colin Walton
	Howard Henshaw (A.D.K MALAYSIA		Andrea Whittaker

Contact: Lyndsey Lacey, St. Annes (01253) 658504, Email: [lyndseyl@fylde.gov.uk](mailto:lyndseyl@fylde.gov.uk)



## **CORPORATE OBJECTIVES**

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

## **CORE VALUES**

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



## A G E N D A

### **PART I - MATTERS DELEGATED TO COMMITTEE**

<b>ITEM</b>	<b>PAGE</b>
<b>1. DECLARATIONS OF INTEREST:</b> <i>In accordance with the Council's Code of Conduct, members are reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.</i>	4
<b>2. CONFIRMATION OF MINUTES:</b> <i>To confirm as a correct record the minutes of the Development Control Committee meeting held on 24 August 2005 (previously circulated).</i>	4
<b>3. SUBSTITUTE MEMBERS:</b> <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
<b>4. REPORT OF AN APPEAL DECISION FOR FALCON HOUSE, REGENT AVENUE, LYTHAM – TWO STOREY VESTIBULE AND FRONT ELEVATION</b>	5
<b>5. DEVELOPMENT CONTROL MATTERS</b>	AS NUMBERED

# REPORT

REPORT OF	MEETING	DATE	ITEM NO
BUILT ENVIRONMENT	DEVELOPMENT CONTROL COMMITTEE	21 <sup>ST</sup> SEPTEMBER 2005	4

## REPORT OF AN APPEAL DECISION FOR FALCON HOUSE, REGENT AVENUE, LYTHAM FOR A TWO STOREY VESTIBULE TO FRONT ELEVATION

### Public/Exempt item

This item is for consideration in the public part of the meeting

### Summary

This application was determined by Officers under delegated powers and was refused on the grounds that the proposed two storey vestibule to the front elevation would create a development which was considered to be incongruous with the existing property and the street scene.

The Inspector agreed with the Councils consideration of the application and as such has dismissed the appeal.

### Recommendation/s

1. That Members note the outcome of the appeal

**Executive brief:** Cllr Roger Small: Economy

### Report

1. The Inspector felt that the appeal dwelling like many of the other dwellings in the vicinity are set in spacious plots. He accepted that there are houses within the area which are of a different age, form, design and facing materials, however he agreed with the Council that with only one or two exceptions, the dwellings on the North side of Regent Avenue did have elements of commonality about them in their appearance and materials. He also felt that there were a number of properties on Regent Avenue which were of a very similar appearance to Falcon House and also has often two storey double fronted bays.

2. The Inspector accepted the appellants view that the existing house would remain the dominant feature and that it would still be largely visible through the porch from the street. However, he did state consider that due to the size, height, width, large conical roof, and light-weight appearance he felt that the proposal would contrast unfavourably with the traditional appearance and design of the existing property. He considered that even though the proposal would be partially screened by existing trees and hedging that the degree of projection and height of the porch, forward of the flanking feature bays, would be an unduly discordant feature that would not only detract from the balanced and evenly proportioned front elevation of the dwelling, but would also form an unduly conspicuous and visually intrusive feature in the street scene.
3. The Inspector went on to state that the proposal would conflict with the aims of Policy 1 of the adopted Lancashire Structure Plan, which seeks amongst other things, to secure high quality design for new development, and Policy HL10 of the adopted Fylde Borough Local Plan. The Inspector concluded that because the proposal would fail to take an opportunity to improve the character and quality of the area, it would not accord with national policy guidance contained in Planning Policy Statement 1.
4. A full copy of the Inspectors report is appended to this document.

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability	None
Health & Safety and Risk Management	None

REPORT AUTHOR	TEL	DATE	DOC ID
Rebecca Delooze	(01253) 658456	07/09/05	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Appeal Report		St Annes Town Hall, St Annes, FY8 1LW

#### **Attached documents**

Full Inspectors report



# Appeal Decision

Site visit made on 1 August 2005

by **Chris Watson BSc Dip URP MRTPI**

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date

10 AUG 2005

**Appeal Ref: APP/M2325/A/05/1178930**

**Falcon House, Regent Avenue, Lytham St Annes, Lancashire FY8 4AG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by B Beverley against the decision of Fylde Borough Council.
- The application Ref 04/1187, dated 29 November 2004, was refused by notice dated 17 January 2005.
- The development proposed is a porch.

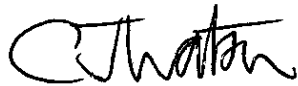
## Decision

1. The appeal is dismissed.

## Reasons

2. Falcon House is a modern, substantial double-fronted detached house that faces the north side of Regent Avenue. The appeal dwelling, like many of the other dwellings in the vicinity facing the street, is set in a spacious landscaped plot. Whilst houses in the area are varied in terms of their age, form, design and facing materials, I agree with the Council that with one or two exceptions, the dwellings on the north side of the street display certain common elements in their appearance, in that the buildings are largely constructed of facing bricks with pitched tiled roofs. In addition, a noticeable feature of most of the houses on the north side of the street is their largely traditional external appearance. This is manifested in such things as a greater proportion of solid to void (wall to window), porches or entrances that are modest in size and scale, and the use of projecting bays, whether of single storey or, as in the case of Falcon House, 2 storeys. In fact, there are a number of houses fronting the north side of the street that are very similar in appearance to Falcon House.
3. I accept that the existing house would remain the dominant feature and that it would still be largely visible through the porch when viewed from the street. However, due to its size, height, width, large conical glazed roof, and light-weight appearance, I consider the proposal would contrast unfavourably with the traditional appearance and design of the existing property I have described. Moreover, I do not agree with the appellant that the existing dwelling is unduly drab or ponderous in design. Although it would be partly obscured by adjacent trees and hedging, I also consider the degree of projection and height of the porch, forward of the flanking feature bays, would be an unduly discordant feature that would not only detract from the balanced and evenly-proportioned front elevation of the dwelling, but also would form an unduly conspicuous and visually intrusive feature in the street scene.

4. As such, I conclude that the proposal would conflict with the aims of Policy 1 of the adopted Lancashire Structure Plan, which seeks amongst other things, to secure high quality design for new development, and Policy HL10 of the adopted Fylde Borough Local Plan, which indicates that house extensions should be in keeping with the existing building and that they should not adversely affect the street scene. I also conclude that because the proposal would fail to take an opportunity to improve the character and quality of the area, it would not accord with national planning policy contained in Planning Policy Statement 1, *Delivering Sustainable Development*.



INSPECTOR



# Development Control Committee Index

## 21 September 2005

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2	05/0592	BOOTH'S DISPENSERS LTD, DURHAM AVENUE, ST ANNES, LYTHAM ST ANNES RESUBMISSION OF APPLICATION 04/834 FOR 77 NO. APARTMENTS AND ASSOCIATED WORKS.	Approve Subj 106	13
3	05/0647	THE ROCK FACTORY REAR OF 79-89, ST ALBANS ROAD, ST ANNES, LYTHAM ST ANNES, FY8 ERECTION OF 16 AFFORDABLE RESIDENTIAL UNITS IN 2 SEPARATE BLOCKS, COMMUNAL GARDEN AND 11 CAR PARKING SPACES. TO BE DEVELOPED IN CONJUNCTION WITH APPN NO. 5/05/0648, THE GABLES 35-39 ORCHARD RD, ST ANNES	Approve Subj 106	25
4	05/0648	THE GABLES, 35-39 ORCHARD ROAD, ST ANNES, LYTHAM ST ANNES, FY8 1 DEMOLITION OF EXISTING HOTEL, NEW BUILD OF 19, 2 BED UNITS AND APARTMENTS IN 4 STOREY BLOCK, WITH GLAZED LOBBY AND 19 CAR PARKING SPACES. INCLUDING 2 AFFORDABLE UNITS. TO BE DEVELOPED IN CONJUNCTION WITH APPN NO 5/05/0647 - ROCK FACTORY, REAR OF 79-89 ST ALBANS ROAD, ST ANNES	Approve Subj 106	36
5	05/0653	TOWN HALL, SOUTH PROMENADE, ST ANNES, LYTHAM ST ANNES; FORMER CVMU DEPOT, ST DAVIDS ROAD NORTH, ST ANNES; FORMER COUNCIL DEPOT, ST DAVID'S ROAD, ST ANNES; MUNICIPAL OFFICES, CLIFTON DRIVE	Grant	52

SOUTH, ST ANNES.  
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 THE DWELLINGS FOR AFFORDABLE  
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6	05/0669	LAND OFF, WHITEHILL ROAD, PEEL, BLACKPOOL, FY4 5L OUTLINE APPLICATION FOR FARMHOUSE FOR NEW FARM COMPLEX	Refuse	79
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9	05/0672	LAND OFF, WHITEHILL ROAD, PEEL, BLACKPOOL, FY4 5L AGRICULTURAL LIVESTOCK BUILDING, INCORPORATING AN UNDERGROUND EFFLUENT TANK	Grant	97
10	05/0702	CROPPER MANOR GARDEN CENTRE, CROPPER ROAD, MARTON, BLACKPOOL CAR BOOTS SALES ON ANY 30 SATURDAYS BETWEEN 1ST APRIL 2005 AND 31ST OCTOBER 2005 AND EVERY YEAR THEREAFTER	Grant	100
11	05/0733	BRYNING HALL FARM, BRYNING HALL LANE, BRYNING, NR PRESTON RE-SUBMISSION OF 05/428 CHANGE OF USE FROM REDUNDANT AGRICULTURAL BUILDING TO GARDEN DESIGN STUDIO DISPLAY AREA	Refuse	106
12	05/0749	LAND NORTH OF, MYTHOP ROAD, WEETON, PRESTON, PR RESIDENTIAL DEVELOPMENT COMPRISING OF 8 SEMI DETACHED AFFORDABLE DWELLINGS.	Refuse	114

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14	05/0764	WIMBOURNE, BAMBERS LANE, MARTON, BLACKPOOL CHANGE OF USE HOLIDAY & ANCILLARY BUILDING TO MANAGERS ACCOMMODATION	Grant	126
15	05/0766	PATHWAYS, BLACKPOOL RD, NEWTON, PRESTON CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE FOR PATHWAYS NURSERIES	Refuse	131
16	05/0690	LAND ON SOUTH SIDE OF, FAIRFIELD ROAD, POULTON LE FYLDE, FY6 8L CHANGE OF USE FROM FIELD TO FISHING POND AND SMALL STOCK POND W ITH ASSOCIATED CAR PARKING FOR 8 CARS.	Refuse	135

# Development Control Committee Schedule

## 21 September 2005

**Item Number: 1**

<b>Application Reference:</b> 05/0086		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Daniel Thwaites Brewery	<b>Agent :</b>	Higham and Co
<b>Location:</b>	BLUE ANCHOR, FLEETWOOD ROAD, GREENHALGH, KIRKHAM		
<b>Proposal:</b>	ALTERATIONS AND EXTENSIONS TO THE PUBLIC HOUSE AND THE ERECTION OF A 38 BED LODGE.		
<b>Parish:</b>	Greenhalgh with Thistleton	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	32	<b>Case Officer:</b>	Mr M Evans
<b>Reason for Delay:</b>	Protracted discussions regarding alterations to the proposed building and its access		

**Summary of Recommended Decision:** Refuse

### **Summary of Officer Recommendation**

The proposal has been considered against national and local policy relating to hotel development. Whilst it is considered that a travel lodge type development would be acceptable in principle in this location, Members are recommended to refuse planning permission due to the scale of the proposed development and as the proposed car park area would extend onto an open field.

### **Reason for Reporting to Committee**

This application is for a relatively large development and given the level of interest from neighbouring residents and the comments of the Parish Council.

### **Site Description and Location**

The Blue Anchor Public House is a detached rendered building located on the east side of Fleetwood Road (A585) approximately 1 mile to the north of Junction 3 of the M55. There is an existing parking area and a beer garden area with a pond next to the building. The premises lies within a small group of buildings at to the south of the settlement of Greenhalgh consisting of the pub, a restaurant, a petrol filling station and a number of dwellings. There are currently two vehicular accesses to the site, one from Fleetwood Road and one from Medlar Lane.

### **Details of Proposal**

The application proposes a number of elements including:

Erection of 38 bedroomed lodge hotel with covered walkway to existing public house;  
Formation of extension to car park onto land adjacent to the existing public house;  
Demolition of parts of existing public house;

Erection of extension to provide store and toilet facilities; and  
Provision of patio and decked area.

The proposed travel lodge would measure 15 m x 47.5 x 10.5 metres ridge height. The bedrooms would be provided over two floors and the building is proposed to be of traditional construction with facing brickwork and blue slate roof. The car park is proposed to be extended to provide a total of 95 car parking spaces by incorporating an adjacent field.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
02/0314	CHANGE OF USE OF LAND TO USE AS SITE FOR TOURING CARAVANS	Refused	19/06/2002
03/0280	PROPOSED DECKING TO FRONT ELEVATION	Granted	23/04/2003

### **Parish Council Observations**

#### **Greenhalgh with Thislton Parish Council**

Specifically support the proposal subject to the following comments

Fifteen members of the public attended the meeting of the Parish Council on the 8th March 2005, when the above-noted proposed development was discussed. Their views were considered along with the detailed application, supporting documentation and proposed highway adaptation scheme.

The Parish Council determined that it favoured the development SUBJECT to a number of minor alterations and conditions.

**TRAFFIC MANAGEMENT SCHEME:** There will be a major impact on the residents and business users of Medlar Lane that will take the northbound traffic entering the pub and lodge and all the exiting traffic.

At peak times, traffic turning right from the lane has relied on those turning right into the lane to allow them into the traffic stream. The proposed introduction of a ghost island and right -turn lane will mean that through traffic will run on the inside lane, denying the traditional access.

Additionally as the site entrance is only yards from the junction of Medlar Lane with the A585, traffic waiting on the lane to turn right onto the main road will slow the flow from the site.

However, if the centre lane were to be widened to allow a refuge for vehicles turning right from the lane, exit times from it would be improved and safety enhanced.

**FACILITATION OF PARKING ARRANGEMENTS FOR THE NEIGHBOURING RESTAURANT:** For a number of years, there has been a collaboration between the owners of the Blue Anchor and the adjacent Ashiana Indian Restaurant to allow customer parking on the extensive pub forecourt. The Ashiana provides 80+ covers, but has only about 20 parking spaces. Before the collaboration, huge problems were caused by late night parking along Medlar Lane, with obstruction of larger vehicles, blocked driveways and significant damage to verges. The intensive development of the Blue Anchor site will re-introduce this major local nuisance unless the owner of the Ashiana provides an appropriate number of car parking spaces for his own operation. As another access to a car park south of his restaurant or opposite it will be necessary, any highway

scheme must be designed to take account of this eventuality. In any event it is imperative that the residents and business users of Medlar Lane are protected by traffic regulation and enforcement to retain their quiet enjoyment.

**DRAINAGE:** The proposal to enhance the existing septic tank provision located at the north end of the site causes concern as at present the soak away from the tank runs to the brook which straddles the main road and which floods frequently. The nature of lodge accommodation is such that each morning there is a peak of ablutions, generating significant waste water levels, which will cause further pressure on the eventual drainage to the brook. The Parish Council request that the significance of this be investigated and the specification for wastewater treatment be determined by the Environment Agency.

**LIGHT NUISANCE:** The Parish Council requests that when a scheme for lighting the car park and façade is submitted that low level units are specified with down-lighting on the buildings in order to minimise the impact on nearby residents.

**ENVIRONMENTAL IMPROVEMENTS:** This development will clearly increase the commercial and leisure activity in this rural location and will have an impact on the neighbourhood. In recognition of this, the Parish Council requests that the developer provides a commuted sum of say - £20,000 to allow environmental improvements to the green and crescent area in Medlar Lane.

Please bring these views to the attention of the Development Control Committee.

### **Statutory Consultees**

#### **Highway Agency (latest comments)**

I write to you further to the letter of the 17th June 2005 received from Savell Bird & Axon on behalf of the applicant regarding the above.

The Stage 1 Road Safety Audit (RSA) undertaken in accordance with HD 19/03 for the direct access from the A585 (T) to the Blue Anchor Public House (as shown in Drawing number N40371/03 Rev B), states that in principle the proposed access improvements does not present any safety concerns.

The Stage 1 RSA does however, recommended that at detailed design that consideration should be given to how the prohibition of turns can be made self enforcing and easily understood by approaching drivers. It may be appropriated that the right turn manoeuvre (into the development) from traffic travelling northbound along the A585 (T), is physically prevented by the introduction of a traffic island. In addition appropriate advance warning signs should be provided. This design layout will be subject to a Stage 2 Road Safety Audit in accordance with HD 19/03.

We consider that the junction layout proposed for the Medlar Lane/A585 (T) junction will adequately mitigate the development traffic. The Stage 1 RSA states that the provision of the ghost island will require the footway across the existing site frontage to be reinstated (and may

require the relocation of the telephone call box). The junction design will need to be subject to a Stage 2 Road Safety Audit in accordance with HD 19/03.

In conclusion, we are satisfied that the Stage 1 RSA is consistent with our concerns as outlined in the Atkins Technical Note dated 25th February 2005, namely that the design does not sufficiently discourage vehicles turning right into the direct access to the Blue Anchor Public House from the A585(T). We are satisfied that this issue can be addressed at detailed design and that a Stage 2 Road Safety Audit in accordance with HD 19/03 will be carried out for all junction improvements associated with the development.

I trust that this letter adequately explains the Agency's views on this application. However, should you, or the applicant, wish to discuss this matter further please feel free to give me a ring.

### **County Highway Authority**

This application has been the subject of pre-application discussions for almost 12 months. The Highways Agency (HA) are of course the Highway Authority for Fleetwood Road the A585(T).

In essence, the principle of a 38 bedroom lodge has been agreed on the Blue Anchor site, subject to the provision of highway improvements which I will describe later. The proposed alterations and extensions to the Public House have not featured in discussions and there is no mention of these in the application except for a description of the floor area.

Returning to the highway aspects, the transport assessment is fair, both the trips rate and distribution are satisfactory. In order to service the development and ease conditions on Fleetwood Road, a right-turning ghost-island has been requested. The applicant has agreed to provide this and there is sufficient width to accommodate an island to cope with the increased traffic. This will necessitate land taken from the existing, wide footway adjacent to the Ashiana and also from the Blue Anchor frontage. A 2m footway must be retained on the east side of Fleetwood Road to link with the existing.

Computer simulation of the junction has demonstrated that in 2005, with the ghost-island, the junction will work with virtually no queuing on Medlar Lane. Between 2005 and 2020 if there is no improvement at this junction and no development, the A585(T) will experience queuing and delays with vehicles waiting to turn right from the A585(T) to Medlar Lane. With the ghost-island in place, through traffic on the main road will flow but the queues on Medlar Lane will gradually build as the years progress. Overall, the ghost-island represents an improvement on existing conditions and offers a degree of protection for right-turning traffic. The left turn into the Blue Anchor car park from the north is also accepted, access from the south must be via Medlar Lane. The design of the ghost-island must be agreed with the H A. The drawing shows a traffic island. I do not believe the road can be widened sufficiently to cater for this facility and its presence should be carefully considered.

Moving on to the car parking provision, 95 is an accepted figure based on a part shared use with the lodge I have made no allowance for the pub extension. There are however only 2 disabled spaces shown, these should be levied at 10% of the total spaces.

The grant of planning permission at this site for the lodge etc., should your committee see fit to approve it, must include a condition which requires the provision of the highway improvements to the ghost island at Medlar Lane the design of which must be agreed by the H A and be in place before the business trades. Without it, conditions on the A585(T) will significantly worsen and the

likelihood of accidents increase.

If a permission can be granted accommodating this request I have no highway objections to offer.

### **United Utilities**

No objections to the proposal

### **Observations of Other Interested Parties**

#### **Lancashire & Blackpool Tourist Board.**

The proposal is for a good quality development.

### **Neighbour Observations**

Nineteen adjacent properties have been notified, a site notice displayed and a press notice published.

Four letters have been received objecting on the following grounds:

The proposal will bring built development closer to neighbouring dwellings.

Loss of rural feel and outlook

Loss of or "sanitisation" of pond will result in loss of wildlife habitat

Overlooking of adjacent properties from hotel rooms

The proposal will set a precedent for further development at the site

Additional traffic on Medlar Lane and the A585 which is at capacity

Increase in turning movements would be detrimental to highway safety at a accident black spot

The proposed alterations to the highway will promote free flow of traffic thus making right turns out of Medlar Lane more difficult

Increase in exhaust fumes

Increased risk to pedestrians, particularly school children crossing Fleetwood Road

There is no need for a new hotel/motel in the area.

There is an unimplemented planning permission for a hotel at Windy Harbour

The pub currently plays music through external speakers

There will be further potential for disturbance from functions and traffic and during construction.

Loss of quality of life

There are inconsistencies on the application form relating to job creation

Devaluation of adjacent property

Increased light pollution from flood lighting

Loss of green belt land

### **Relevant Planning Policy**

Lancashire Structure Plan:

Policy 5: Development outside principle urban areas

Policy 19: Tourism Development

Fylde Borough Local Plan:

SP2: Development in Countryside Areas

SP9: Development in Rural Settlements & Farmsteads

TREC3: Development of Hotels and Tourist Facilities outside Lytham St Annes

EP12: Trees, Woodlands and Hedgerows

Other Relevant Policy:



PPS1: Delivering Sustainable Development  
PPS6: Planning for Town Centres  
PPG21: Tourism

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

Together, PPS6: Sustainable development in the rural area and PPG21: Tourism, set the national policy framework for the provision of tourist facilities and accommodation in the rural area. PPS6 generally seeks to locate new development within existing centres in order to reduce the need to travel and sets out a sequential search sequence for the provision of new hotel developments requiring sites within established towns to be considered before sites on the edge of town or in the rural area are considered. PPS6 also sets out a requirement for a developer to establish that there is a „need“ for a proposed development where it is to be provided outside established centres. However, PPG21 also recognises that there is a requirement to diversify the rural economy through the provision of appropriate tourist facilities and accommodation in the wider rural area.

The applicant's proposal is for a travel lodge type development that is primarily aimed at providing accommodation for people travelling on long journeys and for short stays. As such these facilities are often found alongside motorways and major trunk roads and in positions more remote from existing centres. In this particular instance, the proposal would benefit from the facilities provided at the existing public house. Your officers consider, therefore, that the provision of a lodge type facility in this location is acceptable in principle subject to a demonstration that there is a need for such a facility. In this regard, the applicant has submitted a supporting statement that addresses the growth in demand for lodge accommodation and assesses the vacancy rates of similar facilities in the locality. Although the statement does not address the site at Windy Harbour, where there is an unimplemented but extant planning permission for a hotel, it appears that the vacancy rates together with the expected growth in the sector have adequately demonstrated a need for this type of accommodation.

More local strategic guidance in regard to the provision of major hotel accommodation is provided within the approved Joint Lancashire Structure Plan at Policy 18. However, this policy describes a major hotel as one with 40 or more bedrooms. As such it is not relevant to the determination of this application.

The application site lies within an area identified as countryside in the Fylde Borough Local Plan Proposals Map. Although Policy SP2 does not completely restrict development in such areas, the policy seeks to ensure that any development that is permitted is in keeping with the character of the rural area. Within this policy, the final category of development that will generally be permitted in the rural area allows for „development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside.“ It is therefore necessary to consider whether this particular proposal is essentially required and its impact on the character of the locality.

As stated above, a supporting statement that sets out how the applicant considers that the proposal complies with relevant policy accompanies the application. Although the supporting document assesses the general provision and need for additional hotel/lodge beds in the wider locality, it does not address the issue of whether this development is essentially required to maintain the business on this site. The proposal would however result in the provision of 8-10 full time and 22-23 part time jobs.

In regard to the scale of the proposed development, the proposed lodge building would measure 47.5 x 15 metres giving a footprint of 712.5 sq metres and an overall floor area of 1425 sq metres. This compares with the floor area of the existing public house which is 722 (including cellar and first floor). The accommodation is to be provided to the rear and slightly to the side of the existing building, with the longer elevation stretching back into the site. Although this will present the narrower elevation to Fleetwood Road, the length of the building will be seen from oblique views. If a building of this size is to be adequately accommodated on a site such as this, careful attention needs to be paid to the design in order to reduce the massing of the building. The design of the proposed building in the traditional lodge type layout has resulted in the provision of an elevation some 47 metres in length which has only been broken up by the addition of relatively minor projecting gables. Your officers are concerned that the erection of a building of the size and design proposed would be of a scale that is inappropriate and would harm the character of the surrounding countryside. As such the proposal is considered to be contrary to the provisions of Policy SP2 of the Fylde Borough Local Plan. Policy TREC 3 of the local plan relates more specifically to tourist accommodation outside Lytham St Annes. This Policy requires very high standards of design for development in the identified countryside areas and states that development proposals which are inappropriate in terms of their scale, siting and design will not be permitted.

The applicant has been advised of these concerns but considers that alternatives would bring the building closer to neighbouring properties, result in more overlooking of adjacent dwellings and result in the loss of the pond which currently occupies part of the site. Your officers consider that a solution that addresses all these points could be arrived at and that these issues alone do not warrant the granting of a permission for the development as proposed.

The proposed car park would also extend into the adjacent field resulting in an additional 2,200 sq metres of land being incorporated into the curtilage of the premises. This would also result in the loss of trees and hedgerow along the northern boundary of the site and further open views of the long side elevation of the lodge. Although some additional planting is indicated on the submitted plans, this is not considered to be of a degree which would adequately soften or screen the proposed car park. The extension of the parking area into such a large area is not considered to represent a minor extension of the curtilage and is considered to be contrary to the Policy SP2 of the local plan.

Policy SP9 relates to development in the rural settlements and on existing farmsteads. As Policy SP1 does not identify Greenhalgh as a settlement, it is not relevant to the determination of this application.

With regard to access, both the County Highway Authority and Highway Agency have considered the proposed access arrangements and have concluded that the proposals are acceptable and will improve traffic flow on Fleetwood Road. The initial safety audit that has been carried out is acceptable to both agencies and neither organisation has any objection to the proposal.

The application has also been accompanied by an ecological appraisal of the existing pond. This has not found any evidence of protected species in the pond.

The concerns of the Parish Council relating to access have been considered by the County Highway Authority and the Highway Agency. Both are satisfied with the proposed access arrangements. If planning permission were to be granted, conditions could be imposed regarding drainage and lighting issues. It is not considered appropriate to require the developer of this scheme to make provisions for a neighbouring business or to make a financial contribution to wards local environmental improvements as such matters are outside the scope of this application.

The impact of the proposed development on neighbouring properties has been considered, but it is considered that the distances between the proposed lodge building and the existing dwellings is sufficient to prevent any overlooking and far enough to prevent any adverse impact due to loss of light or overbearing impact. Given the location of the site on a busy trunk road, with its attendant noise and activity, and the existing use of the site as a public house, it is not considered that the proposed

development would result in the introduction of a level of activity that would warrant the refusal of planning permission.

The site is not located within the Green belt. All other concerns raised by local residents are dealt with in the body of the report above.

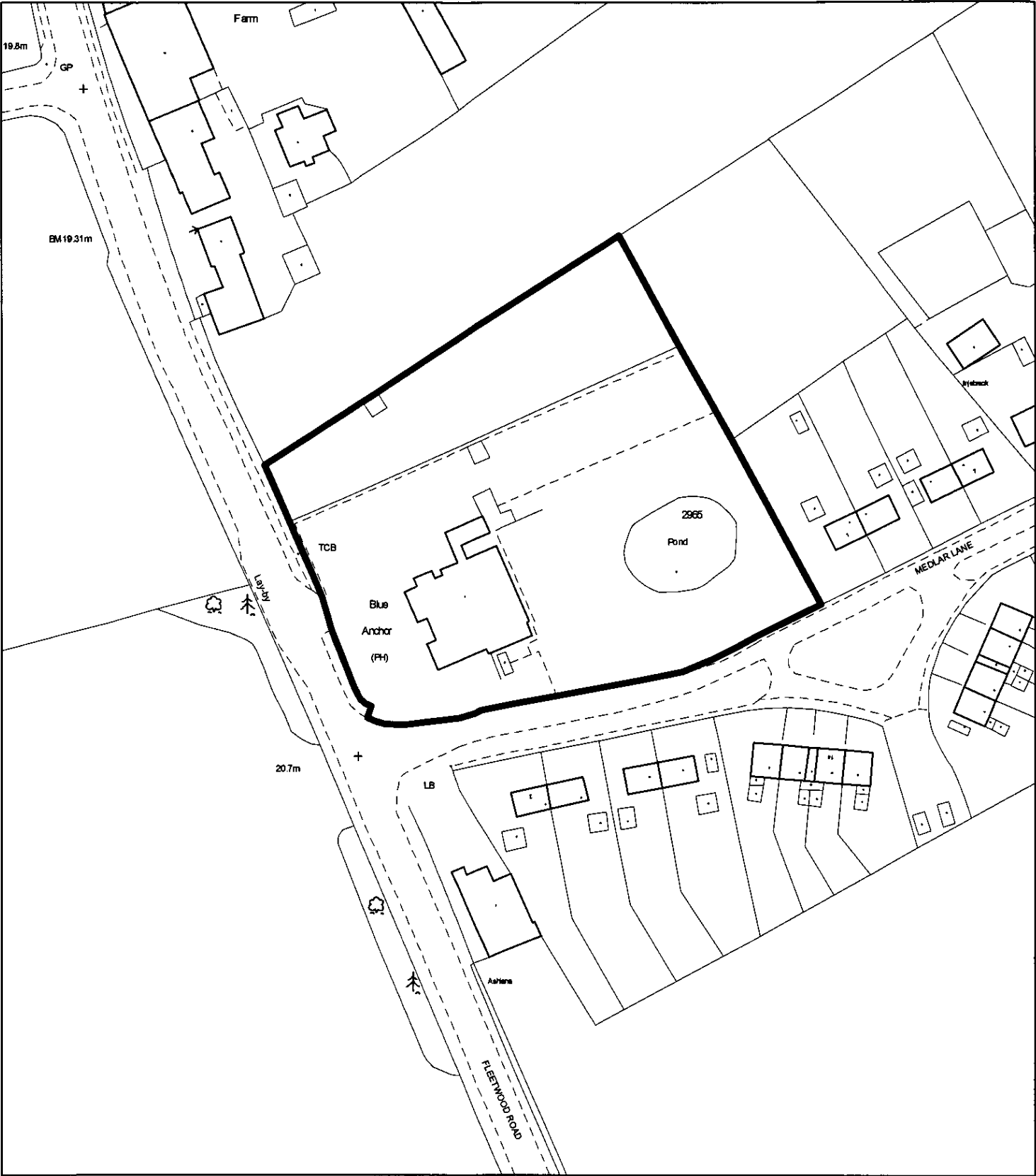
### **Conclusions**

The proposed travel lodge building will be of a physical size and massing that cannot be considered to be in scale with the existing development on the site and is therefore considered to be contrary to Policies SP2 and TREC3 of the adopted Fylde Borough Local Plan. The extension of the car parking area onto an adjacent area of open land would also be contrary to the provisions of Policy SP2. All other beneficial aspects of the proposal, including the alterations to the junction of Medlar Lane and Fleetwood Road have been considered, but none of these outweigh the policy presumption against the proposed development.

### **Recommendation**

That Planning Permission be REFUSED for the following reasons:

1. The proposed development, due to the massing and design of the proposed lodge building would be contrary to the provisions of Policy SP2 and TREC3 of the Fylde Borough Local Plan which require new development to be essentially required for the continuation of an existing enterprise, to be of a type and scale that will not harm the character of the surrounding countryside and of a very high standard of design.
2. The proposed development would result in the extension of the curtilage of the existing enterprise onto an undeveloped adjacent field in order to provide adequate car parking. As such the proposal would result in undesirable urban development in an area identified as Countryside in the Fylde Borough Local Plan, contrary to the provisions of Policy SP2 and the loss of established trees and hedgerow, contrary to the provisions of policy EP12.



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.	Address	Grid Ref.	Scale	Item No.
5/05/0086	Blue Anchor Fleetwood Rd, Greenhalgh	E.3412 : N.4356	N.T.S.	1

**Item Number: 2**

<b>Application Reference:</b> 05/0592		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Rushcliffe Properties Ltd	<b>Agent :</b>	Croft Goode Partnership
<b>Location:</b>	BOOTH'S DISPENSERS LTD, DURHAM AVENUE, ST ANNES, LYTHAM ST ANNES		
<b>Proposal:</b>	RESUBMISSION OF APPLICATION 04/834 FOR 77 NO. APARTMENTS AND ASSOCIATED WORKS.		
<b>Parish:</b>	Ashton	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	11	<b>Case Officer:</b>	Mrs J Cary
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Approve subject to 106 Agreement

**Summary of Officer Recommendation**

The main issues in relation to this application are whether the proposed development for residential purposes meets the criteria laid down in the Revised Housing Chapter of the Fylde Borough Local Plan, whether there is any impact on the amenities of adjacent residential dwellings, together with all other material considerations in relation to such a proposal. It is considered that the proposal falls within the exceptions to the housing policy and that the development of the site for residential purposes as opposed to a factory site would improve the amenities of both the area and of the nearby residents.

It is recommended therefore that Members resolve to approve the application subject to a Section 106 agreement in relation to the provision of the affordable housing and the payment of £20,000 for the upgrading of nearby bus stops.

**Reason for Reporting to Committee**

The application is a major application and does not therefore fall within the scheme of delegation.

**Site Description and Location**

The site is an existing factory complex occupied by Booths Dispensers, who manufacture vending machines. The factory occupies a relatively large site, which spans between Durham Avenue and Stephen Street and abuts the railway line. There is existing residential accommodation surrounding the site.

**Details of Proposal**

The application proposes the erection of 77 apartments in 6 separate blocks, ranging from 2 to 4 storeys in height. The proposal is of a modern, contemporary design, utilising a variety of materials. There are 77 car parking spaces provided as part of the proposal, with 10% being available to mobility standard, vehicular access would be provided from both Stephen Street and Durham Avenue (but with no through route). Pedestrian links would be provided through from St David's Road North, together with Durham Avenue and Stephen Street. There are areas of landscaping proposed throughout the

development. Whilst the proposal is for 77 apartments, 60% of these (ie, 47), would meet the 'affordability' criteria.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
04/0834	ERECTION OF 73 FLATS AND 12 TOWN HOUSES INCORPORATING AN ELEMENT OF AFFORDABLE HOUSING.	Withdrawn by Applicant	13/12/2004
03/0866	OUTLINE APPLICATION FOR DEVELOPMENT OF 101 APARTMENTS	Refused	07/01/2004
01/0598	EXTENSION OF EXISTING FACTORY AND REBUILDING OF EXISTING INDUSTRIAL UNIT	Granted	03/10/2001
01/0309	PITCHED ROOF TO OFFICES	Granted	18/07/2001
98/0413	EXTENSION TO EXISTING WORKSHOP	Granted	04/09/1998

### **Parish Council Observations**

St Annes Parish Council –  
views awaited

### **Statutory Consultees**

#### **Consumer Wellbeing –**

With reference to your memorandum dated 10th January 2005, there are no objections to the above proposals but I would advise the applicant of the following:

In recent months there has been problems with the main sewer that runs down the rear of the back of Stephen Street that serves Booths Dispensers. Prior to connecting anymore properties to this sewer, the applicant should contact United Utilities to ensure that the current sewage system can cope with further connections.

#### **Local Highway Authority -**

I have recently received a supplementary transport assessment from VTC (Highways and Transportation Consultants) Ltd and a revised layout plan from CroftGoode Partnership (Drawing No 04-851-P01) for the above application.

The transport assessment details the traffic generation figures and likely impact of 77 apartments, 39 affordable and 38 full market value, accessed via an almost equal split from Stephen Street and Durham Avenue. A comparison with existing industrial use, plus the proposed increase should the permitted expansion be implemented, shows an increase in use of six vehicles during the morning peak hour and 13 vehicles during the evening peak hour.

Whilst the redevelopment will result in a slight increase in traffic generation, this is offset by the removal of HGV traffic on Stephen Street and the extra parked vehicles associated with employees and visitors to Booths.

The development is close to the town centre and sustainable transport links. In these circumstances I will accept 100% transport provision. The parking layout is now satisfactory and the only two queries I have are i) the space adjacent to the door in Block E will render the door inaccessible and ii) there is no motorcycle provision. Both of these should be addressed.

Lastly, I will require a contribution of 20K secured by a Section 106 Agreement for the upgrading of two bus stops on St David's Road North within close proximity of the development. The developer is aware of this.

#### Summary

1. Traffic generation acceptable and overall an improvement for local residents.
2. Parking layout acceptable and usable but need to reconsider one space by Block E and the motorcycle provision.
3. f:20K contribution to public transport improvement required.
4. Highway objections removed if points 2 and 3 are complied with/conditioned.

#### Network Rail –

Thank you for your letter of 21 June consulting Network Rail regarding the above mentioned planning application.

Firstly, I must point out that the submitted plans show the adjacent railway line as disused, this is in fact not true. It is important that the application is made aware that the line is still operational railway and in use as such.

Secondly, I enclose a plan showing the extent of the Network Rail Boundary (in green and red), which highlights a slight anomaly when compared to the submitted plans. it is important that the development does not encroach upon the operational railway.

It is also advisable to consult with the County Council regarding the proposed Blackpool tramway extension, as the feasibility of joint running alongside the railway line is being considered. This may have an impact upon the proposal.

Finally, should the proposal be approved, suitable boundary treatment (ie fencing and planning schemes) should be carried out in consultation with Network Rail.

**Officer note: the applicant is aware that the railway line is not disused. This was an error made by the applicant on the plan. With regards to the discrepancy in the land ownership, the plan has been shown to the applicant and they are of the opinion that the correct red edge has been placed on the application plan. As such, any discrepancy should be resolved between the two interested parties.**

#### United Utilities –

Thank you for your planning consultation of 21 June 2005. I have no further comment to add to those contained in the enclosed copy letter of 20 September 2004 relating to application no. 04/0834.

(In summary):

no objection in principle, however, the existing water network is not capable of supplying the proposed development. The network will need upsizing and a new pumping station will also be required, all at the developers expense and will cost in excess of £150,000.  
site must be drained on a separate system.  
care should be taken when planting trees

**Officer Note: the applicant is aware of the above requirements in relation to the proposed development.**

#### Lancashire Fire and Rescue Service –

A report is enclosed relating to Booths Dispensers, Durham Avenue, Lytham St Annes.

'Although the fire authority has not yet had the opportunity to view plans of the proposed development, it is requested that the following features be considered fully, for inclusion on any plan submissions.

### **1. ACCESS FOR FIRE SERVICE VEHICLES**

Fire Service access should be provided in accordance with detail contained within Building Regulation Approved Document 'B' Part 135.

### **2. WATER SUPPLIES**

Water supplies should be in accordance with the Water Act 1945. In relation to new hydrants, no property must be further than 150 metres from the nearest hydrant. All new hydrants must conform to British Standard 750.

### **3. FIRE ALARM/AUTOMATIC VENTILATION SYSTEMS**

The Fire Authority are available to advise on any proposed fire alarm or fixed ventilation system being incorporated into the fire strategy for the development, particularly in relation to fire procedures, autodial units and prevention of unwanted fire calls.

#### **Fylde Borough Council Housing Manager –**

I have looked at this application and would wish to support the proposal.

The site location is suitable for the provision of affordable accommodation and is located in an area of high need.

The provision of the affordable accommodation will need to be secured by a legal agreement to ensure its delivery through an acceptable housing association (ideally one of our preferred partners).

If you need any more detail please contact me .

#### **Observations of Other Interested Parties**

None.

#### **Neighbour Observations**

One comment made by a resident that there seems to be adequate car parking but 2 vehicular access points are going to experience much more traffic and questions whether a third access point could be created between the two and whether the utilities are sufficient to accommodate the development.

One further letter expressing concern over pedestrian walkway and whether or not they are outside the applicant's ownership. Also, the increased heavy usage during construction and the potential for excess surface water.

2 further letters of objection, one in relation to an earlier plan which restricted access to the rear of one of the properties. (**Officer note: The plans have now been amended to retain access**) and one stating that there are still going to be too many people in the space available the parking spaces will still be too few. In addition, 3 storeys will not be acceptable to the people living in both Durham Ave and Stephen St

#### **Relevant Planning Policy**

Lancashire Structure Plan:



## Policy 12

Fylde Borough Local Plan:

Policy SP1

Policy HL1 & Policy HL6 of the composite Revised Deposit Draft of the Housing Chapter of the Fylde Borough Local Plan.

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPG3: Housing

Circular 6/98 Affordable Housing

SPG: Residential Development in Fylde.

Regional Planning Guidance 13, Policies UR7, UR8 and UR9

Fordham Housing Needs Survey

Lancashire CC SPG Access and Parking

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

The main issues are whether the proposal meets the exceptions of the recently revised housing policies of the Fylde Borough Local Plan, together with any other material considerations.

The site is a current non-conforming use, ie, an industrial use within an otherwise wholly residential area. As such, therefore, there is currently on-going issues with regards to the existing use, which does have a detrimental impact on the occupants of nearby properties, ie, noise, disturbance, vehicular movements, together with large servicing vehicles. The redevelopment of this site, would therefore, remove this existing issues.

With regards to the principle of residential development, the site is located within the settlement boundary, of which residential development is acceptable in principle. Criteria 3 of Policy HL1 of the 'Alterations Review of the Fylde Borough Local Plan incorporating the Inspector's recommendation', allows for residential development on previously developed land within the settlement of Lytham St Annes, where at least 60% of the dwellings proposed within the scheme are affordable in the terms identified in the Council's latest housing needs survey. In terms of this proposal, the applicant is willing to enter into a legal agreement to provide the affordable housing in perpetuity, by way of a Section 106 Agreement. Whilst there is a preference for 2 and 3 bedroom housing, it is considered that the development proposed still meets the aims and objectives contained in the Residential SPG and consideration by the Inspector at the Local Plan Inquiry for affordable housing.

With regards to the siting of the development, the units will be provided in 6 individual blocks, 4 along the railway frontage, one to the south-east corner of the site to the rear of no. 9 and 11 Durham Avenue and one to the rear of the site, to the rear of the properties located on St David's Road North. Extensive negotiations have taken place between officers and the applicant with a view to securing the best and most appropriate form of development for the site, without having a significant detrimental impact on the amenities of surrounding residential properties. The design and urban context of the scheme has also been the subject of extensive negotiations in relation to the impact on the street scene scheme and the physical appearance of the actual development form within the site.

The blocks located along the railway frontage will be seen as separate blocks by virtue of the adequate spacing between the buildings, ranging from 14 to 18 metres distant. Car parking will be provided

between these blocks, together with a raised planting deck over, to provide an element of greenery and focal points at the ends of important juxtapositions.

Block A is 2 storey in design in order to have regard to the fact that the adjacent property on Stephen Street is a bungalow. The footprint of the Block would be on the same building line as the existing bungalow. With regards to the impact on this bungalow, there is an existing relatively large building in this area of the site, although further forward towards no. 5, than the building proposed. The windows have been designed in such a way so as to not to result in any overlooking to the garden area of that adjacent property.

Blocks B, C and D are all considered appropriate in terms of their siting, design and impact on adjacent priorities. They would be 3 and 4 storey in height, however, by virtue of their design and appearance, they would not be a true height storey due to their roof design. In any event, the officer's are of the opinion that this area of the development is the most appropriate location for 4 storey's in height, given its railway frontage location and the surrounding buildings within the vicinity of the site, ie, the Sainsbury's multi-storey car park and Petro's House.

With regards to Block E, this was of initial concern to officers in the early stages of the application, but the building has now been designed in such a way so as to minimise the impact of the properties no. 9 and 11 Durham Avenue. While the building is relatively close to the rear garden areas of those properties ie, 5.5m and 8.4m, the existing factory building is currently closer to these properties and at one point, actually abut up to the rear garden areas. For these reasons, Block E is considered acceptable, subject to certain windows being obscure glazed.

With regards to Block F, this is proposed to be 3 storey in height. Amendments have been carried out to the side elevations in order to ensure no overlooking or loss of privacy to adjacent properties. The top floor of this side elevation has been designed in an obscure glass, which ultimately reduces the bulk and massing of the building from a visual aspect. With regards to the rear of this block, the distance to the rear of the properties located on St David's Road North are 15.2m and 12.3m respectively. In relation to the historic 'flats policy', one would normally expect a rear distance of 17m to the rear boundary of the development. This part of the development is deficient in this respect, however, the majority of the properties which bound onto this part of the site are in multi-occupation and the rear garden areas are turned over to hard-surface, and not all used as private amenity space. Balconies were originally proposed on the rear elevations, however, these have now been deleted to reduce any potential overlooking to the rear of these properties. The windows that would serve this rear elevation are 3 lounge windows, and 6 bedroom windows. Obviously bedroom windows raise less potential for overlooking than lounge windows and lounge windows raise less potential than if they were kitchen windows. Kitchen windows can generate a greater potential for standing at windows than lounge areas, whereby occupants are generally seated. It has to be said that this element of the proposal is deficient in terms of the standards which are normally applied for residential developments, however, one has to consider the overall merits of the application and whether this isolated deficiency in this aspect of the proposal is sufficient in its own right, to refuse planning permission for this redevelopment.

As previously stated, the site is currently a non-confirming use within a residential area, and there are significant numbers of buildings on the site, some in very close proximity to residential properties. In addition, planning permission was previously granted (albeit now expired), for the redevelopment of the site for industrial use. Whilst this permission has now expired, Members should still be mindful of this redevelopment, which may have given rise to additional noise, disturbance etc to residential properties. However, both Officers and Members at that time considered it beneficial to retain this business in St Anne's due to its beneficial employment facilities. Again, whilst this has now expired, should the applicant resubmit the application in the same format, there have been no material change in circumstances so as to warrant a different recommendation and decision. As such, officers are of the opinion that it is preferential to redevelop the site for residential development, particularly with the significant level of affordable housing to be provided, rather than either retain the site in its

present form or redevelop it in line with the previous permission (should planning permission again be granted).

With regards to the highway aspect and parking, a traffic impact assessment has been carried out of which the Highways Authority accept its validity. Various amendments have been carried out to the layout of the access roads, parking etc, and is now considered acceptable from highway point of view.

With regards to its design, whilst the area is characterised by traditional 2/3 storey dwellings, ie, pitched roofs etc, this irregular shape and location of the site, lends itself to a more modern and contemporary style and appearance, rather than of a traditional form. By designing it in its current form also allows roofs to be swept down where necessary, which is difficult to carry out successfully by utilising a more traditional design. In conclusion therefore, officers are of the opinion that the design of this scheme is the most appropriate for its location and site characteristics.

### **Conclusions**

Having considered all the material considerations in relation to this application, Officers are of the opinion that the redevelopment of the site for residential purposes is more appropriate in relation to its neighbours, than both the existing factory complex and any potential redevelopment for industrial purposes. The scheme has been designed in such a way so as to minimise the impact on neighbouring properties, and in some aspects, actually improves their amenities by moving buildings further away from their present positions. Whilst the design of the scheme is modern and contemporary, it is considered that this is the best approach to developing the site and enables the impact of the buildings to be lessened by certain design features. The application is therefore, recommended for approval, subject to a Section 106 agreement in relation to both the provision of affordable housing and £20,000 for the upgrading of nearby bus stops.

### **Recommendation**

That Planning Permission be GRANTED subject to the completion of a Section 106 agreement as outlined above and the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans Samples of facing brickwork [including details of mortar colour], wall cladding, roof treatment, and colour, including all of their colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

In the interest of securing a satisfactory overall standard of development.

3. The proposed windows and glazing shown coloured green on the approved plan shall be glazed with obscure glass of a type to be agreed with the Local Planning Authority and shall thereafter be retained or if replaced the glass shall be of the same type as previously agreed.

To safeguard the amenities of the occupants of adjoining residential premises.

4. The windows shown in green shall be of a type that do not open fully inwards and outwards. The exact form and design of the window shall be agreed with the Local Planning Authority prior to the commencement of built development on site and after insertion only the agreed type of window shall be subsequently refitted as a repair or replacement.

To safeguard the amenities of the occupants of adjoining residential properties.

5. The glazing identified in red on the approved plan shall be of the non opening type.

To safeguard the amenities of adjacent residential properties.

6. The car parking [and unloading and loading] area as indicated on the approved plan shall be constructed, drained, surfaced and laid out to the satisfaction of the Local Planning Authority concurrently with the remainder of the development and shall be made available for use prior to the first occupation of the premises, and shall thereafter be retained to the satisfaction of the Local Planning Authority solely for the purposes of car parking for residents on the site, their visitors or delivery / collection vehicles.

To provide satisfactory off-street parking in accordance with Council's adopted standards.

7. The building[s] shall not be occupied until a means of vehicle access has been constructed in accordance with the approved plans.

To secure a satisfactory standard of development.

8. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artefacts and street furniture, play equipment, refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality.

9. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current syvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

10. The reserved matters application shall incorporate a fully detailed site survey identifying all trees and shrubs on the land and upon the site perimeters and measures for their protection during construction work shall subsequently form part of the detailed landscaping proposals for the site.

In the interests of protecting and enhancing the visual amenity in the locality.

11. No dwelling shall be occupied until the development is served by an appropriate means of foul sewerage and surface water treatment and disposal system and that the facilities be fully installed on site to satisfactory working order prior to the occupation of the first dwelling on the development.

To ensure satisfactory sewage treatment and surface water disposal on the development site.

12. Full details of the proposed roofing / cladding materials including a sample shall be submitted to the Local Planning Authority for approval prior to the commencement of any construction, subsequently, only those approved materials shall be used in the development.

Certain reflective materials are unacceptable in respect of aircraft safety.

13. This consent relates to the revised plan[s] received by the Local Planning Authority on the [-----].

For the avoidance of doubt and as agreed with the applicant / agent.

14. No less than 10% of the approved car parking spaces shall be to mobility standard and thereafter retained to the satisfaction of the Local Planning Authority.

To meet the needs of the less mobility impaired.

15. A minimum of 60% of the approved units shall be for affordable purposes and of a type to be agreed with the Local Planning Authority prior to commencement of development and shall be incorporated into the detailed layout and thereafter that provision shall be maintained within the site layout; the affordable housing shall only be used for the purposes of specifically providing housing accommodation for a registered social landlord.

To accord with the provisions of Policy HL1 of the Alterations Review of the Fylde Borough Local Plan incorporating the Inspector's recommendations.

16. Prior to the commencement of development unless otherwise agreed by the Local Planning Authority, full details of the raised planting decks shall be submitted to and approved by the Local Planning Authority and shall thereafter be retained in their approved form.

Full details of the planting decks are not shown on the submitted drawings.

17. Full details of the refuse store shall be submitted to the Local Planning Authority prior to commencement of development unless otherwise agreed with the Planning Authority. The refuse store shall thereafter be retained in their approved form.

Such details are not shown on the submitted drawings.

18. Prior to the commencement of development or in a timescale to be agreed with the Local Planning Authority, full details of all boundary treatments shall be submitted to and approved by the Local Planning Authority in consultation with Network Rail. The boundary treatment shall thereafter be carried out and thereafter retained in its approved form.

Such details are not shown on the submitted plans and to ensure a satisfactory standard of development.

#### **REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

#### **SUMMARY OF RELEVANT POLICIES**

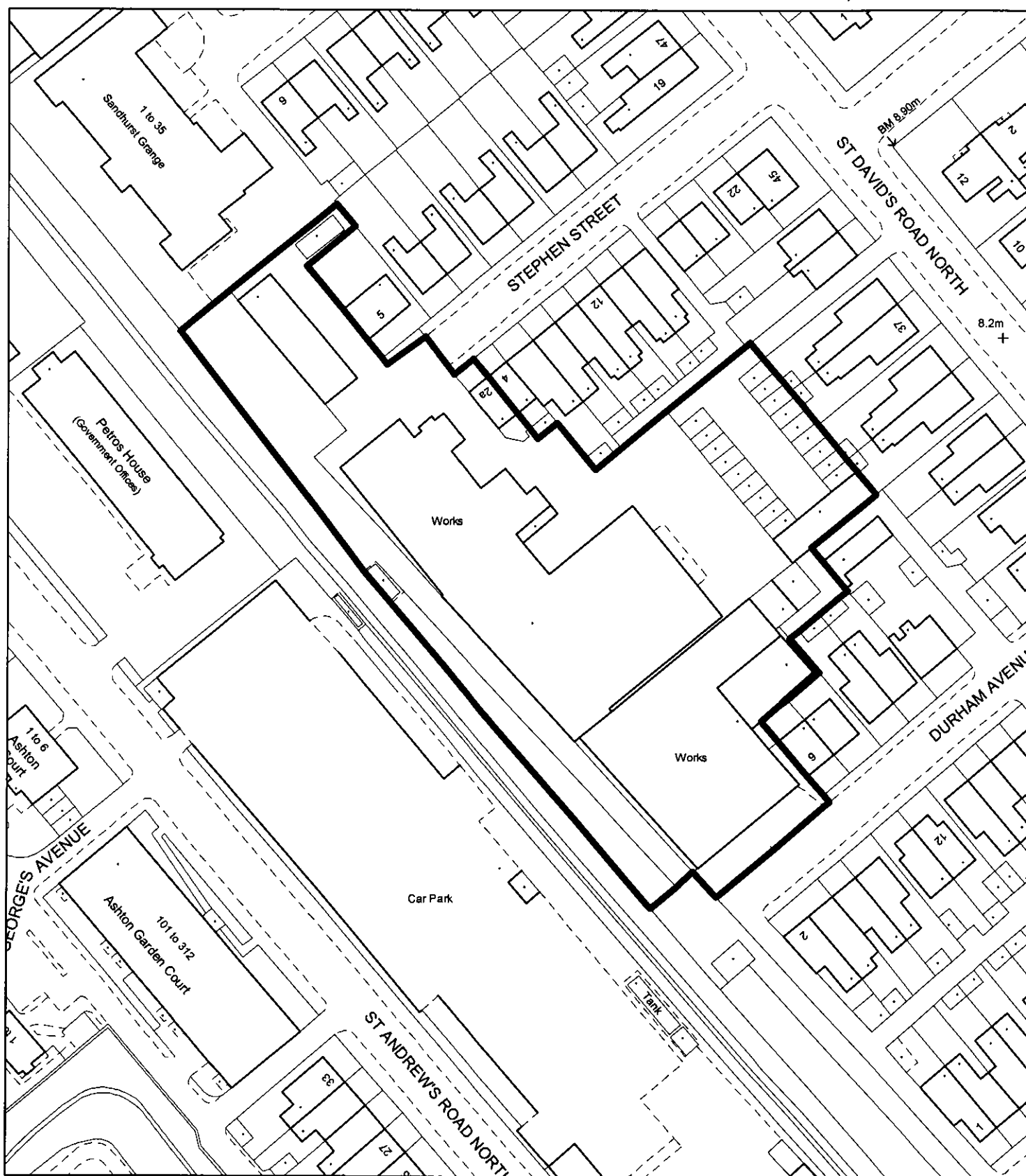
This decision has been made having regard to:  
the policies contained within the adopted Development Plan which comprises of the:  
The Fylde Borough Local Plan.  
The Joint Lancashire Structure Plan.  
and all other relevant planning guidance  
and in particular Policies:

Lancashire Structure Plan: Policy 12  
Fylde Borough Local Plan: Policy SP1

Policy HL1 and Policy HL6 of the composite Revised Deposit Draft of the Housing Chapter of the Fylde Borough Local Plan.

Other Relevant Policy:

- PPS1: Delivering Sustainable Development
- PPG3: Housing
- Circular 6/98 Affordable Housing
- SPG: Residential Development in Fylde.
- Regional Planning Guidance 13, Policies UR7, UR8 and UR9
- Fordham Housing Needs Survey
- Lancashire CC SPG Access and Parking



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0592

Address

Booths Dispensers Ltd  
Durham Avenue, St Annes

Grid Ref.

E.3321 : N.4292

Scale

N.T.S.

Item No.

2



**Item Number:** 3

<b>Application Reference:</b> 05/0647		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	F.C Collins	<b>Agent :</b>	Hodder Associates
<b>Location:</b>	THE ROCK FACTORY REAR OF 79-89, ST ALBANS ROAD, ST ANNES, LYTHAM ST ANNES, FY8		
<b>Proposal:</b>	ERECTION OF 16 AFFORDABLE RESIDENTIAL UNITS IN 2 SEPARATE BLOCKS, COMMUNAL GARDEN AND 11 CAR PARKING SPACES. TO BE DEVELOPED IN CONJUNCTION WITH APPN NO. 5/05/0648, THE GABLES 35-39 ORCHARD RD, ST ANNES		
<b>Parish:</b>	Central	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	9	<b>Case Officer:</b>	Mrs J Cary
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Approve subject to 106

**Summary of Officer Recommendation**

The application proposes the erection of 16 affordable 2-bedroom apartments for rent on land currently occupied by an industrial building used as a sweet factory. The application forms part of the off site affordable housing relating to the Gables application for residential development also on the agenda for this committee (Application 5/05/0648). The application meets the requirements of the Inspectors recommendations on new housing contained in his report on the review of the Housing Chapter of the Fylde Borough Local Plan. Although the site is in a constrained area as far as it's environment, and that the normal spacing around residential development can not be accommodated, it is considered that the proposed development provides for a significant environmental improvement of the area and this consideration outweighs normal development control criteria. The application is therefore recommended for approval subject to the completion of a Section 106 agreement relating to off-site works and affordable housing provision.

**Reason for Reporting to Committee**

This is a major application and the Built Environment Manager has no delegated authority to determine the application.

**Site Description and Location**

The site is located within St Annes close to the amenities on St Albans Road. The site is accessed off rear access streets between Sefton and Carlton Roads. The site is adjacent to the rear access roads serving St Annes Road East and St Albans Road. A factory which makes sweets currently occupies the site. It is not a particularly attractive building and ranges from single storey to 2/3 storey in height. The local environment is typical of many back street locations and not attractive in urban landscape terms. Access to the site will be via these back streets as is the case for the factory. There are residential and commercial premises in close proximity to the site.

### **Details of Proposal**

The proposed development comprises of two separate blocks of apartments, one three storey block and a two-storey block. The three-storey block has garages located at ground floor for 11 vehicles including a large disabled garage. Centrally located between the two blocks is a communal garden area. There is only an 8-metre gap between the two blocks and the development is hard up against the back streets. It is an intensive form of development on a difficult site. The proposed development is very modern in appearance, but sits well in an unusual setting for residential development. It has flat roofs and makes use of brick, glass, render and softer wooden materials to provide a design solution to complement and enhance the surroundings. The height of the three-storey block is 7.8 metres and the two-storey block is 5.4 metres. The three-storey element is marginally higher than the existing 2/3-storey building in situ. The architect has produced a scheme that avoids any significant overlooking to properties on either St Annes Road East or St Albans Road. The main habitable rooms face inwards overlooking the communal courtyard garden. The connecting road from Carlton Road and St Patrick's Road South is to be adopted and part of the legal agreement will require its re-surfacing and the lighting of the highway. This will be done in blocks with a mix of lighting columns and wall mounted lighting. It will result in a significant improvement to the local environment.

### **Relevant Planning History**

None

### **Parish Council Observations**

#### **St Annes Parish Council**

The Council have no observations to make on the application.

### **Statutory Consultees**

#### **Lancashire Highway Authority –**

The residential apartment building is completely land locked and hence vehicular access is restricted. The back street between Sefton Road and Carlton Road is 4m wide. This is insufficient for a car and goods vehicle to pass.

I would expect 100% parking provision in these circumstances. The supporting statement refers to Circular 6/98 as an indicator of the level of social parking provision. This document states that 'car ownership rates are generally lower for social housing than for general market housing' and that 50% may not be unreasonable. There is a strong element of 'may' in this statement and I believe the current provision is too low for this location. You cannot control whether the occupants of the property do or do not own a car and there is no alternative parking provision in close proximity. Anyone parking on the back street would obstruct it.

I should also point out that the aisle width on the back street for the car park spaces is less than the recommended 6m and may cause problems.

The proposed development is too intensive for the surrounding highway network. If it is constructed at this density there will be congestion problems and issues with emergency access and delivery. I feel unable to support the application as there are safety and access issues as described above which cannot be addressed unless the number of properties are reduced.

**County Planning Officer -** Thank you for your letter of 3 August 2005 requesting strategic planning observations on the above planning application.

I have assessed this application with regard to the adopted Joint Lancashire Structure Plan 2001-2016 (JLSP).

The Director of Strategic Planning and Transport considers that the proposal would be acceptable in principle in strategic planning terms. Housing Policy 12 of the JLSP requires an annual average provision in Fylde of 155 (775 dwellings 2001-2006). Total completions for 2001-2005 at 31 March amounted to 1,017 dwellings, while outstanding permissions numbered 1,307 dwellings. Therefore, there are sufficient residential planning permissions to meet housing requirements until 2006, including a further potential supply to last until 2016.

I have concerns that development of these sites for housing would exacerbate the Borough's current housing over provision. Paragraph 6.3.13 of Policy 12 (JLSP) addresses the issue of affordable/special needs housing in situations of housing over- supply. This states that "where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project". I refer to your e-mail dated 12 August 2005 and attached copy of the Inspector's draft report following the Public Local Inquiry into the Alterations Review of the Fylde Borough Local Plan. I note that the draft report may be treated as being in the public domain. I also note the recommendations of paragraph 3.1.22 of the Inspector's Report that "at least 60%" affordable housing should be provided on sites in Lytham St. Annes.

In itself, this application would comply with the recommendations of the draft Inspector's Report and I consider that the proportion of affordable housing proposed would be sufficient to satisfy the requirements of paragraph 6.3.13 of the Explanatory Memorandum to Policy 12 (JLSP).

I note, however, that the description of this application from your letter states that the proposals are to be developed in conjunction with application no. 05/05/0648. The proportion of affordable housing arising from both of these applications combined would be just over 50%. Considered together, these applications would not meet the requirements of the Inspector's Report or paragraph 6.3.13 of Policy 12 (JLSP) regarding affordable housing.

#### Transport

The application states that the proposed development would include provision for 11 parking spaces. This level of parking would conform with JLSP 'Parking Standards'. Provision should be made for bicycles and at least 1 motorcycle space.

#### Conclusion

In conclusion, it is considered that in itself, the proposed development would be acceptable in principle in strategic planning terms. However if considered in combination with application 05/05/0648, the proposals would be contrary to Policy 12 of the JLSP.

You should contact the Director of Highways and Environmental Management if you require detailed landscape, ecology, archaeology or highway design comments to this application.

#### **United Utilities –**

No objection to the proposal.

#### **Observations of Other Interested Parties**

Lytham St Annes Civic Society - This innovative scheme by Hodder Associates is designed to achieve high density in a restricted area.

Any planning consent should tie the approval specifically to this design. Before any development on site commences details of key elevational features should be submitted and approved by the planning authorities.

## **Neighbour Observations**

7 letters of objection received. Object on the following grounds:

- 1.increased traffic
- 2.access to existing garages
- 3.not suitable for affordable housing
- 4.over-intensive development of the site
- 5.overlooking and loss of privacy
- 6.lack of parking
- 7.danger to children
- 8.design is out of keeping
- 9.loss of light

## **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 12

Fylde Borough Local Plan:  
Policy SP1  
TREC 17  
Policy HL1, HL2 and Policy HL6 of the composite Revised Deposit Draft of the Housing Chapter of the Fylde Borough Local Plan.

Other Relevant Policy:  
PPS1: Delivering Sustainable Development  
PPG3: Housing  
PPG 13 Transport  
Circular 6/98 Affordable Housing  
SPG: Residential Development in Fylde.  
Regional Planning Guidance 13, Policies UR7, UR8 and UR9  
Fordham Housing Needs Survey  
Lancashire CC SPG Access and Parking

## **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

## **Comment and Analysis**

The consideration of this application falls nicely into site specific issues and policy considerations. The site-specific issues can be broken down into component parts, namely:

- 1 Locational aspects
- 2 Design
- 3 Access and general Highway issues, and;
- 4 Neighbourhood impact

## **SITE SPECIFIC ISSUES**

### **1. Locational Aspects**

The site is not the normal residential development site that members would be used to dealing with. There have been some proposals in Lytham where residential development has been granted on

previously developed industrial sites with successful results. However, it is fair to say that this site is probably more constrained in terms of its location. The site is currently occupied by a "rock factory" this reference is to the sweet variety as opposed to the music genre. This building currently occupies the site and is hard up to the back streets. It is surrounded by residential development on three sides and to the west side by a car park. The existing environment is poor and typical of many back street locations. The highway surfaces are poor and there are no streetlights. The area is typical of Edwardian/late Victorian rear access streets.

You officers are of the opinion that in its present condition the local environment does not provide for a suitable location in which people should reside. However if this development was allowed there would be the opportunity to improve the setting in the manner referred to above and that would not only be of benefit to future occupants but to the existing residents and the locality as a whole.

The proposed scheme provides for a sensitive approach to the surrounding area in terms of materials and massing. The area around the site is predominantly residential and it is clear that the existing long established use is inconsistent with the surrounding uses. On this issue it is therefore your officers opinion that this will be beneficial to the locality.

## **2. Design**

The proposal comprises of two blocks separated by a communal garden area. The area around the site is predominantly 3-storey residential development comprising a mixture of terraced and semi detached. The height of the proposed scheme reaches it's highest with the 3-storey north block. This height is marginally higher than that of the existing factory but remains lower than the existing residential surrounding the site. The separate blocks offer a solution to the massing of a residential scheme on the site and the split between 3-storey and 2-storey provides for an interesting format on site which is complimentary to its location and is an interesting and useful design tool employed by the architects.

In terms of the materials, the proposal uses a palette that reflects the locational character of the area and comprises of render, brick, glass and wood. The window openings and general fenestration would provide future residents with a light, but practical living space, allowing natural light to penetrate whilst retaining the privacy of future residents and those surrounding the site. A brick wall runs the length of the ground floor level broken only to provide pedestrian access and access to garages. The inner elevations provide a warm palette of materials utilising red cedar timber cladding and glazing. There is clearly a difficulty in coming up with a scheme, which not only fits in terms of its environment but also actually enhances it. Your officers are of the opinion that the architect in this case has achieved both.

## **3. Access and general Highway issues**

Members will see from the County Highways Authority that there are serious concerns by them regarding the suitability of this scheme. Your officers view is that the views they express are naive and harsh taking into account the type of housing that is proposed. The back streets, and in particular the main one from which the garages are accessed is 4 metres wide. This is a good size and similar to a private access arrangement. It cannot be disputed that if someone parked in that or any other rear access street, that other vehicles would not be able to pass. But this situation must occur already in many instances not just in this borough but throughout the country. Members should realise that this could happen now and that the current factory unit could cause even more highway problems if it were to be used to its full potential. The fact that there are only 11 car spaces to serve the development is also not as much a concern to officers as it is to County Highways. The site is well located, close to bus routes, a modest walk to a train station and St Albans Road has many amenities including shops and sports facilities. It is an excellent and sustainable location for someone to live who is not dependent on the motor car.

Although the concerns are appreciated, taking into account the advice in circular 6/98 on Affordable Housing and bearing in mind its sustainable location your officers are satisfied that the provision indicated is sufficient.

On the general highway aspects, your officers have to disagree with the County on their summary of the proposed development and highway concerns. As stated above the site is used for industrial use and could be used in the future for much more intensive uses. It is suggested that its present use would have much more impact on highway safety issues and environmental issues than what is proposed in this case.

#### **4. Neighbourhood impact**

The proposed development is marginally higher than that of the building in situ. It is not considered to be a significant issue in terms of impact on surrounding residential properties. The architect has designed the scheme to ensure there is little or no impact on other residential properties by means of overlooking. Windows that do look outwards from the site are either secondary windows or are obscure glazes. Your officers are therefore satisfied that the development will not result in any significant loss of privacy to residential properties surrounding the site.

In terms of the design of the development, the buildings will be a significant improvement on what existing neighbouring properties currently look at. There is clearly an improvement in visual terms. In terms of the general environment there is a clear improvement with the proposed re-surfacing of the rear streets and new lighting. The fact that the new use will be for residential rather than for industrial as existing will also be a significant improvement to the amenity of the neighbouring residential properties

### **POLICY CONSIDERATIONS**

The Housing Chapter of the Fylde Borough Local Plan has just been through a review and local plan inquiry. Members will be familiar with the Inspectors report by the time of the meeting and be aware of the fact that the Inspectors recommendations are binding on the authority.

In terms of the plan the relevant policies are Policy HL1, HL2 and HL6 regarding the use of the site for housing. Members should also be aware that this application provides for the off site provision for the related development at the Gables also on the agenda (5/05/0648) This scheme is for 100% affordable provision on the site. The concept of providing off site provision to another development in the same sub area of the Housing Needs Survey is within policy and an acceptable method of providing the affordable housing. The Inspector in his report confirms this. There are no policy objections therefore on the principle of developing this site for affordable residential development. The proposal is also consistent with the advice contained in PPG3 Housing and Circular 6/98 on Affordable Housing.

Policies HL2 and HL6 deal with more site-specific issues. HL2 is a criteria based policy, which sets out criteria that have to be met to render the development to be within policy presumption. Your officer's view is that in general terms the development proposed is consistent with that policy. HL6 deals with the design of new sites. It promotes quality design and the principle of safer communities. Your officer's opinion is that the proposed development falls to be considered within that policy.

In terms of all other policy considerations the proposal is acceptable. Your officers have taken into account all other material policy consideration and conclude that there are no planning policy reasons for rejecting this application.

## **Conclusions**

The development site is not one which members will have had much experience of dealing with and the initial reaction even of your officers was that it didn't seem to fit within the definition of an appropriate form of development in the location proposed. However when looked at closely and taking into account all the policy implications and site specific considerations the proposed development is an excellent response to the development of a tricky site. It is considered that the development will result in a significant enhancement of the local area and that the main beneficiaries of this will be the existing residents. The site is a brown field, previously developed site in a sustainable location. Subject to the signing of a legal agreement, under Section 106, relating to affordable housing and the making up of the rear streets, the application is recommended for approval.

## **Recommendation**

That Planning Permission be GRANTED subject to the following conditions and a Section 106 Agreement:

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority no later than 21 days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

3. Notwithstanding any denotation on the approved plans Samples of facing brickwork [including details of mortar colour], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

In the interest of securing a satisfactory overall standard of development.

4. The proposed window[s] shown coloured green on the approved plan shall be glazed with obscure glass of a type to be agreed with the Local Planning Authority and shall thereafter be retained or if replaced the glass shall be of the same type as previously agreed.

To safeguard the amenities of the occupants of adjoining residential premises.

5. Details showing the design of all windows shall be submitted to and approved by the Local Planning Authority before development is commenced. The windows shall thereafter be retained in their approved form.

Such details are not clearly shown on the application and to secure an overall satisfactory standard of development.

6. The car parking [and unloading and loading] area as indicated on the approved plan shall be constructed, drained, surfaced and laid out to the satisfaction of the Local Planning Authority concurrently with the remainder of the development and shall be made available for use prior to the first occupation of the premises, and shall thereafter be retained to the satisfaction of the Local Planning Authority solely for the purposes of car parking for residents on the site, their visitors or delivery / collection vehicles.

To provide satisfactory off-street parking in accordance with Council's adopted standards.

7. The building[s] shall not be occupied until a means of vehicle access has been constructed in accordance with the approved plans.

To secure a satisfactory standard of development.

8. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artefacts and street furniture, play equipment, refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality.

9. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current silvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost



or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

10. A full specification of all proposed surface materials shall be submitted to the Local Planning Authority for approval prior to the commencement of the development; thereafter only those approved materials shall be used upon the development unless otherwise agreed in writing with the Local Planning Authority.

In the interests of the overall quality of the finished development.

11. Prior to the commencement of the development full details of the means of foul sewerage and surface water treatment and disposal shall be submitted to and approved by the Local Planning Authority; the facilities shall be fully installed on site to satisfactory working order prior to the occupation of the first dwelling on the development.

To ensure satisfactory sewage treatment and surface water disposal on the development site.

12. This consent relates to the revised plan[s] received by the Local Planning Authority on the [-----].

For the avoidance of doubt and as agreed with the applicant / agent.

## **REASON FOR APPROVAL**

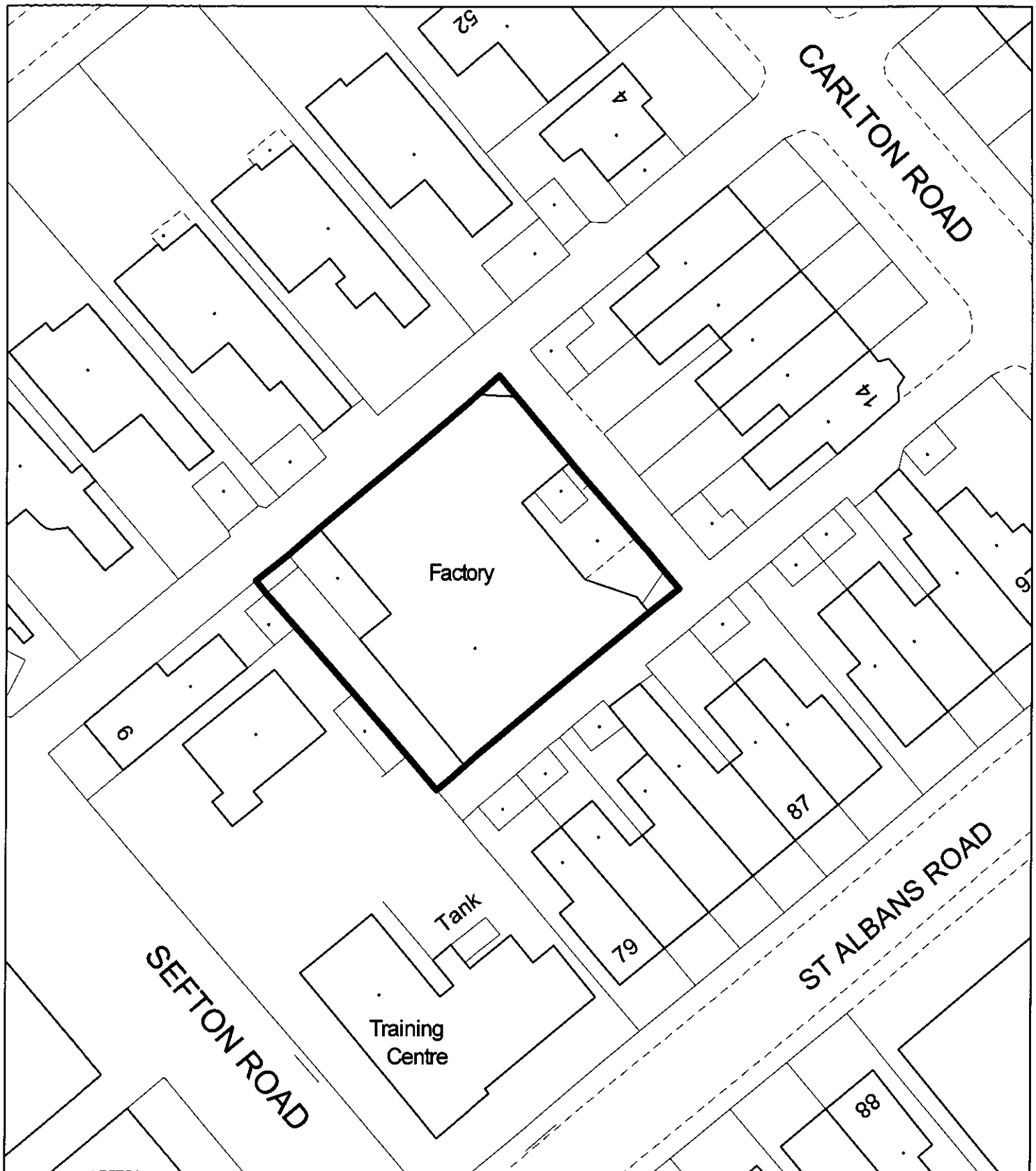
The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

## **SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which comprises of the:  
The Fylde Borough Local Plan.  
The Joint Lancashire Structure Plan.  
and all other relevant planning guidance  
and in particular Policies:

Fylde Borough Local Plan: SP 2, Policy SP1, TREC 17, Policy HL1, HL2 and Policy HL6 of the composite Revised Deposit Draft of the Housing Chapter of the Fylde Borough Local Plan

Joint Lancashire Structure Plan: Policy 12  
PPG's/PPS's: PPS1, PPS 7, PPG 13 Circular 6/98



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0647

Address

Rear 79-89 St Albans Road  
(Rock Factory), St Annes

Grid Ref.

E.3326 : N.4292

Scale

N.T.S.

Item No.

3

**Item Number: 4**

<b>Application Reference:</b> 05/0648		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	F.C Collins	<b>Agent :</b>	Hodder Associates
<b>Location:</b>	THE GABLES, 35-39 ORCHARD ROAD, ST ANNES, LYTHAM ST ANNES, FY8 1		
<b>Proposal:</b>	DEMOLITION OF EXISTING HOTEL, NEW BUILD OF 19, 2 BED UNITS AND APARTMENTS IN 4 STOREY BLOCK, WITH GLAZED LOBBY AND 19 CAR PARKING SPACES. INCLUDING 2 AFFORDABLE UNITS. TO BE DEVELOPED IN CONJUNCTION WITH APPN NO 5/05/0647 - ROCK FACTORY, REAR OF 79-89 ST ALBANS ROAD, ST ANNES		
<b>Parish:</b>	Central	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	9	<b>Case Officer:</b>	Mrs J Cary
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Approve subject to Sn 106 Agreement

**Summary of Officer Recommendation**

This application proposes residential development within St Annes in a town centre location close to all amenities. The development is for an apartment block on the site of an existing vacant hotel building. The site is located in a prominent position at the junction of Richmond Road and Orchard Road. Your officers opinion is that the development of the site for a 4 storey apartment block is acceptable on the site and is therefore recommended for approval subject to the signing of a section 106 agreement linking this development to the one at the Rock Factory, also on the agenda, (5/05/0647) and the provision of affordable housing.

**Reason for Reporting to Committee**

The application is a major one for which the Built Environment Manager has no delegated authority to determine.

**Site Description and Location**

The Gables site is on the corner of Orchard Road and Richmond Road, within the St Annes town centre area and close to all amenities. It is also a transitional site in that it is located prominently between the quieter residential area to the Southeast and the commercial area to the Northwest. The commercial buildings opposite dominate the site itself but in terms of the scale of adjacent properties it sits well in its environment. Orchard Road and Richmond Road in terms of their appearance are principally late Edwardian Streets and present a rhythmic form of development consistent with the fashion of the times. As stated earlier the building in situ is vacant.

**Details of Proposal**

The proposal is for the construction of a modern block of 19 apartments. The development is full 3 storeys in height with a recessed 4<sup>th</sup> storey element on top. The proposed building would be a landmark building holding the corner of Richmond Road and Orchard Road. In terms of its scale and massing it reflects the different characters of modern commercial buildings opposite the site whilst preserving the rhythmic qualities of Edwardian properties along Orchard Road. 19 car-parking spaces are provided served from an access off Richmond Road.

### **Relevant Planning History**

None

### **Parish Council Observations**

#### **St Annes Parish Council –**

Wish to object to the application on the following grounds:

The principle of residential redevelopment is acceptable. However, the development proposed is unacceptable. It is out of keeping within the character of the surrounding area and does not respect the distinctive gabled appearance of the existing building. Further, it is inconsistent with the Borough Council's own nearby 'Victorian' regeneration principles.

The car parking provision is wholly inadequate. The on-street position in the surrounding streets is chaotic at the present time.

### **Statutory Consultees**

#### **County Highway Authority –**

The parking provision is slightly better than the Coastal Candy Rock Factory site at 100%, but given the size of the apartments I would prefer to be levelled at 1.5 per apartment.

I receive numerous complaints about the lack of parking space on Orchard Road and a development of this size will only add to the local problems.

The parking standards dictate 1.5 spaces in areas of high accessibility and given that there is no alternative space available locally this is not unreasonable.

#### **County Planning Officer -**

Thank you for your letter of 3 August 2005 requesting strategic planning observations on the above planning application.

I have assessed this application with regard to the adopted Joint Lancashire Structure Plan 2001-2016 (JLSP).

The Director of Planning considers the proposed development to be contrary to Policy 12 of the JLSP.

### **Housing**

Policy 12 of the JLSP requires an annual average provision in Fylde of 155 (775 dwellings 2001-2006). Total completions for 2001-2005 at 31 March amounted to 1,017 dwellings, while outstanding permissions numbered 1,307 dwellings. Therefore, there are sufficient residential planning permissions to meet housing requirements until 2006, including a further potential supply to last until 2016.

I have concerns that development of these sites for housing would exacerbate the Borough's current housing overprovision. Paragraph 6.3.13 of Policy 12 (JLSP) addresses the issue of affordable/special needs housing in situations of housing over-

supply. This states that "where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project". I refer to your e-mail dated 12 August 2005 and attached copy of the Inspector's draft report following the Public Local Inquiry into the Alterations Review of the Fylde Borough Local Plan. I note that the draft report may be treated as being in the public domain. I also note the recommendations of paragraph 3.1.22 of the Inspector's Report that "at least 600/d' affordable housing should be provided on sites in Lytham St. Annes.

I note that the description of this application from your letter states that the proposals are to be developed in conjunction with application no. 05/05/0647. The proportion of affordable housing arising from both of these applications combined would be just over 50%.

In view of the recommendations of the draft Inspector's Report, I consider that the proportion of affordable housing proposed would not be sufficient to satisfy the requirements of paragraph 6.3.13 of the Explanatory Memorandum to Policy 12 (JLSP).

#### Transport

The application states that the proposed development would include provision for 19 parking spaces. This level of parking would conform with JLSP 'Parking Standards'. Parking for the mobility impaired should be made at a minimum level of 1 per 10 parking spaces as part of overall provision. Provision for bicycles should be at a minimum of 1 per 10 spaces and there should be provision for at least 1 motorcycle space.

#### Conclusion

In conclusion, based on information supplied to the County Council regarding the current housing situation in Fylde, and in the absence of information to justify any over-riding consideration in support of the proposal, I conclude that the development proposed is contrary to Policy 12 of the JLSP.

You should contact the Director of Highways and Environmental Management if you require detailed landscape, ecology, archaeology or highway design comments to this application.

#### United Utilities

No objections to the proposal.

#### **Observations of Other Interested Parties**

##### **Lytham St Annes Civic Society**

The redevelopment of this site could lead to a creeping change of use of sites in this area. This is a prominent corner site and a key feature of the area. The present building is of the traditional gables type which gives individual character to St Annes. Its possible loss is to be regretted.

With regard to the building design, it is a strong modern design but the scale of the elevation along Orchard Road is too dominant in relation to its neighbours. Even though the elevation is brown down into 'bays' - the overall 4 storey height is too great adjacent to 3 storey Victorian dwellings. If given permission, the elevation should be no more than 3 storeys.

### **Neighbour Observations**

18 letters of objection received on the following grounds:

1. out of character
2. increased traffic and parking
3. loss of light
4. 4 storey's too high
5. over-intensive
6. overlooking
7. loss of traditional building

### **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 12

Fylde Borough Local Plan:

Policy SP1  
TREC 17

Policy HL1, HL2 and Policy HL6 of the composite Revised Deposit Draft of the Housing Chapter of the Fylde Borough Local Plan.

Other Relevant Policy:

PPS1: Delivering Sustainable Development  
PPG3 Housing  
PPG 13 Transport  
Circular 6/98 Affordable Housing  
SPG: Residential Development in Fylde.  
Regional Planning Guidance 13, Policies UR7, UR8 and UR9  
Fordham Housing Needs Survey  
Lancashire CC SPG Access and Parking

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

This application should be considered in conjunction with the application for the Rock Factory (5/05/0647) also on this agenda, in that the Rock Factory site is providing the off-site affordable housing provision for this site.

### **Policy issues**

Members will already, by the time of the meeting, be conversant with the main implications of the Inspectors recommendations on the Housing chapter of the Fylde Borough Local Plan. The issue of the level of affordable housing and how it is provided is considered and the level of affordable housing to be provided is changed from the majority of the development to at least 60%. The

Inspector also comments on the issue of „off-site“ provision and recommended amendments to the text to clarify the situation. The text has been modified and states the following.

"In some instances, provision of affordable dwellings on a separate site, but within the same sub area of need (as defined in the Housing Needs Survey), and similarly meeting HL1(3) terms as previously developed land within the settlements of Lytham St Annes or Kirkham/Wesham, may be appropriate in principle. It would be essential that provision of the affordable housing and the linking of the proposals were satisfactorily controlled by a legal agreement. The Council considers that such proposals would fall within exception3 since provision would be made „within the (overall) scheme"

The result of this change to the text is that it is now clear that provision of off-site affordable housing as part of a wider scheme is clearly within policy and in principle is acceptable. The applicants planning consultant has submitted a justification also to demonstrate the provision of affordable housing on a separate site. This is appended in full to the report.

Your officers have also taken into account all other policy issues set out above in the report. The development proposed is consistent with the main aims and objectives of other policies in the plan and complies with all other guidance and advice.

### **Design Considerations**

The Gables site is on an important and prominent junction and can be viewed from a number of perspectives. The design of the apartment block is unashamedly modern in terms of its overall appearance. However, the design is respectful to both its environment and to the general design ethics of close by traditional properties. There are two very good examples, which illustrate this fundamental point.

The palette of materials being proposed is consistent with the older properties adjacent to the site. Red brick walls with render interfaces are augmented by timber fascia boards in the old properties and by sun louvres in the new building. The top level of apartments is clad in a mixture of glass and dark metal. These apartments are recessed and give the impression of a definitive roof space visually linking the development to the traditional roofs of the neighbouring properties.

Secondly the scale and massing of the proposed apartment block closely resembles that of the adjacent properties. This is clearly illustrated by the submission of perspectives, which show the visual link between the old and the new. By maintaining traditional ceiling heights the floors line through the comparable floors of the adjacent properties presenting a similarity of scale and context. The lightweight glass and metal storey sits atop the 3-storey brick base and presents itself as a credible alternative to a traditional roof slope. An amendment to the original plans sets the lightweight structure at the top away from the property on Orchard Road. Officers were critical of the heavy relationship at this point and subsequently the plans were amended to reduce the impact.

Your officers overall view on the design of the proposal is that it certainly won't be to a lot of people's taste. However the proposal has been considered by the Councils internal design panel and the view is that the proposed development presents a quality design solution to compliment the local environment. The design philosophy takes into account the local character of the area and in terms of the materials and scales of the new development officers consider the proposal is acceptable.

### **Other considerations**

Members will see from the response from the County Highway Authority that there are concerns regarding the level of car parking. However the County Highways views are inconsistent with County Planning's views and there own Supplementary Planning Guidance. The site is in a town centre location and close to all amenities and major public transport routes. It meets all the elements of a suitable and sustainable development.



Officers are satisfied that despite the concerns expressed by the owners of some neighbouring properties, the proposed development does not in any significant way impact on the general amenities of adjacent buildings or their occupiers.

The concerns expressed by the objectors are perfectly understandable, but officers consider that they do not constitute a justifiable reason to reject the development.

Your officers have taken into account all consultation responses and all material considerations in coming to their recommendation.

### **Conclusions**

On the basis of the submitted plans and the linkage of this application to the development of the Rock Factory site by means of a legal agreement under Section 106 the proposal is considered acceptable and thus recommended for approval.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions and a Section 106 agreement:

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority no later than 21 days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

3. Notwithstanding any denotation on the approved plans Samples of facing brickwork [including details of mortar colour], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority no later than 21 days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

In the interest of securing a satisfactory overall standard of development.

4. The proposed window[s] shown coloured green on the approved plan shall be glazed with obscure glass of a type to be agreed with the Local Planning Authority and shall thereafter be retained or if replaced the glass shall be of the same type as previously agreed.

To safeguard the amenities of the occupants of adjoining residential premises.

5. Details showing the design of all windows shall be submitted to and approved by the Local Planning Authority before development is commenced. The

windows shall thereafter be retained in their approved form.

Such details are not clearly shown on the application and to secure an overall satisfactory standard of development.

6. The car parking [and unloading and loading] area as indicated on the approved plan shall be constructed, drained, surfaced and laid out to the satisfaction of the Local Planning Authority concurrently with the remainder of the development and shall be made available for use prior to the first occupation of the premises, and shall thereafter be retained to the satisfaction of the Local Planning Authority solely for the purposes of car parking for residents on the site, their visitors or delivery / collection vehicles.

To provide satisfactory off-street parking in accordance with Council's adopted standards.

7. The building[s] shall not be occupied until a means of vehicle access has been constructed in accordance with the approved plans.

To secure a satisfactory standard of development.

8. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artefacts and street furniture, play equipment, refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

To enhance the quality of the development in the interests of the amenities of the locality.

9. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current syvicultural practice. All tree stakes, ties, guys, guards and protective

fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

10. A full specification of all proposed surface materials shall be submitted to the Local Planning Authority for approval prior to the commencement of the development; thereafter only those approved materials shall be used upon the development unless otherwise agreed in writing with the Local Planning Authority.

In the interests of the overall quality of the finished development.

11. Prior to the commencement of the development full details of the means of foul sewerage and surface water treatment and disposal shall be submitted to and approved by the Local Planning Authority; the facilities shall be fully installed on site to satisfactory working order prior to the occupation of the first dwelling on the development.

To ensure satisfactory sewage treatment and surface water disposal on the development site.

12. This consent relates to the revised plan[s] received by the Local Planning Authority on the 18/8/05.

For the avoidance of doubt and as agreed with the applicant / agent.

## **REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

## **SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance

and in particular Policies:

Fylde Borough Local Plan: SP 2

Joint Lancashire Structure Plan: Policy 5

PPG's/PPS's: PPS1,PPS 7

## THE PROVISION OF AFFORDABLE HOUSING - Re-issued Statement ( August 2005 )

The 'policy' substance of the New Housing SPG and policy HL1 of the Local Plan Alterations Review relevant to this planning application, identified under criteria 3 , previously stated that the Council would allow new residential development within Fylde Borough provided that the majority of the dwellings within the scheme are for affordable housing within the terms of the latest housing needs survey . This had been interpreted by the officers , and recognised by members of the Development Control Committee , as 50% of a development plus one unit as affordable housing with the residue for release to the general market . Subsequent to the submission and initial consideration of this application , the Inspector's findings into the Local Plan Review have been received by the Council . Though initially a draft report , it is accepted that in the light of the Planning and Compulsory Purchase Act 2004 an Inspector's findings into a local plan inquiry will be binding upon a Council and that they shall proceed towards the formal adoption of the Local Plan . In the case of policy HL1 , the Inspector has acknowledged the importance of the provision of affordable housing in Fylde Borough and that as such , in spite of the quantitative over supply issue raised by the Joint Lancashire Structure Plan , warranted a presumption in favour of allowing a policy that brought forward a significant level of affordable housing in a development package . His recommendation is that at least 60% of the dwellings in a development shall be affordable of a type identified in the Council's latest housing needs survey .

Adopted Supplementary Planning Guidance for Affordable Housing identifies the latest position upon deficiencies in the availability of affordable housing in Fylde Borough and bonds a tight relationship with the New Housing SPG in terms of how the Council will endeavour to address the issue of undersupply of affordable housing in the Borough . Though the Borough Council expect affordable housing to be provided upon the development site , the appendix to the Adopted SPG upon Affordable Housing allows for the scenario of the provision of the affordable housing on a second site within the same sub-area and which is comparable in environmental and social terms [ para.49 ] . Also , in principle , the SPG allows as another less favoured ' alternative ' the payment of an commuted sum in lieu of affordable housing upon a development site subject to the provisions of a planning obligation . This latter criteria has effectively been deleted by the substance of the Inspector's comments .

The applicant however , in providing a separate alternative site for affordable housing , is required by the substance of the extant SPG to provide legitimate justification as to why the affordable housing units cannot wholly be provided on the main development site although in this case both sites are main housing developments albeit one providing more general market housing and one providing wholly affordable housing . It is not unreasonable to speculate that the economics of the overall development package plays a role in dictating the make up of the housing types and where they are located . Ultimately however for the decision maker , given the key emphasis of the Council policy in the provision of satisfying a shortfall of affordable housing in the Borough , it is surely how that affordable element works best as a unit for the Council , its social landlord partners and most important for the future tenants in terms of where they might most prefer to live and who with !

In the case of this package not only can the developer provide a single tenure development of 16 units of affordable housing for rental , albeit off site , but also he can provide at least ten more affordable units than could be achieved purely upon The Gables site by reason of the demonstrated optimum potential of that site at 19 units . Tenants will be more comfortable with such an arrangement in terms of it being an individual block of development which they can associate and integrate , while they will not be penalised by an inferior quality of development or location or reduced neighbourhood facilities . It has to be looked upon as an alternative , but still an equally acceptable way of providing the social housing element here , that optimises numbers of built and available units for providing the social housing that the current Housing Needs Survey identifies is at such a premium in Lytham St. Annes . The developer never intended that this development package would incorporate any sort of commuted sum payment to the Council . He did not feel this was appropriate or physically contributed to the important identified social housing issue in the Borough . To the contrary , it has always realised that it should be affordable development that was deliverable and one with which Council members could easily identify and be able to control in terms of how it is brought forward and then secured in perpetuity .

Seven other specific reasons can also still be identified in support of why the affordable element is on this occasion best not provided on the general market housing site , and these are as follows :

\* The site is very small at around 0.15 hectares in size and has only a

realistic capacity of being developed as a single building . Certainly if one were to utilise two smaller buildings related to the two types of housing as separate entities then it would undoubtedly limit the capacity to develop the site as a landmark building that would enhance the townscape of this particular section of Orchard Road at its junction with Richmond Road . To provide significantly fewer units in the development in order to make 60% of the available for social housing in one single development would adversely affect the economics of the scheme to such a point where the scheme would not be a viable or realistic one and one that would not be proceeded with by the current applicant with the net resultant increase in affordable housing to the Borough of nil . This is important particularly as the Inspector reporting upon the Local Plan Alterations Review overrides the fundamental housing supply issue cascaded down from Adopted Joint Lancashire Structure Plan in favour of a pro-active policy that encourages the bringing forward of affordable housing in the Borough which would otherwise be unlikely to materialise . Indeed , the Inspector has also required an addition to the text of the Review document that includes the tolerance for the provision of affordable housing on a separate site , within the same sub area of need , on previously developed land in Lytham St. Annes and with the linking of the proposals by a legal agreement . The relevant text from the Inspector findings state that " in some instances " this alternative provision " may be acceptable " . He does not identify that this is a second , less preferred option and leaves it open for interpretation as to when this approach may be appropriate in order to still secure the provision of affordable housing albeit on a second site . This is one such case !

As a footnote to this , the viability of a development scheme has been accepted as a material consideration in a number of appeals where alternative arrangements for the affordable were being considered as part of the said appeal . ( e.g. appeal ref. APP/K3605/A/03/1131678 - Cobham , Surrey - Princegate Estates against Elmbridge Borough Council ; also appeal ref. APP/K3605/A/03/1121730 - again in Cobham , Surrey - M. Savage esq. against Elmbridge Borough Council ) .

\* The likely sale price for the apartments when placed on the market , based upon current market values , is considered to be around £170,000 to £175,000 . This is nowhere near the comparative price for the value of an affordable property in the Borough which would be nearly £100,000 less at £77,500 . This figure is based upon published average annual income in Fylde Borough and the National Housing Federation's recommendations upon the assessment of an affordable mortgage . The

significant discrepancy between the two values identified would almost certainly act as a catalyst in hindering general market sales and subsequent re-sales at probably a lesser value . Two of the apartments on The Gables site would be released upon the basis of a shared ownership scheme , assisted by the potential developer's willingness to sell those units at a price considerably reduced from the market rate . Affordable housing can be provided upon a shared equity basis , as is considered acceptable under the scope of Circular 6/98 which states that planning policy ought not to be expressed in favour of any specific form of tenure . This however would not be realistic approach for the whole apartment development and would disadvantage the developer to such a level that the development would not be a viable proposition and would not proceed . The off site affordable provision would not then be realised for the Council , surely a strong material consideration for the Council in managing its social housing obligation .

\* The mixtures of tenures within a single serviced development can result in potential problems in social integration between the two types of accommodation and possible resentment between occupiers . The differential between apartment values identified above can only but fuel prospective division . Housing managers certainly do not relish prospective obstacles to their letting arrangements , which might become apparent if The Gables development were to be pursued upon a 49% / 51% split . Whilst the integration of social housing into residential housing layouts is a preferred option of the Council upon a site such as this it may not be at all realistic . Again this is a point taken into account by determining Inspectors in looking at the acceptability of this issue in also being material to their decision . The cost of servicing a development of this nature would be relatively high and this would present a not inconsiderable burden upon a social landlord which would not be relished . To subsidise such service charges would fall upon the social landlord or the other property owners , with neither being willing to accept such an arrangement .

\* Central Government advice upon the provision of affordable housing within developments under the scope of para. 10 to Circular 6/98 recommends a normal threshold of 25 dwellings or more or upon a residential site of one hectare or more ( irrespective of the number of dwellings ) for the requirement of social housing to be realised , and that this should be written into development plan policies . In setting this tolerance , Central Government were clearly mindful of the lesser size of sites in providing up to 25 dwellings and the economies of developing smaller sites with the capacity to generate an affordable element . Para

10 to Circular 6/98 does identify that it is important to apply an appropriate mix of development including social housing in order to achieve a successful housing development but this assumes a larger overall development given the threshold that they have set . Fylde Borough have not only chosen to apply their adopted supplementary guidance below that nominated threshold but also to require an equal proportion of the development mix between general market and affordable , which on a small site such as this makes the economics of development very difficult to balance . Clearly though the Circular does acknowledge that if a developer does wish to bring forward affordable provision upon smaller sites then this should not be detracted from , but surely it should accepted upon the basis prescribed by the developer .

\* The development package put forward by the applicant affords an entirely appropriate option for the provision of affordable housing upon a self contained site which the applicant can provide for subsequent development at no cost to the Council . The site is within easy reach of St.Annes Town Centre and in very close proximity to local neighbourhood facilities including shops and good sport and recreational facilities at the YMCA in St. Albans Road almost directly opposite the site . Para. 22 to Circular 6/98 acknowledges that , " on particular sites where an element of affordable housing would be appropriate " it may be preferable to provide " a financial contribution or other contribution towards the provision of affordable housing on another site in the local planning authority's area " .

\* The Council's preferred social landlord partners support the development of the Coastal Candy site for the development of social housing for rent , and as such is a significant material consideration for the decision maker that this is an acceptable way of providing affordable housing in association with the development of The Gables site . Clearly the RSL's are best equipped in deciding the most opportune ways of bringing forward social housing and are comfortable with what is intended here .

\* Finally , there is the precedent in other earlier applications of the Council not requiring the provision of affordable on site and interpreting current Council policy in different ways . For example , under the scope of application no. 04/581 , the Council accepted a £340,000 commuted sum payment for the development of 14 flats in a conversion of Edenfield , Clifton Drive , Lytham in Lytham Avenues Conservation Area . Earlier this year , two applications to redevelop the Hillside Restaurant in Kirkham were refused in accordance with the recommendation of the



Council's Built Environment Manager that the offered commuted sums were of insufficient substance to provide for affordable housing provision off site . And then at the Development Control Committee in July , the Built Environment Manager accepted a compromise situation upon the development of 14 new flats at the site of 68 North Promenade ( 04 / 1041 ) that the developer would purchase seven units of housing in the locality for the provision of affordable housing although the application was subsequently refused by Committee apparently upon the balance of the affordable provision to general market .

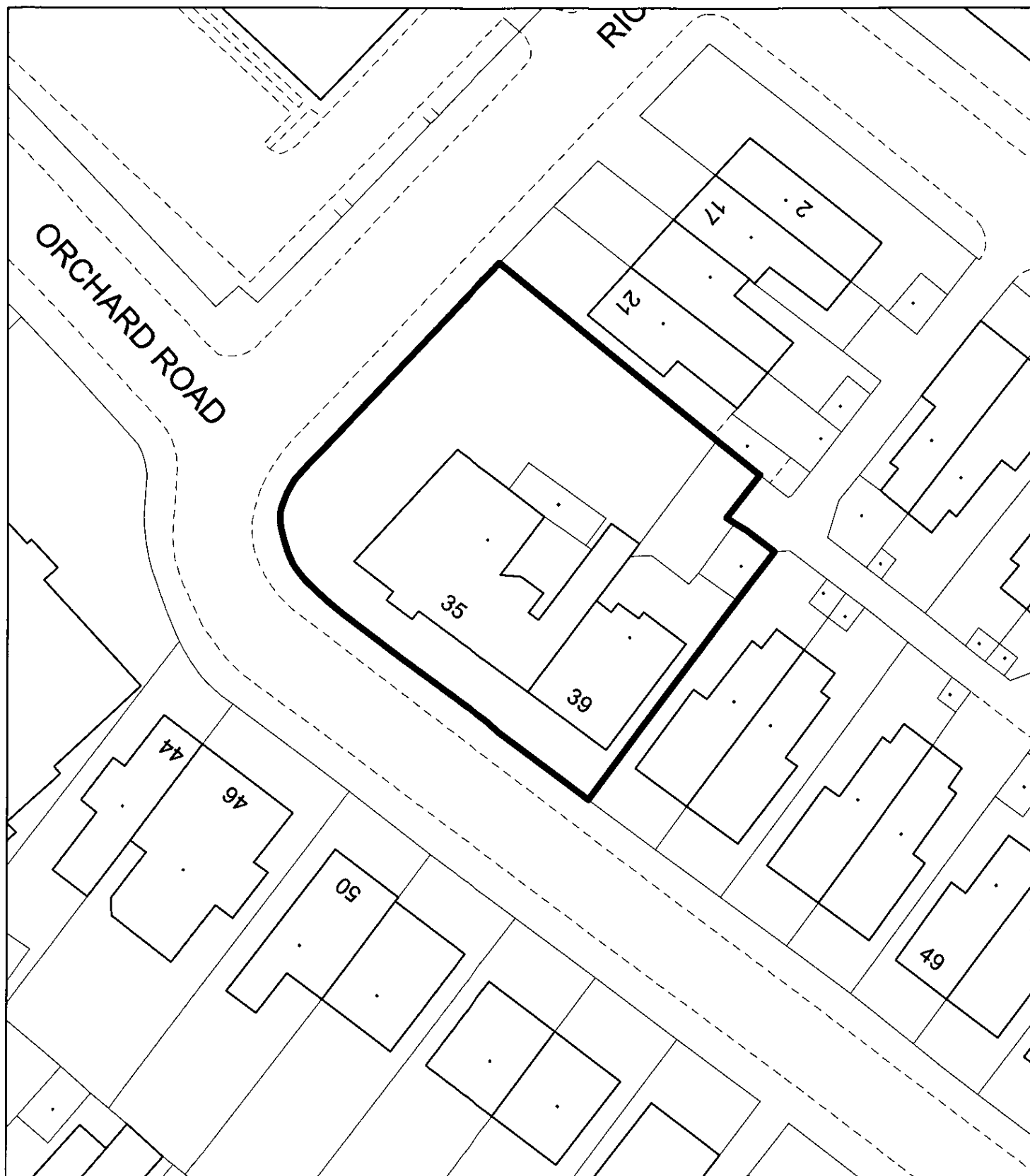
It should be noted that all the above are all relatively small developments of a nature similar to that proposed at The Gables and that they are all different in how they have been considered by either officers or the elected members . This is not something upon the applicant wishes to dwell too much as what is currently proposed is relatively novel and for consideration afresh by elected members but it cannot be denied that each application is different and must be considered on its own merits .

Under the scope of these applications , the applicant is offering the provision of both land for the siting of affordable housing and the financial resource to build it . The site is not only within the Local Authority's area but within the same demographic where a deficit of affordable housing is identified by the latest Housing Needs Survey . Para. 22 goes on to state that by making arrangements , " that would actually result in the provision of affordable housing that would otherwise not be provided " may be more advantageous to the Local Planning Authority . In this particular case , the alternative option for the Borough Council would be to secure a commuted sum from the developer to source property on the open market . This approach is likely to be much less advantageous to the Council in terms of the extent of property that would be available to them , which in any event would have to be refurbished . The development of the Coastal Candy site offers new , well-designed accommodation that would be extremely advantageous to the social landlord and also to the Borough Council in meeting some of the deficit of affordable housing in a positive , direct approach .

The Coastal Candy site is clearly suited to residential redevelopment , especially given its existing general use which could clearly be recommenced and expanded at the expense of residential amenity in the locality . As stated previously in this statement PPG3 , the residential development of brownfield sites in sustainable locations warrants attention to redevelopment being undertaken at higher densities . In this

Pertinent in this case , the applicant has identified a second site upon which the developer would build 16 two bedroom flats to provide the majority of the affordable housing , for rental under the management of a registered social landlord nominated by the Council , in a parallel build to the main development of the Gables Site . In accordance with the Local Plan Inspector's comments it is also necessary to provide 5 further units of social housing , of a type acceptable to the Local Planning Authority , within the main development at the Gables. These would be of a shared ownership type , which still meets the pre-requisite of affordable housing provided that the price of the properties as discounted by the developer still enables the ability to achieve an affordable mortgage . The other site , in the same demographic area as The Gables , is the site of a sweet rock factory to rear of St. Albans Road / Carlton Road St. Annes known as Coastal Candy . This is non-conforming general industrial use with regard to its residential neighbours and offers an acceptable alternative reuse of land to the Council whilst fulfilling the applicant's obligation to provide the requisite amount of affordable housing in association with the development proposal . The applicant is not aware that this option for meeting the requirement for affordable housing has previously been addressed in terms of the submission of two separate proposals run as development package tied by a legal agreement . The development of The Gables site would act as the trigger release for the implementation of the planning permission of the development on the Coastal Candy site to a completion and a fulfillment of the provision of the 16 units of affordable housing together with two shared equity units on The Gables site .

The approach offered by the applicant in this case secures for the Council a deliverable option of providing purpose built new housing that would be made available to a social landlord partner of the Council to offer for housing for rental in the same demographic area . It would facilitate the early availability of the affordable units to the preferred social landlord unlike the scenario placed upon previous applications that have involved the payment of commuted sums to the Council after a certain stage of a development . The commitment of the applicant to this approach by legal agreement is laudable and provides Council members with the comfort of the actual delivery of the said units . Though not entirely made up of the same balance and mixture of floor areas and unit types as that sought on the site for general market housing , the Council's Housing Manager has identified that the somewhat smaller two bedroom properties on the Coastal Candy site off St. Albans Road would still meet an identified need in an area where the Council are comfortable that affordable housing can be provided .



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.	Address	Grid Ref.	Scale	Item No.
5/05/0648	35-39 Orchard Road (The Gables), St Annes	E.3322 : N.4286	N.T.S.	4

**Item Number: 5**

<b>Application Reference:</b> 05/0653		<b>Type of Application:</b> Outline Planning Permission	
<b>Applicant:</b>	Fylde Borough Council	<b>Agent :</b>	Aedas Architects Ltd
<b>Location:</b>	TOWN HALL, SOUTH PROMENADE, ST ANNES, LYTHAM ST ANNES; FORMER CVMU DEPOT, ST DAVIDS ROAD NORTH, ST ANNES; FORMER COUNCIL DEPOT, ST DAVID'S ROAD, ST ANNES; MUNICIPAL OFFICES, CLIFTON DRIVE SOUTH, ST ANNES.		
<b>Proposal:</b>	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT INCORPORATING 60% OF THE DWELLINGS FOR AFFORDABLE PURPOSES		
<b>Parish:</b>	Fairhaven	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	9	<b>Case Officer:</b>	Mrs J Cary
<b>Reason for Delay:</b>	Due to amendments to the proposal submitted by the applicant		

**Summary of Recommended Decision:** Approve subject to 106 agreement

**Summary of Officer Recommendation**

The main issues in relation to these proposals are whether the 4 individual sites are appropriate for residential development, whether appropriate provision has or will be made for affordable housing in line with the Councils policies on new residential development and affordable housing, together with any other material considerations relevant to the particular proposals.

There are 4 separate sites to be considered under one individual planning application, however, the sites have been assessed individually below. The applicant took the view to submit the proposals under one application, in order to consider the proposal cumulatively, and to ensure that 60% of the development would be for affordable housing, and conditioned appropriately. The proposals are in outline form with all detailed matters to be reserved for subsequent approval.

Having considered all the material considerations relevant to this application, it is recommended that planning permission be granted, subject to a condition requiring that the 60% of the development should be for affordable purposes on any subsequent reserved matters/full application, together with a Section 106 Agreement in relation to a financial contribution for the upgrading of existing bus stops.

**Reason for Reporting to Committee**

The proposal is a major application, the Council is applicant, and the scheme does not therefore, fall within the Scheme of Delegation.

The applicant has submitted a statement in support of the proposal which is appended to the report.

**FORMER CVMU DEPOT, ST DAVIDS ROAD NORTH, ST ANNES.**

**Site Description and Location**

The site is the former Council Central Vehicle Maintenance Unit site, located on the corner of Heeley Road and St Davids Road North, St Annes. The site was utilised for the maintenance of the Council's fleet of commercial vehicles/bin wagons etc, but is currently vacant. The site is positioned opposite a former car sales/repair establishment on Heeley Road (which again is vacant), with residential dwellings adjacent and opposite it on St David's Road North.

### **Details of Proposal**

The application is submitted in outline form, with all matters reserved for subsequent approval. As such, it is merely a 'red-edged' application, whereby there are no other matters for consideration at this stage. This is not an uncommon approach where it is clear from a planning policy perspective that sites would be suitable for residential development.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
90/0936	EMPLOYMENT TRAINING CENTRE.	Granted	08/04/1991

### **Parish Council Observations**

#### **St Annes Town Council –**

No specific observations to make upon the proposal.

### **Statutory Consultees**

#### **County Highways Authority**

No objection in principle to the use of the site for residential development. One car park space per dwelling is appropriate for affordable accommodation since there are no set standards for this housing type.

Access would be preferable from Heeley Road although since there is already a precedent from St David Road this would be difficult to resist.

A contribution to public transport infrastructure should be required. £15K is the recommended contribution to be put towards upgrading the two adjacent bus stops on St David's Road North.

#### **United Utilities -**

No objection to the proposal.

#### **Network Rail –**

Any views to be reported.

#### **County Planning Officer**

(the same response has been received for each of the sites) –

Thank you for your letter of 3 August 2005 requesting strategic planning observations on the above planning application.

I have assessed this application with regard to the adopted Joint Lancashire Structure Plan 2001-2016 (JLSP).

**Although the proposed development would exacerbate the amount of housing oversupply in the Borough, the Director of Strategic Planning and Transport is satisfied that if it is ensured that a**

**minimum of 60% of the dwellings proposed are affordable, this application would satisfy paragraph 6.3.13 of Policy 12.**

## **Housing**

Policy 12 of the JLSP requires an annual average provision in Fylde of 155 (775 dwellings 2001-2006). Total completions for 2001-2005 at 31 March amounted to 1,017 dwellings, while outstanding permissions numbered 1,307 dwellings. Therefore, there are sufficient residential planning permissions to meet housing requirements until 2006, including a further potential supply to last until 2016.

I have concerns that the development of these sites for housing would exacerbate the Borough's current housing overprovision. Paragraph 6.3.13 of Policy 12 (JLSP) addresses the issue of affordable/special needs housing in situations of housing over-supply. This states that „where there is a significant oversupply of housing permissions, planning applications for further residential development may not be approved unless they make an essential contribution to the supply of affordable or special needs housing or form a key element within a mixed use regeneration project“.

I refer to your email dated 12 August 2005 and attached copy of the Inspector's draft report following the Public Local Inquiry into the Alterations Review of the Fylde Borough Local Plan. I note that the draft report may be treated as being in the public domain. I also note the recommendations of paragraph 3.1.22 of the Inspector's Report that „at least 60%“ affordable housing should be provided on site in Lytham St. Annes.

When this application was previously submitted as 5 separate applications an indicative number of dwellings, including affordable housing, were provided. I note that the housing provision based on these details would result in just over 60% of the dwellings proposed being of affordable housing.

I would therefore be satisfied that if it is ensured that a minimum of 60% of the dwellings proposed are to be affordable, this application would satisfy the requirements of paragraph 6.3.13 of the Explanatory Memorandum to Policy 12 (JLSP).

## **Transport**

40 car parking spaces are proposed at the North Shore Car Park site, 41 spaces at the Highways Depot site and 20 spaces at the Central Vehicle Maintenance Unit Depot. These levels of parking comply with JLSP 'Parking Standards'. No details of parking provision are given for the Town Hall and Municipal Offices sites. Parking on all sites for the mobility impaired should be made at a minimum level of 1 per 10 parking spaces as part of overall provision. Provision for motorcycles should be at a minimum of 1 per 25 car spaces, while provision for bicycles should be at a minimum of 1 per 10 spaces.

Policy 1b) of the JLSP requires that development will contribute to achieving high accessibility for all by walking, cycling and public transport. I recommend that the proposed development provides a combined contribution of £110,000 towards public transport for all sites comprising the following:

£40,000 from the proposed development at the Town Hall towards the upgrading of bus stops in St. Annes Town Centre. It is recommended that this is used to upgrade the stop(s) on Clifton Drive South including raising the footway and upgrading transport information (i.e. new bus stop poles and transport information boards located at rail stations and key bus stops). It is intended to improve interchange between rail and bus services, including the provision of clear information. The stop(s) in St. Annes Square are on the Line 7, 11 and 14 bus services which are due to be upgraded to Quality Bus Standard. The stop(s) on Clifton Drive South are on the Line 7 bus service.

£20,000 from the proposed development at the Municipal Offices towards the upgrading of bus stops in St. Annes Town Centre. It is recommended that this is used to upgrade the stop(s) on Clifton Drive South including raising the footway and upgrading transport information (i.e. a new bus stop pole and transport information board).

£20,000 from the proposed development at North Beach Car Park towards the upgrading of two adjacent bus stops on Clifton Drive North. Works to these include raising the footway level (if not already completed) and the erection of new illuminated bus shelters. These stops are on Lines 7 and 11, which are due to be upgraded to Quality Bus Standard.

£15,000 from the proposed development at the Depot adjacent to Press Road towards the upgrading of two adjacent bus stops on St. David's Road North. Works to these include raising the footway level (if not already completed) and the erection of new illuminated bus shelters. These stops are on Line 14, which are due to be upgraded to Quality Bus Standard.

£15,000 from the proposed development at the Depot adjacent to St. David's Grove towards the upgrading of two adjacent bus stops on St. David's Road North. Works to these include raising the footway level (if not already completed) and the erection of new illuminated bus shelters. These stops are on Line 14, which are due to be upgraded to Quality Bus Standard.

Please contact Andy Whitlam (01772 534571) for more details on this matter.

With regard to the North Beach Car Park site, SPG 'Access and Parking' seeks to maintain current levels of public car parking without allowing additional public car parking to be developed in Level 3 centres, which include St. Annes. You will need to determine within the context of parking within the settlement as a whole, whether there is a need to retain this car park, taking into account any new public car parking provision in recent years.

## **Conclusion**

In conclusion, it is considered that, on balance the proposal would be acceptable in principle in strategic planning terms, provided that a minimum of 60% of the dwellings proposed are affordable and provided that the archaeology and ecology concerns outlined above are addressed satisfactorily.

You should contact the Environment Directorate separately if you require detailed landscape or highway design comments to this application.

## **United Utilities**

Any views to be reported.

## **GONW**

Any views to be reported.

## **Consumer Wellbeing**

With reference to your memo dated 11<sup>th</sup> July 2005, there are no objections to the above proposals in principle, however, the following is required:

'The land has been identified as potentially contaminated, a full contaminated land assessment and remediation strategy should be provided'.

## **Observations of Other Interested Parties**

### **Lytham St Annes Civic Society**

This is an outline application for 20 houses. It is impossible to say whether this might be too few – or too many.

There should be a layout with more details. We do not think that such an application as this would be accepted from a particular developer. The council should set higher standards.

### **Neighbour Observations**

None received.

### **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 12

Fylde Borough Local Plan:  
Policy SP1,  
EP3  
Policy HL1 and Policy HL6 of the composite Revised Deposit Draft of the Housing Chapter of the Fylde Borough Local Plan.

Other Relevant Policy:

PPS1: Delivering Sustainable Development  
PPG3: Housing  
PPG15: Planning and the Historic Environment  
Circular 6/98 Affordable Housing  
SPG: Residential Development in Fylde.  
Regional Planning Guidance 13, Policies UR7, UR8 and UR9  
Fordham Housing Needs Survey  
Lancashire CC SPG Access and Parking

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

The site is located within the settlement boundary as defined on the Fylde Borough Local Plan, and therefore, residential development is deemed to be appropriate within the defined settlement. In principle therefore, this site is appropriate for residential development, given that it is a brownfield/previously developed site, as advocated by PPG3.

Given that the site was formerly a Council vehicle maintenance depot, it has over the years, generated levels of vehicular activity, noise and disturbance, over and above which may normally be experienced in residential areas. As such, the site is a non-conforming use within a predominately residential area. Furthermore, given its historic uses, there is an issue over potential contamination, of which preliminary investigations have been carried out on behalf of the Council in relation of contamination. The Council's consumer wellbeing section have been consulted on this issue and raise no objections subject to an appropriate condition being imposed requiring a full contamination land assessment and remediation strategy be provided.

In terms of access to the site, there are existing accesses serving the site of which the Highways Authority have no objection in principle to the use of the site for residential development. The



detailed aspects of the access, sightlines etc, will be dealt with at the reserved matters stage, should planning permission be granted.

### **Conclusions**

It is considered that this site is appropriate for residential purposes, and will actually remove a non-conforming use in an otherwise predominantly residential area. Subject to a contamination assessment being carried out, this site is considered acceptable.

### **FORMER COUNCIL DEPOT, ST DAVID'S ROAD, ST ANNES**

#### **Site Description and Location**

This site is the former Council's Depot, again, located on St David's Road North, positioned in between Press Road and St David's Grove, St Annes. Press Road consists of a number of commercial units, which, in the main, serve the commercial properties on St Leonard's Road North.

#### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
01/0177	REPLACEMENT OF EXISTING TELECOMMUNICATIONS TOWER WITH 20M LATTICE TOWER	Refused	17/06/2001
02/0240	Refuse Permission or Consent - 24/04/2002	Refused	24/04/2002
88/0873	OFFICE & TOILET/MESSING FACILITIES	Granted	30/11/1988
99/0416	Grant Permission All Types - 11/08/1999	Granted	11/08/1999

#### **Parish Council Observations**

##### **St Annes Town Council**

The Council have no specific observations to make upon the proposal.

#### **Statutory Consultees**

##### **County Highway Authority**

please refer to my previous comments 5/03/0444. I note that the number of properties is increased but the principle remains the same. Public Transport have also requested a lesser sum of money as a contribution. This now rests at £15K.

**Officer note: the applications originally included specific numbers of properties to be developed on each site, but any reference to specific numbers have since been deleted from the application. In relation to the previous comments, these generally relate to the specific road layout/sightlines etc, which will be dealt with at the reserved matters stage, should planning permission be granted.**

##### **United Utilities**

No objection to the proposal providing that the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency.

##### **Network Rail**

no objections in principle, subject to compliance of the attached standard terms and conditions.

## **Consumer Wellbeing**

With reference to your memo dated 11<sup>th</sup> July 2005, there are no objections to the above proposals in principle, however, the following is required:

The land has been identified as potentially contaminated, a full contaminated land assessment and remediation strategy should be provided.

## **Observations of Other Interested Parties**

### **Lytham St Annes Civic Society**

This is an outline application for 43 houses. It is impossible to say whether this might be too few – or too many.

There should be a layout with more details. We do not think that such an application as this would be accepted from a particular developer. The council should set higher standards.

### **Neighbour Observations**

One letter raising questions in relation to buildings to the rear of his driveway and in relation to increased traffic.

One letter of observation stating that he has no objection in principle to the redevelopment of the Highways Depot, is strongly against any use of Press Road. Press Road is not big enough for any extra traffic.

## **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 14

Fylde Borough Local Plan:  
SP2, HL1, EP3

Other Relevant Policy:  
PPS1: Delivering Sustainable Development  
PPG3: Housing  
SPG: New Residential Development within Fylde Borough  
SPG: The Provision of Affordable Housing Within New Private Sector Housing  
Developments

## **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

## **Comment and Analysis**

Again, the site is located within the settlement boundary as defined on the Fylde Borough Local Plan, and therefore, residential development is deemed to be appropriate within the defined settlement. In principle therefore, this site is appropriate for residential development.

Given that the site was formerly a Council depot, it has also been the subject of relatively high levels of activity, noise and disturbance, over and above which may normally be experienced in residential

areas. Again, similar to the CVMU depot, this site is also a non-conforming use within a predominately residential area. Furthermore, given its historic uses, there is an issue over potential contamination, of which preliminary investigations have been carried out on behalf of the Council in relation of contamination. The Council's consumer wellbeing section have been consulted on this issue and raise no objections subject to an appropriate condition being imposed requiring a full contamination land assessment and remediation strategy be provided.

In terms of access to the site, there are existing accesses serving the site of which the Highways Authority have no objection in principle to the use of the site for residential development, provided that sole access is achieved from St David's Road North and not Press Road. The detailed aspects of the access, sightlines etc, will be dealt with at the reserved matters stage, should planning permission be granted.

### **Conclusions**

It is considered that this site is appropriate for residential purposes, and will actually remove a non-conforming use in an otherwise predominantly residential area. Subject to a contamination assessment being carried out, this site is considered acceptable.

## **MUNICIPAL OFFICES, CLIFTON DRIVE SOUTH, ST ANNES.**

### **Site Description and Location**

This application relates to the site of the public offices and former Tourism and Leisure offices on the west side of Clifton Drive South. The site is currently occupied by 288-290, Clifton Drive South, a pair of former semi detached dwellings until recently used as local authority offices and the public offices building. Both buildings are two storey in height and of red brick construction.

The buildings are surrounded by car parking with some small lawned areas to the site frontage. Two mature trees are located on the site frontage.

The site is within a conservation area and the public offices building was recently added to the list of buildings of special architectural or historic interest.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
03/0442	PROPOSED PART REFURBISHMENT OF OFFICES WITH DEMOLITION OF REMAINING BUILDINGS. ERECTION OF 25 NO. 2 BEDROOM FLATS AND 2 NO. 1 BEDROOM FLATS, TOGETHER WITH 30 NO. CAR PARKING SPACES. (4NO DISABLED BAYS), EXTERNAL WORKS AND LANDSCAPE.		
03/0737	CONSERVATION AREA CONSENT TO DEMOLISH PART OF BUILDING		
04/0278	LISTED BUILDING CONSENT FOR DEMOLITION OF EXISTING EXTENSION TO REAR AND ALTERATIONS/REPAIRS TO BUILDING FOR CONVERSION TO		

## APARTMENTS

### **Parish Council Observations**

#### **St Annes Parish Council**

No specific observations to make upon the proposal.

### **Statutory Consultees**

#### **County Highway Authority**

Please refer to my previous comments (05/03/0442) - I should point out that this application is contrary to Policy 12 of the Joint Lancashire Structure Plan. The numbers of flats proposed has reduced with the 2005 application, as has the contribution to public transport infrastructure. £20K is now recommended.

(previous comments): The covering letter states 27 flats in total, but the application form describes 30. I also count 31 and not 30 parking spaces.

I have no highway objections in principle. All existing access points (except for the one to be retained) must be physically and permanently closed-off and made good. Parking spaces should be numbered and allocated to individual flats to avoid confusion, congestion and vehicles reversing onto Clifton Drive South.

Other comments: Further to my letters of 21 May 2003, a contribution to sustainable transport facilities would also be expected with these developments. I appreciate that there are good links to the town centre from these locations but equally residents may want to travel the length of the Fylde Coast and could do so by public transport. Quality Bus Routes 11 and 14 are to pass in close proximity to the sites. Another major facility will be the light rapid transit system a long term investment for the area but one for which the County Council would welcome private contributions. A set amount per apartment of, say, £1,000 would not be unreasonable.

Requires a note to be added to any approval relating to access points.

#### **County Planning Officer**

additional comments specific to this site as follows:

The buildings proposed for demolition date from the second half of the 19<sup>th</sup> century, they are absent from the 1<sup>st</sup> Edition OS Survey 1:10560 of 1844 but are shown on the 1:2500 Survey of 1891. They lie adjacent to the Grade II Listed Municipal Offices within the St. Annes-on-Sea Conservation Area.

On the basis of information supplied to the Lancashire County Archaeology Service it is not possible to assess the proposals against the Policy 21 of the JLSP which provides a 'no net loss' approach. The LCAS would therefore wish to see the applicants requested to supply a written justification of the need for demolition, and any adverse affect this may have on the character and appearance of the Conservation Area, the effects on the setting of the Listed Building, and to submit a full application in order that a reasoned judgement of the merits of the replacement building can be made.

If the Local Planning Authority is minded to grant planning permission to this or any other scheme, the buildings at the Town Hall and Municipal Offices sites should be the subjects of a drawn and photographic record. Such work should be secured by means of the following condition:

No development shall take place on this site 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.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site.

Specifications and a list of professionally qualified archaeological/building recording consultants and organisations that could carry out appropriate archaeological works can be obtained from the Lancashire Archaeology Service. Please contact Doug Moir (01772 534734) if you have any queries regarding these comments.

### **Conclusion**

In conclusion, it is considered that, on balance the proposal would be acceptable in principle in strategic planning terms, provided that a minimum of 60% of the dwellings proposed are affordable and provided that the archaeology and ecology concerns outlined above are addressed satisfactorily.

You should contact the Environment Directorate separately if you require detailed landscape or highway design comments to this application.

### **United Utilities**

Thank you for your planning consultation of 11 July 2005.

I have no further comments to add to those contained in the enclosed copy letter of 12 June relating to appn no 03/0442.

(previous comments): no objection to the proposal in principle.

### **CABE –**

Thank you for consulting the Commission for Architecture and the Built Environment (CABE) about this proposal.

We are consulted about more schemes than we have the resources to deal with, and unfortunately we will not be able to comment on this scheme. Please note that this literally means 'no comment' and should not be interpreted as tacit endorsement of the scheme.

Consumer Wellbeing - With reference to your memo dated 11th July 2005, there are no objections to the above proposals in principle, however the following is required:

It has come to the attention of this department that within the boundary of the above site there is a substantial layer of peat below ground. If successful, the applicant must undertake carbon dioxide monitoring in order to establish the extent of gas release.

### **Observations of Other Interested Parties**

#### **CPRE –**

No details regarding the type of housing are stated with this application. We wish you to note that in the Partial Review Statement of the Local Plan all schemes for new housing development should provide at least 50% affordable housing. Without adequate provision for affordable housing the building of new dwellings on this site would be in conflict with the housing numbers set out for the Borough in the Joint Lancashire Structure Plan.

### **Lytham St Annes Civic Society**

This is an outline application for 18 flats on the site of 288 and 290 Clifton Drive, within the conservation area. Demolition consent is required.

It is impossible to say whether this might be too few - or too many as we cannot see the design.

There should be a layout with more details. We do not think that such an application as this would be accepted from a private developer. The Council should set higher standards, particularly within a conservation area.

Besides this, their loss of these houses, part of early St Annes, is much to be regretted. They are of a distinctive Edwardian design and part of the traditional townscape of the town as a classic seaside resort. This heritage should be respected. We would like to see them remain.

### **Neighbour Observations**

None received.

### **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 14

Fylde Borough Local Plan:  
Policy SP2, HL1, EP3

Other Relevant Policy:  
PPS1: Delivering Sustainable Development  
PPG3: Housing  
SPG: New Residential Development within Fylde Borough  
SPG: The Provision of Affordable Housing within New Private Sector Housing  
Developments

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

This site is located within a conservation area and would ultimately propose the demolition of the building and its replacement with purpose built residential units. This again, would be subject to the submission and approval of a reserved matters application, should this outline application be approved. The building, until recently, was used as council offices. The existing building is an extremely poor state of repair. English Heritage have previously been consulted and have confirmed that they have no objection in principle to the demolition of this building.

The main body of the public offices building is retained and currently in use as the Council's One Stop Shop. This building was recently 'listed' and therefore, any subsequent detailed application would have to have regard to its resultant impact upon the architectural and historic merit of the listed building.

In terms of access to the site, there are existing accesses serving the site of which the Highways Authority have no objection in principle to the use of the site for residential development. The

detailed aspects of the access, sightlines etc, will be dealt with at the reserved matters stage, should planning permission be granted.

### **Conclusions**

If approved, a section 106 agreement would be required in order to ensure the provision of affordable dwellings on the other sites and that they be provided ahead of the market housing on this particular site. The agreement would also need to provide for the payment of a commuted sum towards the provision of public transport facilities and to contribute to the off site provision of children's play equipment.

## **TOWN HALL, SOUTH PROMENADE, ST ANNES**

### **Site Description and Location**

The Town Hall is located on a prominent site on the corner of South Promenade and St Annes Road West opposite the town's pier. The Building is of the Victorian era and its design is attributed to Porritt. Due to its prominent location the site can be viewed from the Promenade, the beach, the pier and The Square. The site, which is roughly square, is bounded on two sides by highways along which runs a low cobble and brick wall of traditional construction. To the north, south and east of the site there are modern multi story apartment blocks, whilst the beach is located to the west of the site. Although the site does not lie within a conservation area, it does abut two separate conservation areas.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
03/0443	ERECTION OF 68 ONE AND TWO BEDROOMED APARTMENTS, PROVISION OF 60 CAR PARKING SPACES & LANDSCAPING (FOLLOWING DEMOLITION OF EXISTING BUILDINGS)		
90/0320	SINGLE STOREY INFILL TO FORM PUBLIC ENTRANCE/FOYER/	Granted	25/06/1990

### **Parish Council Observations**

#### **St Annes Parish Council**

Object to the proposal on the following grounds: The parish council would wish to see the appearance and use retained. It is essential that the Council's civic headquarters are close to the centre of population.

### **Statutory Consultees**

#### **County highway Authority**

Please refer to previous comment (5/03/443). I should point out that this application is contrary to Policy 12 of the Joint Lancashire Structure Plan. Again, the sustainable transport contribution is now recommended at £40K, slightly less than previously requested.

Previous comments:

No highway objections in principle. The parking layout is clear and accessible.  
Bays should be numbered and allocated to individual flats.  
All existing access points should be physically and permanently closed and made good. The existing access points which are to be retained will need upgrading and must remain ungated.

**County Planning Officer - Additional comments specific to this site:**

Fylde Civic Society's website provides the following information concerning the Town Hall: The Town Hall main building was originally the Southdown Hydropathic Hotel, built by William Porritt [important local architect] in 1896. It contains much of its original interior tiling, stained glass etc. and has been fairly well maintained over the years. Until recently the interiors have been respected, although some very recent building and re-wiring works have resulted in damage to plaster cornices and Minton tiled finishes. The exterior decoration includes marble and hand-carved stone. It is the best quality Porritt house on the best site in the town. It epitomises the vision of the founders of the town in the quality of the materials used both internally and externally. "This building is considered to make a positive contribution to the Lytham townscape, and its demolition could prove to be detrimental to views both to and from the adjacent St. Annes on Sea Conservation Area. As the current proposals are in outline only, it is not possible to make an assessment of whether or not the proposed new build would be an improvement on the existing building.

The Lancashire County Archaeology Service would therefore wish to see the applicants requested to supply a written justification of the need for the demolition of this building, and any adverse affect this may have on views both to and from the Conservation Area, and to submit to the County Archaeology Service a copy of the full application when it is submitted in order that a reasoned judgement of the merits of the replacement building can be made. This is in line with the 'no net loss' approach in Policy 21 of the JLSP.

If the Local Planning Authority is minded to grant planning permission to this or any other scheme, the building should be the subject of a drawn and photographic record. Such work should be secured by means of the following condition:

No development shall take place on this site 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.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site.

**Conclusion**

In conclusion, it is considered that, on balance the proposal would be acceptable in principle in strategic planning terms, provided that a minimum of 60% of the dwellings proposed are affordable and provided that the archaeology and ecology concerns outlined above are addressed satisfactorily.

You should contact the Environment Directorate separately if you require detailed landscape or highway design comments to this application.

**Blackpool International Airport**

No objection to the proposal.

**Observations of Other Interested Parties**

**Lytham St Annes Civic Society**



This is another outline application. It is impossible to say whether this might be too few - or too many housing units, as there is no design. There should be a layout with more details. We do not think that such an application as this would be accepted from a private developer. The council should set higher standards.

However, we are strongly opposed to the demolition of this building. The quality of its construction, materials and artistic detailing is unmatched in the town. It is to the council's shame that it was deliberately excluded from the two conservation areas alongside it. It is the best example of a "Porritt" stone built building - these being the mainstay of the North Promenade conservation area. It was built as the "flagship" of the Porritt's estate. The hand carved stone on the façade, marble columns around the windows, Edwardian Minton tiles on floors and walls, original decorative cornices, delicate stained glass, marble fireplaces - the list of the attributes of this quality building is endless.

We do not accept that it is structurally unsound, only that the council may have been less than assiduous in its maintenance regime.

In seeking to demolish the Town Hall for short term financial gain, the council is proposing an act of vandalism the equal of the most greedy developer in the land. Philistinism is a word used before in this town and is appropriate here.

We accept that the building may not be suitable for office use, but we believe that the council has a responsibility to do all it can to ensure a re-use for it. Anything less is corporate vandalism. The administration of our town is in the hands of our council and we do not expect them to act like the worst kind of property speculator.

#### **CPRE**

No details regarding the type of housing are stated with this application.

We wish you to note that in the Partial Review of the Local Plan all schemes for new housing development should provide at least 50% affordable housing. Without adequate provision for affordable housing the building of new dwellings on this site would be in conflict with the housing numbers set out for the Borough in the Joint Lancashire Structure Plan.

#### **Neighbour Observations**

10 letters received on the points below:

**Note:** 2 letters are from the same person, and one is seeking clarification on a number of points.

the application is only in outline form  
this allocation would effectively be a consent to demolish the building  
no valid reason not to retain the town hall  
one of the original buildings of St Annes  
could be re-used for another purpose  
the Town Hall is typical of the classic Victorian seaside resort and should not be lost  
breach of building line  
no affordable dwellings were intended for the site  
surface parking is unacceptable  
height of the building is too high  
should restrict the number of apartments  
water pressure

**Officer note: the application is in outline form and therefore the footprint, design height etc, does not form part of this application.**

### **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 14

Fylde Borough Local Plan:  
Policy SP2, HL1

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPG3: Housing

SPG: New Residential Development within Fylde Borough

SPG: The Provision of Affordable Housing Within New Private Sector Housing

Developments

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

Whilst the application is only in outline form with all matters 'reserved', the proposal would be for the demolition of the existing town hall building and its replacement with a new purpose built building. The size, scale and design etc, would form part of the reserved matters application, should planning permission be granted for this proposal.

#### *Conservation Issues*

The Town Hall is a Porritt designed building of Victorian origin, located outside but adjacent to two separate conservation areas. Following a request to "spot list" the Town Hall the Department of Culture, Media and Sport, has chosen not to include the building on the List of Buildings of Special Architectural or Historic Interest. Despite the age and charm of the building it does not benefit from any statutory control which would prevent its demolition.

The site is, however, adjacent to two conservation areas and any replacement building would be viewed across those areas. The impact of the proposed replacement building on the character of those areas will, therefore, need to be carefully assessed at the reserved matters stage.

#### *Design Issues*

The current town hall consists of two separate buildings linked by a series of more modern extensions. The main elevations of the larger of the two buildings are of stone with gables and projecting bays under a slate roof. Chasely House to the rear is of buff brick construction with a design which is not as grand as the main town hall building.

Together the buildings maintain the strong building line generated by neighbouring groups of buildings which is characteristic of much of St Annes. Although the external areas are dominated by car parking, there

are small areas of lawn and privet hedges along the Promenade frontage.

The existing three-storey town hall building currently sits between three modern multi storey apartment blocks: Braxfield Court, Sandhurst Court and the Majestic which vary in height between 6 and 7 storeys. When viewed in context of the neighbouring properties the Town Hall building is lost within the greater scale of the surrounding buildings, the height of which builds upwards towards the site. The replacement building, the result of any subsequent reserved matters application, would give careful consideration to the site's context and design an appropriate building to suite the site and its surroundings. However, for the purposes of this application, the principle of residential accommodation is merely being applied for at this stage.

### *Affordable Housing*

Should planning permission be granted, this will be subject to a condition requiring that at least 60% of the units (over the whole of the development sites) will be for affordable purposes in line with the recent Inspector's report into the proposed amendments to the Housing Chapter of the Fylde Borough Local Plan. As such, the proposals as a whole would meet the requirements of, and therefore are in compliance with, the provisions of the Alterations Review of the Fylde Borough Local Plan incorporating the Inspector's recommendations.

## **OVERALL CONCLUSION**

As members will be aware, the Council has recently undergone a review of its housing chapter within the Fylde Borough Local Plan, which culminated in a Public Inquiry and a resultant Inspector's reports, of which have now been incorporated into a composite version of the Housing Chapter. The main findings of the Inspector were that, notwithstanding the overall, quantitative oversupply of housing within Fylde Borough, residential development is acceptable (subject to certain criteria), provided that at least 60% of the development is for affordable purposes. This is an increase over the previous Supplementary Planning guidance which required that the 'majority' of the development be for affordable purposes.

As a result therefore, across the four sites, the package of housing schemes currently before the Council will provide for a mix of housing, incorporating least 60% of the units as affordable housing. A suitable condition will be imposed to meet this requirement. Furthermore the four sites currently under consideration are all on previously developed land and in accessible locations within the settlements of Lytham and St Annes as is now the requirement in the Alterations Review of the Fylde Borough Local Plan incorporating the Inspector's recommendations.

## **Recommendation**

That Planning Permission be GRANTED subject to the following conditions and Section 106 agreement.

1. A subsequent application for the approval of 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 approved.

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Before any development is commenced (a) reserved matters application(s) must be submitted to and approved by the Local Planning Authority in respect of the following reserved matters:

Nos. 1, 2, 3, 4, 5

- (Reserved matters are:-
1. Siting of Development.
  2. Design of Built Development
  3. External Appearance of Built Development.
  4. Means of Access to the Development Site.
  5. Landscaping to the Development Site.

This permission is an outline planning permission and details of these matters still remain to be submitted.

3. A minimum of 60% of the approved units shall be for affordable purposes and of a type to be agreed with the Local Planning Authority prior to commencement of development and shall be incorporated into the detailed layout and thereafter that provision shall be maintained within the site layout; the affordable housing shall only be used for the purposes of specifically providing housing accommodation for a registered social landlord.

To accord with the provisions of Policy HL1 of the Alterations Review of the Fylde Borough Local Plan incorporating the Inspector's recommendations.

4. The development hereby permitted on the sites identified as A and B on the approved plan shall not commence until a scheme to assess possible contamination of land or groundwater affecting the site and appropriate remediation where found necessary has been submitted prior to the commencement of development and approved by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all the following requirements:

1. A desk-top study carried out by a competent person or persons to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such requirement. Two full copies of the desk-top study and a non technical summary shall be submitted to the Local Planning Authority upon completion.

2. A site investigation shall be carried out by a competent person or persons to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

- (i) the desk-top study has been completed, satisfying the requirements of paragraph (1) above.

- (ii) the requirements of the Local Planning Authority for the site investigations have been fully established, and
- (iii) the extent and methodology have been agreed in writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority for assessment.

To control and/or eradicate pollution of land or water in the interests of the environment and public safety.

5. The development hereby permitted on the site identified as C on the approved plan shall not commence until a scheme to assess possible contamination of land or groundwater affecting the site including carbon dioxide monitoring in order to establish the extent of gas release and appropriate remediation where found necessary has been submitted prior to the commencement of development and approved by the Local Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all the following requirements:

1. A desk-top study carried out by a competent person or persons to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the Local Planning Authority shall be fully established before the desk-top study is commenced and it shall conform to any such requirement. Two full copies of the desk-top study and a non technical summary shall be submitted to the Local Planning Authority upon completion.

2. A site investigation shall be carried out by a competent person or persons to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:

- (i) the desk-top study has been completed, satisfying the requirements of paragraph (1) above.
- (ii) the requirements of the Local Planning Authority for the site investigations have been fully established, and
- (iii) the extent and methodology have been agreed in

writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority without delay upon completion.

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement, and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority. Two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority for assessment.

To control and/or eradicate pollution of land or water in the interests of the environment and public safety.

6. All sites hereby approved the subject of these developments shall all be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency.

To ensure a satisfactory standard of development.

7. No development shall take place on the site identified as C on the approved plan 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.

To ensure and safeguard the recording and inspection of matters of archaeological and historic importance associated with the building/site.

8. No development shall take place on the site identified as D on the approved plan 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.

To ensure and safeguard the recording and inspection of matters of archaeological and historic importance associated with the building/site.

## **REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

## **SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which

comprises of the:  
The Fylde Borough Local Plan.  
The Joint Lancashire Structure Plan.  
and all other relevant planning guidance  
and in particular Policies:

Fylde Borough Local Plan: SP2, HL1, EP3  
Joint Lancashire Structure Plan: Policy 14  
PPG's/PPS's: PPS, PPG3, PPG6, PPG15

**PLANNING APPLICATION SUBMITTED BY AEDAS ON BEHALF OF FYLDE  
BOROUGH COUNCIL**

**STATEMENT IN SUPPORT OF THE PROPOSALS**

**Introduction**

This planning statement has been prepared on behalf of Fylde Borough Council in support of the outline planning application for residential development submitted to the local planning authority.

The applications relate to land at:

- St David's Road North, St Annes (Former Adult Training Depot)
- St Davids Road North, St Annes (CVMU Depot)
- Town Hall Site, St Annes
- Public Offices, 288/294 Clifton Road South

All sites are under the control of a single organisation and it is the intention to market and develop them as one single project which will deliver a proportion of affordable housing in compliance with the local planning authority's current policies on affordable housing.

This residential project is one component of a wider, long-term plan to provide additional community benefits. These are part of the council's review of its accommodation requirements which has already seen the development of two one-stop-shops, the forthcoming construction of a new 'back-office' building at Wesham and the provision of a Civic Suite (in a location yet to be determined).

In order to fund this proposed programme of works, the current sites used to house the council's main office-based staff and two other operational sites at St David's Road, which will become surplus to requirements, are to be offered to the market for sale. At the same time as this disposal programme the council has started to review its other assets as part of a longer-term programme in line with government advice to ensure that assets are supporting service delivery or generating income for the council.

It is proposed that the sites, when taken together, will provide a mix of market and affordable dwellings of varying tenure in keeping with the underlying principles of social inclusion. The future developer of the sites will be required to enter into legal obligations to guarantee that the overall development achieves the stated aims of the Council's affordable housing policies.

The application sites all comprise brownfield land for the purposes of PPG3. In addition they all occupy sustainable locations and are easily accessible by a



range of non-car modes of transport. They are therefore ideal locations for residential redevelopment.

## **Policy Considerations**

The proposals occupy sustainable locations, are sites which in PPG3 terms are to be preferred as they are redevelopment opportunities embedded in the urban areas (as opposed to Greenfield land) and residential use is an entirely appropriate use in relation to their surroundings.

Quantitative housing considerations have been found not to be overriding in such circumstances. This is particularly the case where the proposals will support the Councils policy of delivering high levels of affordable housing.

It is proposed to reserve all matters of detail in respect of the applications in order that the opportunity for innovation in providing the required proportion of affordable housing is open to the successful developer.

It is acknowledged that the applications relate to 4 separate sites and in planning terms there may be little to link them other than their current ownership and use. However, in order to achieve the benefits of such a high proportion of affordable housing overall the applicants confirm their understanding of the need to enter into a s106 Planning Agreement with the Council which will secure delivery of the affordable housing as part of the phased development of the sites. The details of such an agreement will need to be discussed, but this principle is confirmed; in this way the applications can be viewed as a single package of proposals, and assessed accordingly.

We would also highlight additional relevance to Policy HL1 in relation to exemption 9 "It forms a key element within a mixed use regeneration project of sufficient benefit to the borough as a whole to override the issue of quantitative oversupply, and providing that a maximum quantity of affordable housing is included".

The Committee will be aware that the application derives from a desire to identify an appropriate new use for these sites which will help secure the development of new, purpose built offices and civic accommodation for the Authority. Such an approach is designed to ensure that the Council is able to demonstrate a clear commitment to the modernisation of its services, the delivery of the e-government agenda and the achievement of best value for the council tax payers of the borough. The Committee will also be aware that new Customer Contact Points have been developed as part of this overall, longer-term vision which will improve public access to a wide range of local public services. The underlying purpose of this comprehensive development proposal, in addition to the contribution it makes to the provision of affordable housing, is to enhance service

delivery to residents of the Borough, efficiencies for the Council and contribute in a meaningful way to the drive for modernisation of local Government which is currently being pursued by central Government.

The allocation of the four (brownfield) sites for residential development is directly comparable with the recent proposals of the Office of the Deputy Prime Minister for the re-use of NHS sites for residential purposes to achieve a minimum level of affordable housing provision. The proposed mix of development in Fylde will help to ensure that sustainable communities are maintained for the future.

## **Summary**

The application proposes residential development at 4 highly sustainable, brownfield locations within the main urban area of the Borough.

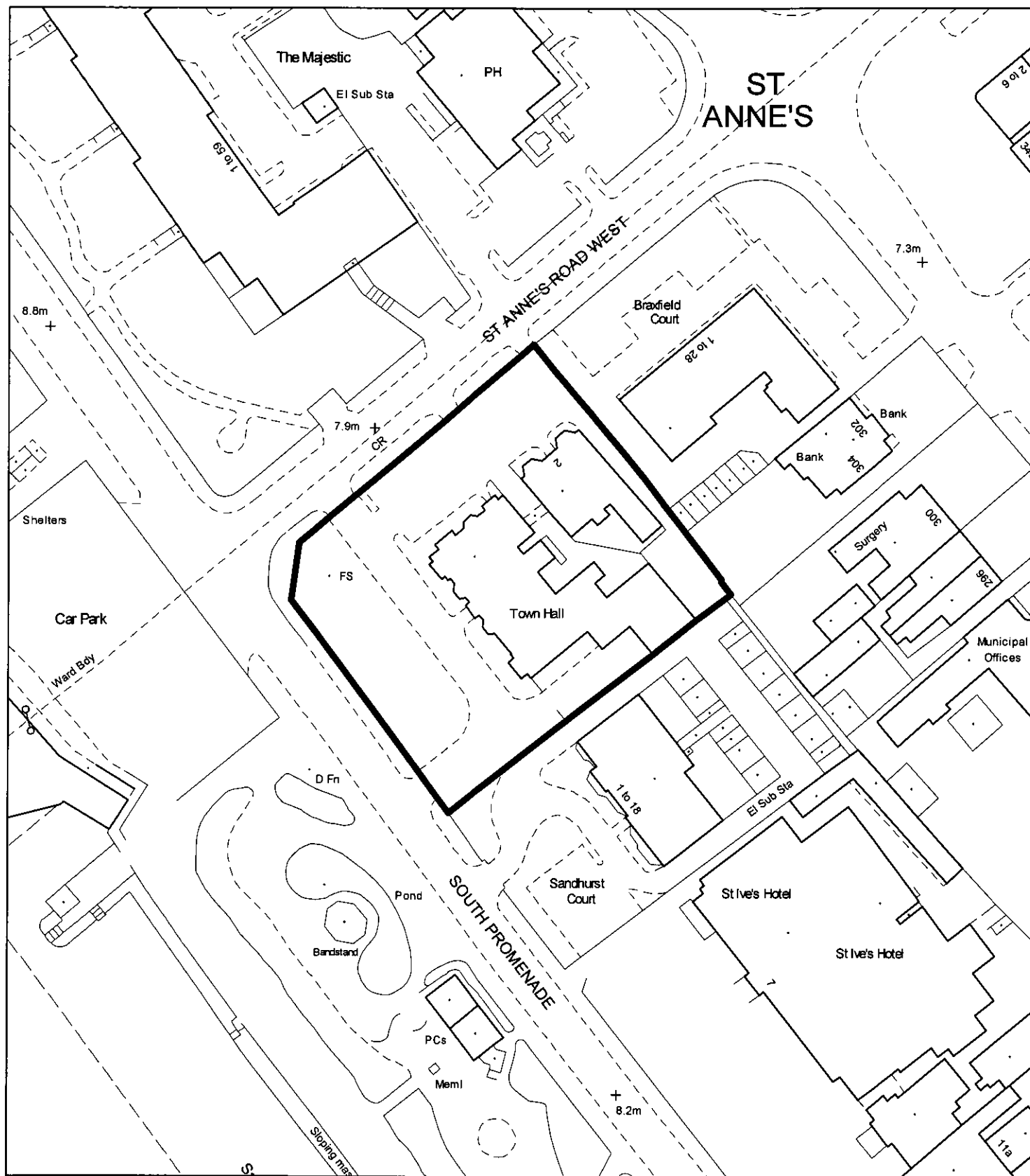
In planning policy terms, they are ideally suited to this use.

A recent appeal decision, taken against the backcloth of the Councils SPG has determined that issues of quantitative housing supply should not be the single or main determinant of such proposals. Indeed, slavish adherence to this criterion will fail to meet the needs of the local community in relation to affordable housing, for which there is a very significant need in Fylde Borough. This need, if unmet, is acknowledged by the Council to have a damaging effect on the local economy.

The application is made in the clear knowledge that a minimum of 60% of the total dwellings will need to be 'affordable' units. This will make an important contribution to the achievement of the Councils policy objectives and is a highly material consideration in favour of the proposals and there is an understanding that a s106 Planning Agreement will be necessary in order to secure the delivery of the affordable housing component of the proposal.

In addition, securing a new use through redevelopment of these sites will enable the Council to modernise many of its public service and civic operations to support the Authority's objective of enhancing its own customer focus.

The proposals are therefore capable of delivering substantial and sustainable benefits for the Borough and are worthy of the support of the Local Planning Authority.



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0653

Address

Town Hall  
South Promenade, St Annes

Grid Ref.

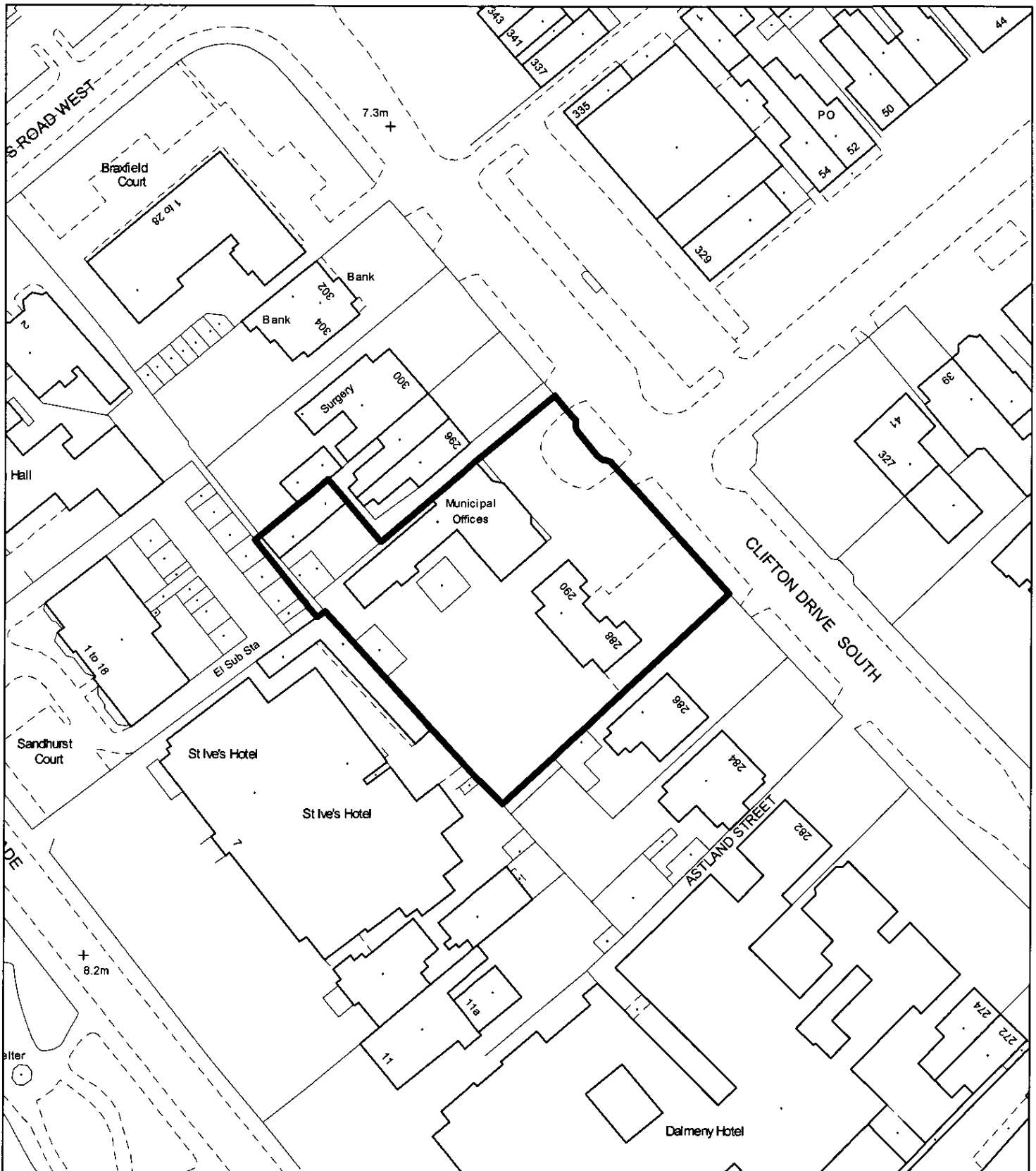
E.3319 : N.4286

Scale

N.T.S.

Item No.

5



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0653

Address

Municipal Offices  
Clifton Drive S, St Annes

Grid Ref.

E.3320 : N.4286

Scale

N.T.S.

Item No.

5



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The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0653

Address

Highways Depot  
St Davids Rd N, St Annes

Grid Ref.

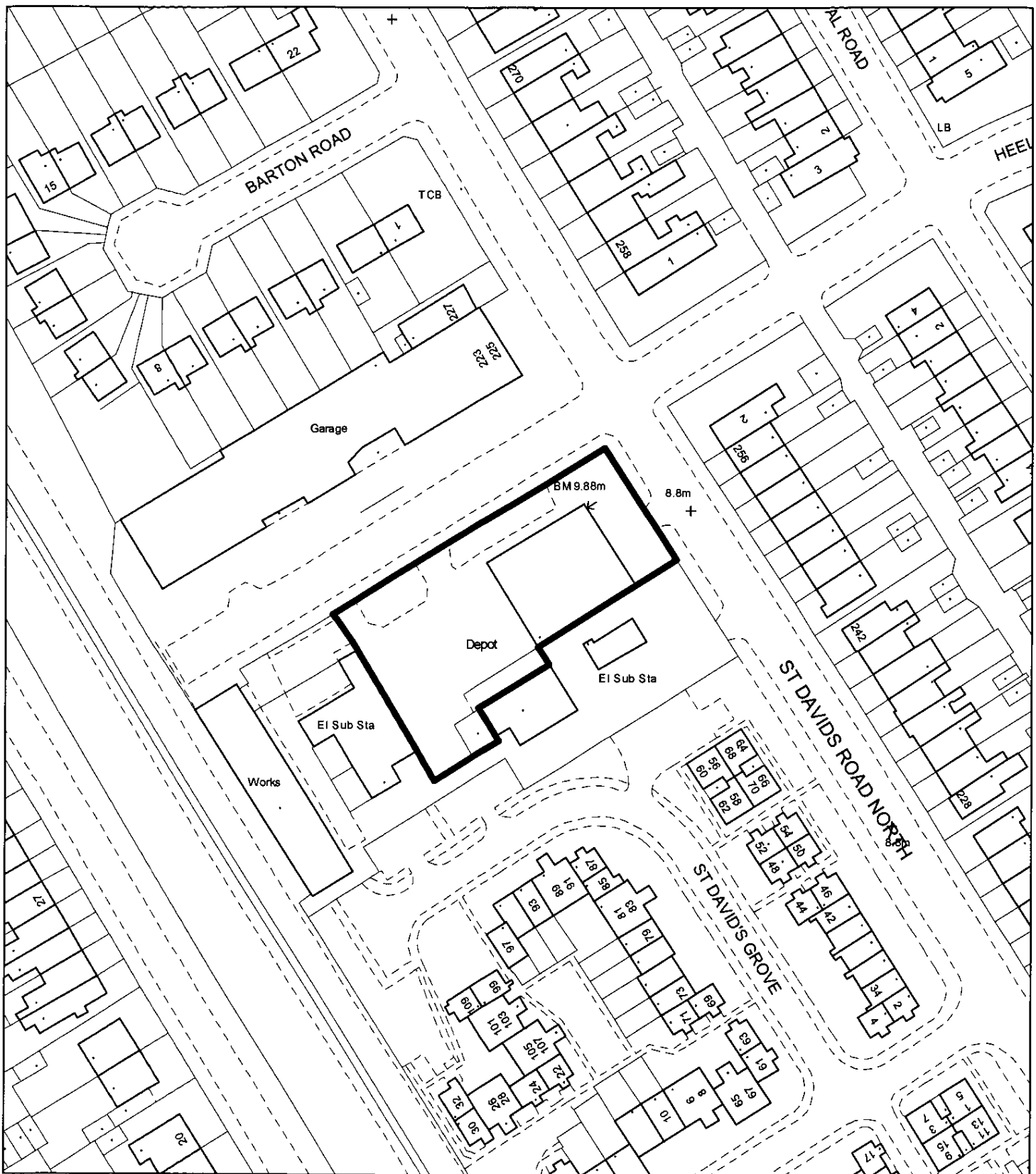
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Scale

N.T.S.

Item No.

5



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Fylde Borough Council

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Application No.	Address	Grid Ref.	Scale	Item No.
5/05/0653	CMVU Depot St Davids Rd N, St Annes	E.3317 : N.4298	N.T.S.	5

**Item Number: 6**

<b>Application Reference:</b> 05/0669		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	AA + MA Jackson + Son	<b>Agent :</b>	Anthony Atkinson
<b>Location:</b>	LAND OFF, WHITEHILL ROAD, PEEL, BLACKPOOL, FY4 5L		
<b>Proposal:</b>	OUTLINE APPLICATION FOR FARMHOUSE FOR NEW FARM COMPLEX		
<b>Parish:</b>	Westby with Plumpton	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	8	<b>Case Officer:</b>	Mr D Shepherd
<b>Reason for Delay:</b>	Awaiting consultation replies		

**Summary of Recommended Decision:** Refuse

**Summary of Officer Recommendation**

The applications (05/0669, 670, 671 and 672) result from the fact that the applicants current farm complex and farmhouse fall within the phase 2 area of Whitehills Park Industrial Estate (subject to policy EMP 1 of the Local Plan).

One could take the view that the applicant now finds himself having to find a suitable site for a new farm unit and dwelling because of the local plan process and the fact that if he does not move, he will find the centre of his farming activities in an Industrial estate which would not benefit either his farm unit or the saleability/letability of industrial units or offices on this part of Whitehills Park.

The Land Agent acknowledges why the applications have been made and has some concerns over elements of the applications (see full appended report).

He comments that the current situation is probably not a true reflection of the applicants future operation of the farm unit. This is because of the uncertainty of whether these permissions will be granted and the fact that until they have been determined, the applicant does not wish to invest further in his business as, potentially, he could commit himself financially and then find he has no permission for a new farm unit! It is his intention to expand his enterprise but clearly this can only be done when he knows he has the appropriate planning permissions in place to do so.

Clearly there are issues that take the proposals outside of the typical application scope for a new farm enterprise and members may wish to consider the applications in the light of this. However, in terms of the tests regarding both the functional and financial aspects of the proposal for an agricultural workers dwelling, the LCC Land Agent is clear that the application does not meet these tests. As such, the application for an (outline) agricultural workers dwelling is recommended for refusal but the three agricultural building applications are recommended for approval.

**Reason for Reporting to Committee**

The nature of the application proposals and the fact that there is not full LCC Land Agent support for all elements of the applications.

**Site Description and Location**

Allocated countryside, the site is to the south of Whitehill Road and to the east of Wild Lane. Opposite the entrance to the site is a dog kennels business and to the east is Whitehills Farm, a commercial livery business. There are a number of dwellings within close range of the site that are not connected with agriculture or horticulture. The application site is currently an open field.

### **Details of Proposal**

There are four applications in total, these are;

- 05/0669, Outline application for a new farmhouse to serve the new farm complex,
- 05/0670, Agricultural storage building/workshop, machinery and fertiliser store,
- 05/0671, Agricultural storage building and access track for the new farm complex, and
- 05/0672, Agricultural livestock building incorporating an underground effluent tank.

Full details of the applications are given in the LCC Land Agents report on page 4, but I will précis them.

Firstly, the outline application for an agricultural workers dwelling is to be for a dwelling of between 120 - 150 square metres (as opposed to the 160 mentioned in the CLA report)

The agricultural buildings proposed are all existing buildings at the existing farm unit off Cropper Road and are proposed to be taken down and re erected at the new farm complex. The dimensions of these are given in the Land Agents report.

There is actually a reduction in area of buildings being proposed on the new site as compared with the existing unit at Cropper Road.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
05/0670	AGRICULTURAL STORAGE BUILDING - WORKSHOP, MACHINERY AND FERTILISER STORE		
05/0671	AGRICULTURAL STORAGE BUILDING AND ACCESS TRACK FOR NEW FARM COMPLEX.		
05/0672	AGRICULTURAL LIVESTOCK BUILDING, INCORPORATING AN UNDERGROUND EFFLUENT TANK		

### **Parish Council Observations**

#### **Westby with Plumpton Parish Council**

05/0669, No objections, however, is there a justifiable reason and what is to become of the existing buildings?

05/0670, No objections

05/0671, No objections

05/0672, No objections

### **Statutory Consultees**

**County Land Agent** (views are appended in full to this report.)



The Land Agent summarises on the applications in two sections, firstly in regard to the agricultural buildings and secondly the outline application for the agricultural workers dwelling.

In relation to the agricultural buildings he states, "The current three applications represent the third time that the applicants have applied for new farm buildings within the last 6 - 9 months. I feel these current applications provide a more comprehensive appraisal of the needs of Mr Jacksons farm enterprise. I feel the proposed agricultural development is justified for the purposes of agriculture as exists with regard to the scale of the applicants farm operation.

The design of the buildings are appropriate for their identified use.

I feel the proposed site does meet the applicants agricultural requirements."

(The above are clearly points taken from the full report and this should be referred to by members)

In regard to the application for the dwelling, the Land Agent comments as follows;

"I feel that the functional and financial tests referred to for assessing permanent dwellings are the most significant of the conditions (laid down in PPS 7 Annex A) to be satisfied."

I am concerned that the scale of the farm operation will be relatively small. It is evident that Mr Jackson has decided not to increase the cattle numbers on the unit and I recognise the uncertainty of the availability of buildings for cattle housing will be the predominant reason for this. I feel that in the light of the uncertainty issues, that it would be reasonable to assess the functional need in accordance with the scale being proposed by the current applications. The scale of the cattle enterprise would only be small when assessing the functional need for a worker to live on site.

As far as the financial test is concerned, I do not consider that based upon the information available at the present time, that the nature and scale of the applicants farm enterprise would satisfy the financial test. The potential farm income earned ought to represent a significant element towards the livelihood of Mr Jackson and his wife to provide a sustainable livelihood from living on the site.

I am aware that security is a factor which is also relevant when considering the advice in Annex A for assessing the need for on site accommodation.

To summarise the above with regard to the provision of on site accommodation it is clear that the application has been submitted on the basis that the applicant is relocating his farmstead where a dwelling exists, and as such, a dwelling is justified at the proposed farmstead. I would comment when applying this aspect to the consideration of a new dwelling, that the applicants have farmed Cropper Farm for a long time and whilst their agricultural enterprise has changed recently, ie ceased dairy farming, I envisage Mr Jackson continuing to farm at the unit for the foreseeable future.

I feel based on the guidance in Annex A of PPS 7, that the existing agricultural situation does not justify a dwelling on the unit. I recognise that the existing situation is probably not a true reflection of how the applicants farm enterprise will be undertaken in the future but I consider the information supplied/available to me in this respect does not provide a clear indication of the applicants farm business objective."

### **County Highway Authority**

Initially requested further details re the entrance to the site. The revised plans are acceptable and detail the required amendments. (changes to radii and length of internal access road)

### **Environment Agency**

Suggest various conditions and notes (See appropriate sections)

### **United Utilities**

No objections

### **Observations of Other Interested Parties**

None

### **Neighbour Observations**

None

### **Relevant Planning Policy**

Lancashire Structure Plan:

Policy 5 Development in Rural Areas

Fylde Borough Local Plan:

Policies SP 2, SP 10 & HL 1 (Post Inspectors Revisions)

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPG 3: Housing

PPS 7: Sustainable Development in Rural Areas

SPG "New Residential Development in Fylde Borough" (Adopted 16th September 2004)

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

As mentioned briefly in the introduction to this report, there are a total of four applications under consideration here, 3no for agricultural buildings and one being an outline application for an agricultural workers dwelling.

The applications have been submitted as a result of the fact that the existing/current farm unit (including dwelling) is on land allocated for Business and Industrial Development (EMP 1) in the Local Plan at Whitehills Park, Phase 2. (see applicants support statement appended to this report)

There are circumstances here that take this application outside of the "norm" in terms of the way in which we would normally deal with applications for new farm units.

The first materially different issue is clearly that already referred to in the reasons as to why the applications have been submitted. Secondly, it is not a new farm unit "per - se", it is the relocation of an existing farm unit and associated dwelling to enable the land where the existing farm unit is, to be used in accordance with the land allocation detailed in the adopted local plan.

The final issue is that the applicant has had the opportunity to expand his current farm unit activity in terms of acquiring additional land and acquiring additional head of cattle, however, until the planning situation is resolved, it would clearly be foolhardy and potentially financially disastrous if the applicant were to commit relatively large sums of money to expand his business only to find out that planning permission for new agricultural buildings and a dwelling were not forthcoming.

All the proposed agricultural buildings are the majority of the existing buildings on the current site that are proposed to be demolished and re erected at the new site. The County Land Agent clearly has no objections to the buildings proposed in the three applications (0670,0671 & 0672).

The main issue is clearly that of the provision of an agricultural workers dwelling house. The current farmstead has a dwelling house with it of approximately 160 sq metres. This has to be demolished along with the existing farmyard for the reasons already mentioned earlier in this report. The obvious

view to take is that if there is currently a dwelling to serve the existing farmstead, in the interests of fairness, then the new farmstead should also benefit from an agricultural workers dwelling. The Land Agent has to offer his advice on a structured manner taking account of the requirements of PPS 7 in relation to agricultural workers dwelling. Clearly his view is that the farm unit as proposed would not justify a dwelling.

As has been mentioned earlier, the applicant has had the opportunity to expand his farm business, but this is not possible until he has the comfort of appropriate planning permissions in relation to his new/relocated unit. He is clearly in a catch 22 situation. An expanded farm operation may well attract a different response from the Land Agent in respect of the need for a dwelling to serve the farm unit, but, as already mentioned, it would be foolhardy at this present time for the applicant to commit substantial amounts of money to expansion programmes, not having any planning permissions in place for his new/relocated farm unit.

These applications arise from a need to relocate a farmstead that has not been encountered before in the borough. As such, Members may take a different view from officers and feel that the agricultural workers dwelling application needs a decision that reflects the "one off" nature of the circumstances behind the proposals.

In terms of policy, the buildings are necessary for the purposes of agriculture on the unit. The siting of them is considered to be acceptable and their construction is what one would expect of functional agricultural buildings. There are no objections to these buildings from any neighbours, the Parish Council or any statutory consultee.

The access to the site is acceptable and utilises an existing field entrance (albeit an improved one)

The Land Agents view that a dwelling is not required at the present time forms the basis of your officers recommendation. It is clear that the Land Agent does not "close the door" on a dwelling per se, and his views may well be different in the future, on the need for a dwelling, with an expanded farming enterprise.

### **Conclusions**

Acceptable development in terms of the three applications for farm buildings but unfortunately the application for a dwelling fails the functional and financial tests. It may have been more appropriate for the applicant to propose a static caravan on the site for a three year period to give himself some on site temporary residential accommodation, until expansion plans are in place, which may then justify a dwelling.

### **Recommendation**

That Planning Permission be Refused for the following reason:

1. The proposal is contrary to the provisions of Policy SP10 of the Council's adopted Fylde Borough Local Plan which requires that new buildings erected within a countryside area shall be needed for the purposes of agriculture or horticulture or an appropriate use to a rural area. In this case no such justification has been proven to the satisfaction of the Local Planning Authority in terms of the development proposals and financial investment in the overall site, and it is considered that as a result if the proposal were to be allowed then this would establish an unwarranted precedent for the erection of further buildings without a proven need which the Local Planning Authority would find difficult to resist and which, upon a cumulative basis, would be detrimental to the character and quality of the open countryside in Fylde Borough.

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nick.bower@property.lancscc.gov.uk

Mr D Shepherd  
Principal Planning Officer  
Fylde Borough Council  
Town Hall  
LYTHAM ST ANNES  
Lancashire FY8 1LW

Your ref 5/05/669/670/671 & 672  
Our ref PG/LA/INB/PA/5/15/6405/LK  
Date: 16 August 2005

Dear Sir

**APPLICATION NUMBERS 5/05/669/670/671 AND 672  
LAND OFF WHITEHILLS ROAD, MARTON  
GRID REFERENCE 348323**

I refer to your consultation letter concerning the above planning applications and have the following observations to make.

**Introduction**

Four planning applications have been submitted by Messrs A A and M A Jackson and Sons. These applications are to enable the applicants to relocate their farm operations from Cropper Farm, Cropper Road where some of the farmland and the farmstead area are soon to be developed as part of the Whitehills development scheme. An inspection of the application site was undertaken on 1 August 2005 whilst Alan Jackson and Mr A Atkinson (agent) were also present. The information provided together with the written submission made in support of the application forms the basis of this appraisal.

**Background Information**

At a site meeting on 14 June 2005 with Alan Jackson, Mr Eastham of Wareings and Mr D Shepherd and Miss R Delooze of Fylde Borough Council, Mr Jackson was advised that he should submit to the Council his full intentions as to his proposed development concerning the relocation of his farm operations from Cropper Farm to the site forming land off Whitehill Road.

Continued ...

---

**Nick Bower**  
Land Agent  
Resources Directorate, Property Group  
PO Box 26 • County Hall • Preston • PR1 8RE

I feel the reason for the proposed relocation of the farm operations are commonly known and were referred to in Messrs Jacksons' two earlier planning applications 04/1125 and 05/319, both of which were proposing to erect a new agricultural building on the bare land site referred to as land off Whitehill Road.

The current planning applications are intended to enable Alan Jackson the ability to continue his mixed agricultural enterprise as he is currently undertaking (albeit not fully established) at Cropper Farm. He is proposing to reutilise existing farm buildings located at Cropper Farm at the proposed site and also erect a new dwelling at the proposed site where Alan Jackson intends to live.

### **Previous Planning Applications**

I commented to you on two earlier planning applications made by Messrs Jacksons application numbers 04/1124 and 05/319. Both applications (one a re-submission) proposed the erection of a steel portal frame building intended for general purpose agricultural use. Whilst in my comments I was aware of Mr Alan Jackson's overall intentions in respect of the provision of agricultural buildings and new farm workers dwelling at the application site, I felt that these intentions ought to be clarified rather than assessing individual applicants for proposed agricultural buildings in isolation. I also commented that I did not feel that a single building as proposed would be the most appropriate facility for the applicant in light of his farm enterprise requirements.

### **Agricultural Circumstances Surrounding the Current Planning Applications**

1. Cropper Farm has been occupied and operated by Alan Jackson and his parents for a long period of time. His parents have recently retired from farming and Alan Jackson intends to continue farming the land.
2. The area of land to the north-east of and including the farmstead at Cropper Farm is zoned for development which will provide a extension to the Whitehills development scheme and the timing for commencement of development on the land is programmed for Autumn 2005. At this time, Mr Jackson will be required to vacate the farmstead and agricultural land over which he has negotiated the sale to the developer.
3. Despite the knowledge that the farmstead and some of the land will be lost for development, Mr Jackson has continued farming the family's owned and rented land albeit at a reduced scale of intensity. It was evident from my recent inspection that a proportion of the buildings at Cropper Farm are being utilised for agricultural purposes.

4. Mr Alan Jackson intends to continue to farm Cropper Farm albeit from a new farmstead area and has planned the scale of the agricultural operations upon the areas of the owned land (excluding the land proposed for development) which extends to in the region of 35 hectares (87 acres). In addition, he is intending to continue to farm 30 hectares (89 acres) of land at Midgeland Farm, Midgeland Road, Marton which is adjacent to the Messrs Jackson's owned land. This land which is owned by Lancashire County Council has mostly been subject to landfill operations in the past. The landfill land is still in the process of being restored back to agricultural use and there will continue to be monitoring requirements.

Messrs Jackson has rented Midgeland Farm from Lancashire County Council for over 30 years. They occupied it initially on a full agricultural tenancy and have recently surrendered the tenancy and taken it back from the Council on a short term tenancy agreement.

Mr Alan Jackson also rents a further 8 hectares (20 acres) of bare land from Lancashire County Council at Old House Farm, Old House Lane, Marton on a short term tenancy agreement.

5. Mr Jackson operates a mixed arable and beef cattle system and it is his intention to continue with this system of farming in the future.

His arable cropping for the 2005 harvest year comprised of 22 hectares (55 acres) of Spring Barley. The remainder of the land which constitutes 57 hectares (141 acres) is land which is either down to grass or is the former landfill land which is subject to restoration back to agricultural use.

The grassland area provides grazing land for the cattle, silage for cattle feed and also is used for the production of conventional size hay bales which Mr Jackson sells.

With reference to the headage of cattle on the farm at present, I was informed that the numbers of these are fluid and as such, Mr Jackson preferred not to give the details of these. I understand that Mr Jackson has opted not to concentrate on establishing his cattle headage until there are replacement buildings for housing the cattle. I was informed that he is intending to operate a beef suckler herd system of farming keeping a herd of in the region of 40 to 50 head of cows. Mr Jackson did not provide any further information as to the nature of his intended cattle enterprise.

### **Proposed Development**

There have been four planning applications submitted to undertake the following development:

- a) Application number 05/669 – an outline planning application to erect an agricultural workers dwelling which he intends will be two storey construction providing approximately 160m<sup>2</sup> floor space. The site for the dwelling is shown to be closely related to the site of the proposed agricultural buildings. The access to the dwelling and farm buildings is proposed to utilise an existing stoned access off Whitehills Road which services the Telecoms mast and then a new access proposed along the southern edge of the field to the site of the proposed development.
- b) Application number 05/670 construction of agricultural storage building. This will be a 7 bay steel portal frame building measuring 32.0m x 12.2m x 5.5m eaves height. The building will be fully enclosed for four bays and open fronted for the remaining three bays. The four enclosed bays will consist of 3m high concrete panels and box profile steel sheets above. The enclosed bays will provide the following uses, one bay workshop with roller shutter access door, one bay fertiliser store also with roller shutter access and two bays grain storage with roller shutter access. The three open fronted bays are shown as machinery storage although I recognise as the building is of general purpose design that these bays could provide a variety of storage uses.

The proposed siting of this building will form part of the group of buildings being proposed by Messrs Jackson three agricultural buildings planning applications.

- c) Application number 05/671 construction of an agricultural storage building. This will be seven bays, steel portal frame construction measuring 32.0m x 12.2m x 5.5m eaves height. The building will be fully enclosed on four sides as follows: 3.0m high box profile sheeting on the side elevations with timber space boarding above to eaves height. The gable ends will consist full height box profile steel sheets. Access into the building will be through one side elevation through two sets of sliding doors. The roof of the building will consist of box profile steel sheets.
- d) Application number 05/0672 for the provision of an agricultural livestock building incorporating an underground effluent tank. This building will be of steel portal frame construction consisting of five 6.0m size bays. The overall measurement of the building will be 30.3m x 15.2m x 4.6m eaves height. The rear side elevation of the building will be enclosed consisting of 2m high concrete panels and timber space boarding above to eaves height. The other elevations will be generally open except for sheeted gates and feed barriers. Internally, the building will be divided into pens each pen the width of a bay and extending to 9.0m depth out of a total of 13.7m.

The remaining 4.3m will form a storage area for feed or straw which will provide easy access to the cattle housing area. The roof cladding materials will comprise of fibre/cement sheets.

### Assessment

The basis of submission of these planning applications is to enable the applicants to relocate the centre of farm operations from Cropper Farm to the application site. It was evident from my discussion with Mr Atkinson (applicant's agent) that he is familiar with the relevant national and local planning guidance associated with the erection of new farm buildings and agricultural workers dwelling but has not specifically made reference to these in the written submissions in support of the planning application. The reason why is due to the circumstances surrounding the need to vacate the Cropper Farm farmstead site. In line with this reason reference is made in the written submissions to a comparison between the existing buildings at Cropper Farm and the proposed development. I feel there are two issues being put forward in this respect:

1. Less building floor area is being proposed than exists at present at Cropper Farm farmstead however, it was evident from my discussions that the applicants have not ruled out the need for erecting further agricultural buildings in the future.
2. It is Mr Jackson's intention to re-utilise the three existing steel portal frame building located at Cropper Farm although I am aware there will be some variations to the sizes which currently exist.

Typically, I would assess the provision of new agricultural buildings against the criteria contained in Annex E of PPG 7 (revised). Although Annex E specifically relates to new development within the provision of agricultural permitted development rights, I feel that the guidance provided in Annex E also provides a useful basis for assessing full planning applications. Contained within the Annex are a number of conditions of development which should be satisfied if an agricultural justification is to exist and I feel the following are most relevant to this application:

1. **The development must be reasonably necessary for the purposes of agriculture within the unit.**

The current three applications represent the third time that the applicants have applied for new farm buildings at the application site within the past 6-9 months. I feel the current applications provide a more comprehensive appraisal of the needs of Mr Jackson's farm enterprise which was a point which I felt was lacking previously. I feel these proposed agricultural development is justified for the purposes of agriculture as exists with regard to the scale of the applicant's farm operation. I am conscious that the scale of the applicant's system of farming is reliant upon being able to rent land which he currently does so from the County Council.



Without the additional land then the scale of farm operation would have to be reduced. I am not aware from the County Council's perspective in respect of the land it rents to Mr A Jackson that there will be any significant changes to Mr Jackson's use of the land at Midgeland Farm.

2. **The design of the building should be in accordance with the intended agricultural use.**

I feel that the design of the buildings are appropriate for their identified uses. I feel that you will have your own views with regard to the suitability of the colour of the profile sheeting which is being proposed.

3. **Siting**

I understand from previous planning applications that it is accepted by you that the site referred to is an appropriate location for the proposed development. I feel that the proposed site does meet the applicant's agricultural requirements.

With reference to the erection of the proposed dwelling, I refer to the guidance provided in Annex A of PPS 7. Paragraph 3 of the Annex provides specific criteria for assessing the provision of permanent dwellings and I refer to this below:

**New permanent dwellings should only be allowed to support existing agricultural activities on well established agricultural units, providing:**

- (i) **there is a clearly established *existing* functional need.**
- (ii) **The need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;**
- (iii) **The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;**
- (iv) **the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and**
- (v) **other planning requirements, eg in relation to access, or impact on the countryside, are satisfied.**

With reference to the above and the agricultural issues surrounding this application, I have a number of comments to make:

1. I feel that the functional and financial tests referred to for assessing permanent dwellings are the most significant of the above conditions to be satisfied.

- a) with reference to the functional test I feel there will be aspects of the applicant's farm operations which are relevant to issues concerning the functional test. However, I am concerned that the scale of the farm operation will be relatively small. With reference to the nature of the applicants farm operations I feel that the management of the cattle will be particularly relevant to issues assessing whether a functional need exists. It is evident at present that Mr Jackson has decided not to increase the cattle numbers on the unit and I recognise the uncertainty of the availability of buildings for cattle housing will be the predominant reason for this. I am of the opinion that based upon the present numbers of cattle on the unit that a functional need would not exist. I feel though that in light of the uncertainty issues (see above) that it would be reasonable to assess the functional need in accordance with the scale of the building being proposed by the current planning application. The nature of the cattle enterprise I have assumed will comprise of a suckler herd operation.

I consider that the proposed building could accommodate in the region of the number of suckler cows being proposed but not young stock etc. I am concerned on this basis that the scale of the cattle enterprise would only be small when assessing the functional need for a worker to live on the site.

- b) as far as the financial test is concerned, I do not consider that based upon the information available at present that the nature and scale of the applicant's farm enterprise would satisfy the financial test. I am of the opinion though that the farm operation will be run on a commercial basis and feel whilst it may not meet this test that the potential farm income earned ought to represent a significant element towards the livelihood of Mr Jackson and his wife to provide a sustainable livelihood from living on the site.
2. With reference to whether there are other dwellings available within the area which could meet the applicant's requirements, I am aware from earlier conversations that Mr Jackson and his wife own a dwelling at Midgeland Road which I understand is relatively close to the site. When I raised this previously with Mr Jackson he informed me that if they were not to live on site then the lack of site security would compromise his agricultural operations.

He feels site security in this location is essential to the overall running of the farm. I am aware from a similar application to but not connected with Messrs Jackson's current application (application 04/0161) made for an agricultural workers dwelling the location being close to this application site where site security was considered by the applicant to be a significant factor for the need for on site accommodation. The application was refused on lack of agricultural justification. However I consider that if the two applications are compared that the scale of Messrs Jackson's farm operations overall are over and above those referred to above. I am aware that security (as referred to in paragraph 6) is a factor which is also relevant when considering the advice in Annex A for assessing the need for on site accommodation.

To summarise the above with regard to the provision of on site accommodation it is clear that the application has been submitted on the basis that the applicant is relocating his farmstead where a dwelling exists and as such, a dwelling is justified at the proposed site for the farmstead. I would comment when applying this aspect to the consideration for a new dwelling that the applicants have farmed Cropper Farm for a long time and whilst their agricultural enterprise has changed recently, ie ceased dairy farming I envisage Mr A Jackson continuing to farm the unit for the foreseeable future.

However I feel it is necessary for the purpose of my advice to you to consider whether the agricultural enterprise justifies the provision for on site accommodation.

In order to do so I have applied the guidance in Annex A of PPS7 and feel based upon the existing agricultural situation there is not an agricultural justification for a dwelling on the unit. I recognise the existing agricultural situation is probably not a true reflection on how the applicant's farm enterprise will be undertaken in the future but I consider the information supplies/available to me in this respect does not provide a clear indication of the applicant's farm business objective.

I would be obliged to receive a copy of your Decision Notice in due course.

Yours faithfully

Land Agency Manager  
On behalf of the Director of Property

05/ 669  
- 670  
- 671  
- 672

2005 JUL 11 P 12:51

**REPLACEMENT FARMSTEAD - CROPPER FARM, CROPPER ROAD, MARTON, BLACKPOOL**

Detailed below is supplementary information regarding the re-location of Cropper Farm and the planning applications for agricultural buildings and a farmhouse (outline) off Whitehill Road, Marton.

- o Cropper Farm is owned and managed by the Jackson Family (trading as AA & MA Jackson & Son).
- o The farmland extends to 41.52 ha (103 acres), with additional land rented locally extending to 44.61ha (110 acres).
- o All the land is down to grass (for grazing and conserved for hay and silage), with the exception of 16-20ha (40-50 acres) which is cropped with spring barley.
- o The farmstead and the land surrounding the farmyard is allocated for commercial development in the Fylde Borough Development Plan. The development proposals for the area have put pressure on the future of Cropper Farm and consequently in the autumn of 2004 the dairy enterprise ceased.
- o As of 5 October 2005 the farmstead and 5.31ha (13 acres) of land (adjacent to the farmyard) will be taken over by the developers.
- o Consequently, proposals are being submitted to Fylde Borough Council for the creation of a new farm complex on a field off Whitehill Road.
- o The proposal is to erect three steel portal frame buildings for the ongoing management of the Jackson's farming enterprises; cattle rearing, cereal production, hay production, and also a dwelling to replace the accommodation that will be lost at Cropper Farm. The three buildings will comprise of existing structures at Cropper Farm that will be dismantled and then re-erected at the new site. The buildings will have a combined total floor space of 1,241m<sup>2</sup>. The total foot print of agricultural buildings at Cropper Farm is presently approximately 3,750 m<sup>2</sup>.
- o The proposal for a dwelling is submitted as an outline application at this stage. However, the property will simply be a replacement for the accommodation provided at Cropper Farm, which is a modest farmhouse providing approximately 160 m<sup>2</sup> of floor space (over 2 floors).

**ANTHONY W. ATKINSON MRICS FAAV  
For Acorus Rural Property Services**

*ajack2.doc*



**Item Number: 7**

<b>Application Reference:</b> 05/0670		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	AA + MA Jackson + Son	<b>Agent :</b>	Anthony Atkinson
<b>Location:</b>	LAND OFF, WHITEHILL ROAD, PEEL, BLACKPOOL, FY4 5L		
<b>Proposal:</b>	AGRICULTURAL STORAGE BUILDING - WORKSHOP, MACHINERY AND FERTILISER STORE		
<b>Parish:</b>	Westby with Plumpton	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	8	<b>Case Officer:</b>	Mr D Shepherd
<b>Reason for Delay:</b>	Awaiting consultation replies		

**Summary of Recommended Decision:** Grant

See full report on application 05/0669

**Recommendation**

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans the materials of construction to be used on the external elevations and roof must match those of the existing building[s] in the terms of colour and texture and samples of the materials shall be submitted to and approved by the Local Planning Authority prior to the commencement of building operations and thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

To ensure a consistency in the use of materials in the interest of visual amenity.

3. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the local planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

Reason; To ensure satisfactory drainage of the site.

**REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

**SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which  
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance

and in particular Policies:

Fylde Borough Local Plan: SP 2

Joint Lancashire Structure Plan: Policy 5

PPG's/PPS's: PPS1, PPS 7

**Item Number: 8**

<b>Application Reference:</b> 05/0671		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	AA + MA Jackson + Son	<b>Agent :</b>	Anthony Atkinson
<b>Location:</b>	LAND OFF, WHITEHILL ROAD, PEEL, BLACKPOOL, FY4 5L		
<b>Proposal:</b>	AGRICULTURAL STORAGE BUILDING AND ACCESS TRACK FOR NEW FARM COMPLEX.		
<b>Parish:</b>	Westby with Plumpton	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	8	<b>Case Officer:</b>	Mr D Shepherd
<b>Reason for Delay:</b>	Awaiting consultation replies		

**Summary of Recommended Decision:** Grant

See full report on application 05/0669

**Recommendation**

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans the materials of construction to be used on the external elevations and roof must match those of the existing building[s] in the terms of colour and texture and samples of the materials shall be submitted to and approved by the Local Planning Authority prior to the commencement of building operations and thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

To ensure a consistency in the use of materials in the interest of visual amenity.

3. The access improvements detailed on drawing numbers JACK H1 & JACK H2, Rev B, dated the 6th September 2005, shall be completed prior to first usage/occupation of the building hereby approved.

Reason; In the interests of highway safety to secure safer access and egress to the site.

**REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

## **SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which  
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance  
and in particular Policies:

Fylde Borough Local Plan: SP 2

Joint Lancashire Structure Plan: Policy 5

PPG's/PPS's: PPS1,PPS 7



**Item Number: 9**

<b>Application Reference:</b> 05/0672		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	AA + MA Jackson + Son	<b>Agent :</b>	Anthony Atkinson
<b>Location:</b>	LAND OFF, WHITEHILL ROAD, PEEL, BLACKPOOL, FY4 5L		
<b>Proposal:</b>	AGRICULTURAL LIVESTOCK BUILDING, INCORPORATING AN UNDERGROUND EFFLUENT TANK		
<b>Parish:</b>	Westby with Plumpton	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	8	<b>Case Officer:</b>	Mr D Shepherd
<b>Reason for Delay:</b>	Awaiting consultation replies		

**Summary of Recommended Decision:** Grant

See full report on application 05/0669

**Recommendation**

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Notwithstanding any denotation on the approved plans the materials of construction to be used on the external elevations and roof must match those of the existing building[s] in the terms of colour and texture and samples of the materials shall be submitted to and approved by the Local Planning Authority prior to the commencement of building operations and thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

To ensure a consistency in the use of materials in the interest of visual amenity.

**REASON FOR APPROVAL**

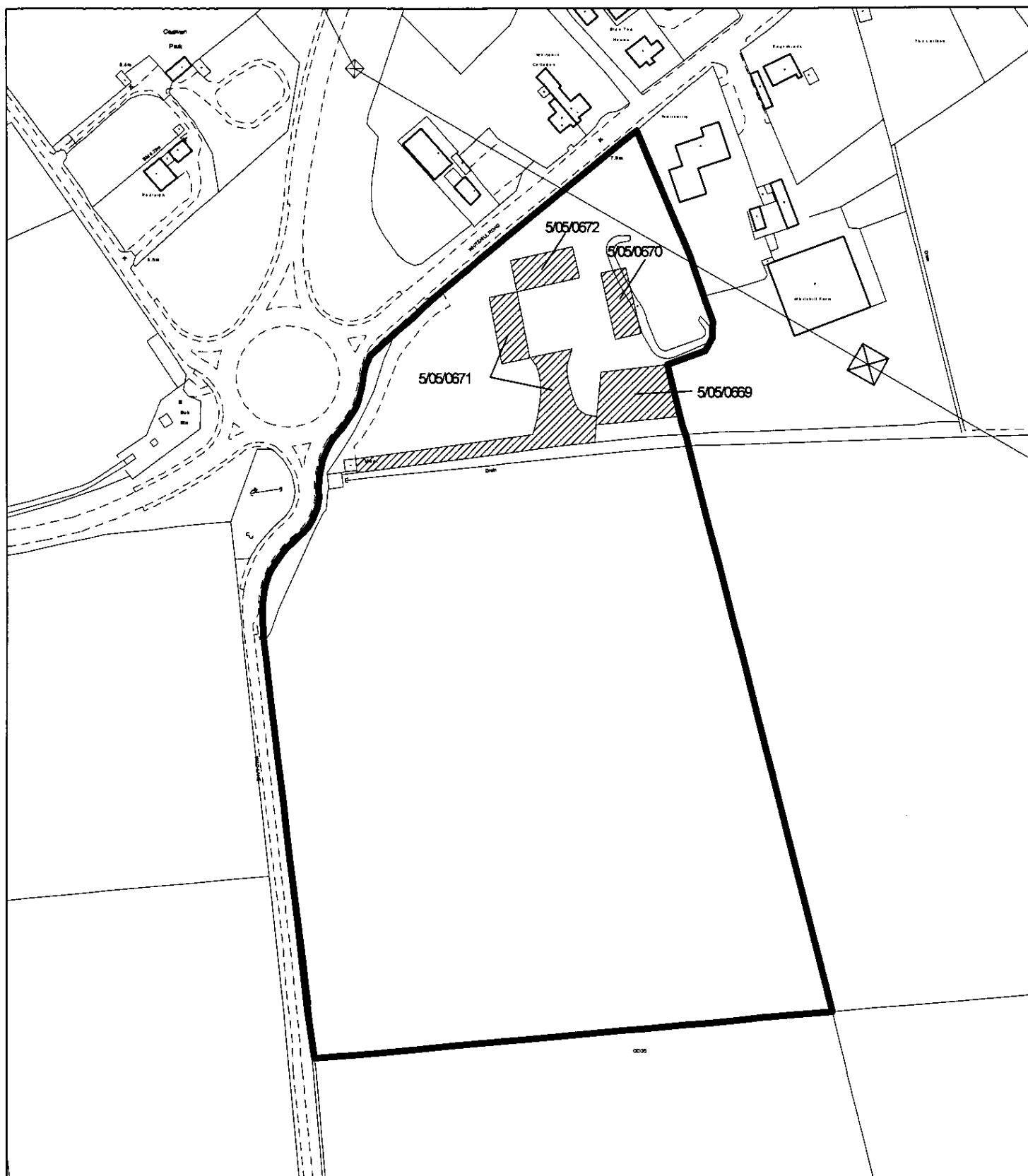
The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

**SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which comprises of the:

The Fylde Borough Local Plan.  
The Joint Lancashire Structure Plan.  
and all other relevant planning guidance  
and in particular Policies:

Fylde Borough Local Plan: SP 2  
Joint Lancashire Structure Plan: Policy 5  
PPG's/PPS's: PPS1,PPS 7



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0669-672

Address

Land off Whitehill Road  
Peel

Grid Ref.

E.3349 : N.4324

Scale

N.T.S.

Item No.

6-9

**Item Number:** 10

<b>Application Reference:</b> 05/0702		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Eric Bebbington	<b>Agent :</b>	
<b>Location:</b>	CROPPER MANOR GARDEN CENTRE, CROPPER ROAD, MARTON, BLACKPOOL		
<b>Proposal:</b>	CAR BOOTS SALES ON ANY 30 SATURDAYS BETWEEN 1ST APRIL 2005 AND 31ST OCTOBER 2005 AND EVERY YEAR THEREAFTER		
<b>Parish:</b>	Westby with Plumpton	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	7	<b>Case Officer:</b>	Mr D Shepherd
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The land in question has, for a number of years now, been used for car boot sales upto the maximum permitted under the GPDO. This is a maximum of 14 in any 12 month period.

There are two issues with car boot sales, one is clearly traffic generation and any impact on the local highway network and secondly, the visual impact of such proposals on the countryside.

The LCC Highways officer reports no reported incidents and no complaints or any statistics recording any problems associated with the use. A condition is suggested re a sealed surface into the site for the first 15 metres.

The use is clearly temporary on a daily basis and is cleared up at the end of each day. On visual amenity grounds alone, it would be difficult to justify that an additional 16no car boots over and above the permitted number within the GPDO, over a 12 month period, is detrimental to the visual amenities of the countryside. The application is therefore recommended for approval.

**Reason for Reporting to Committee**

Westby with Plumpton Parish Council object to the application on highway safety grounds.

**Site Description and Location**

Countryside location, adjacent to the buildings/site known as Cropper Manor. The land in question is open fields.

**Details of Proposal**

Use of the land for one day markets (car boot sales) on 30no Saturdays between 1st April and 31st October in any year. The site would be split into a sales area and a car park area. Access is via an existing site access to the land.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
00/0279	SINGLE STOREY EXTENSION TO CAFE TO FORM KITCHEN, STORE AND STAFF ROOM	Granted	20/06/2001
00/0584	ERECTION OF 4 TURKEY SHEDS	Refused	04/10/2000
01/0528	CHANGE OF USE OF LAND TO HOLD CAR BOOT SALES AND MARKETS.	Refused	03/10/2001
02/0186	CHANGE OF USE OF LAND TO HOLD CAR BOOT SALES AND MARKETS ANY 30	Withdrawn by Applicant	16/04/2002
02/0455	RETROSPECTIVE APPLICATION FOR THE DEPOSITION OF INERT WASTE MATERIALS TO INFILL POND AND FORM HARD STANDING AREA FOR A CAR PARK EXTENSION AND SAND PADDOCK	Returned Invalid Application	27/09/2002
03/0175	USE OF EXISTING CAFE SEPARATELY FROM THE GARDEN CENTRE	Refused	08/04/2003
03/0808	CHANGE USE FROM AGRICULTURAL & PRIVATE STABLES TO AGRICULTURE/STABLES & COMMERCIAL STABLES & SAND PADDOCK	Refused	09/10/2003
03/1108	RETENTION OF PART OF HARDSTANDING AREA TO CREATE CAR PARK AND ACCESS ROAD	Refused	10/02/2004
04/0052	CHANGE OF USE OF PART OF GARDEN CENTRE TO INDOOR MARKET	Granted	25/06/2004
04/1142	CHANGE OF USE FROM GARDEN CENTRE TO RETAIL SALES OF UPHOLSTERED CONSERVATORY FURNITURE, CANE FURNITURE, TABLES & CHAIRS AND ASSOCIATED CONSERVATORY PRODUCTS.	Refused	17/01/2005
96/0456	CHANGE OF USE OF PART OF THE GLASSHOUSE TO CAFE,	Granted	14/08/1996
97/0188	ADVERTISEMENT CONSENT TO DISPLAY POLES AND FLAGS	Refused	21/05/1997
97/0382	CONSTRUCTION OF ACCESS ROAD AROUND FIELD TO REAR OF NURSERY, ADDITIONAL	Withdrawn by Applicant	23/01/1998
97/0674	ERECTION OF TOILET BLOCK TO BE USED IN CONJUNCTION WITH CAFE	Withdrawn by Applicant	23/01/1998
97/0877	CHANGE OF USE OF ADDITIONAL AREA OF GREENHOUSE TO RESTAURANT/CAFE TO BE	Granted	18/05/1998
98/0281	SITING OF TEMPORARY BUILDINGS 1 PORTAKABIN & 1 TOILET BLOCK UNTIL	Refused	15/07/1998
98/0495	CREATION OF FISHING LAKE INCLUDING SCREEN MOUNDING & 13 SPACE CAR PARK	Granted	27/01/1999
98/0619	MODIFICATION OF CONDITION NO. 5 ON APPLICATION 5/97/877 TO EXTEND HOURS	Granted	24/03/1999
99/0767	RETURNED INVALID APPLICATION - 28/03/2000	Returned Invalid Application	28/03/2000

### **Parish Council Observations**

#### **Westby with Plumpton Parish Council,**

Object on highway safety grounds, commenting that Cropper Road is narrow and uneven and it is envisaged that a large number of vehicles will visit the site causing highway problems and disturbance to local residents.

### **Statutory Consultees**

#### **County Highway Authority**

I am aware of regular car boot sales at this site and I have not received any complaints about its operation nor are there any statistics to record a problem I am pleased to say.  
I recommend a condition be required to surface the first 15 metres into the site with a sealed surface such as macadam or concrete to prevent loose materials being carried on to the public highway.

### **Observations of Other Interested Parties**

None

### **Neighbour Observations**

None

### **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 5.

Fylde Borough Local Plan:  
SP 2,  
SH 15

Other Relevant Policy:  
PPS1: Delivering Sustainable Development  
PPS 7: Sustainable Development in Rural Areas

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

As stated at the beginning of the report, the application is for 30no car boot sales between 1st April and 31st October in any year. This can be reasonably interpreted as every Saturday between those dates. The land is already used for 14no a year under the allowance granted by virtue of the GPDO.

The Parish Council have voiced concern about the proposal on grounds of highway safety, in part stating, "....it is envisaged that a large number of vehicles will attend the boot and market sales and park on Cropper Road causing highway problems to local residents".

In this case, because exactly what is being applied for is already being carried out 14no times a year, it is easy to assess the Parish Councils concerns. As mentioned in the LCC Highways response, there

have been no complaints or statistics recording problems at the site. This is not an application for a proposed use in the usual sense, it is a use that is already being carried out on a smaller number of occasions a year than being applied for so it is not an "unknown quantity". There is no proposed change to the way that the additional sales would be carried out as compared with the existing sales so there is no reason to suspect that highway situations would change on those additional days.

In terms of visual amenity, as already stated, 14no car boots take place under GPDO allowances and this application proposes upto 30no sales. The site would be cleared at the end of the day as it is at present and it's appearance returns to that of a field. In your officers view, it would be difficult to substantiate a reason for refusal based on the fact that 16no more sales could take place than currently do and that this would therefore be visually inappropriate in this countryside location.

Clearly the LCC Highways officers views do not suggest any possible reason for refusal on highway grounds as there have been no problems encountered under the current 14no sales a year.

The type of goods sold at car boot sales do not normally give rise to concerns about how such a "market" could affect the vitality and viability of nearby town centres. In this case, the car boots, which have been carried out for a number of years now, have never been the subject of a complaint from any traders either within the Fylde Borough area or elsewhere.

It is worth noting that the 2001 application for car boot sales (refused, see history) was for a total of 48no sales. This was refused on the basis of visual amenity of 48no sales. The current application is for 30no and from experience over the years that the 14no have been carried out at the site, the site is well run and tidied up at the end of each event.

There was a second reason for refusal as the earlier application proposed two entrances/exits. The LCC Highways officers stated at the time that they felt one entrance/exit would suffice and they could not support two access/egress points.

### **Conclusions**

Acceptable development, approve with conditions.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. Prior to development commencing, the first 15 metres of the access into the site, from the edge of the highway, shall be surfaced in an appropriate sealed surface, to the satisfaction of the Local Planning Authority. Details of the surfacing materials shall be agreed with the Local Planning Authority prior to commencement of development and only such agreed materials shall be used unless otherwise agreed in writing.

Reason; In the interests of highway safety and to prevent loose materials being carried on to the highway surface and becoming a danger to highway users.

3. There shall be no storage of any materials on any of the land subject of this application other than the duration of the sales hereby permitted, and the land shall be tidied up and returned to it's agricultural condition at the end of each days sale.

Reason; In the interest of visual amenity in this countryside location.

#### **REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

#### **SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which  
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

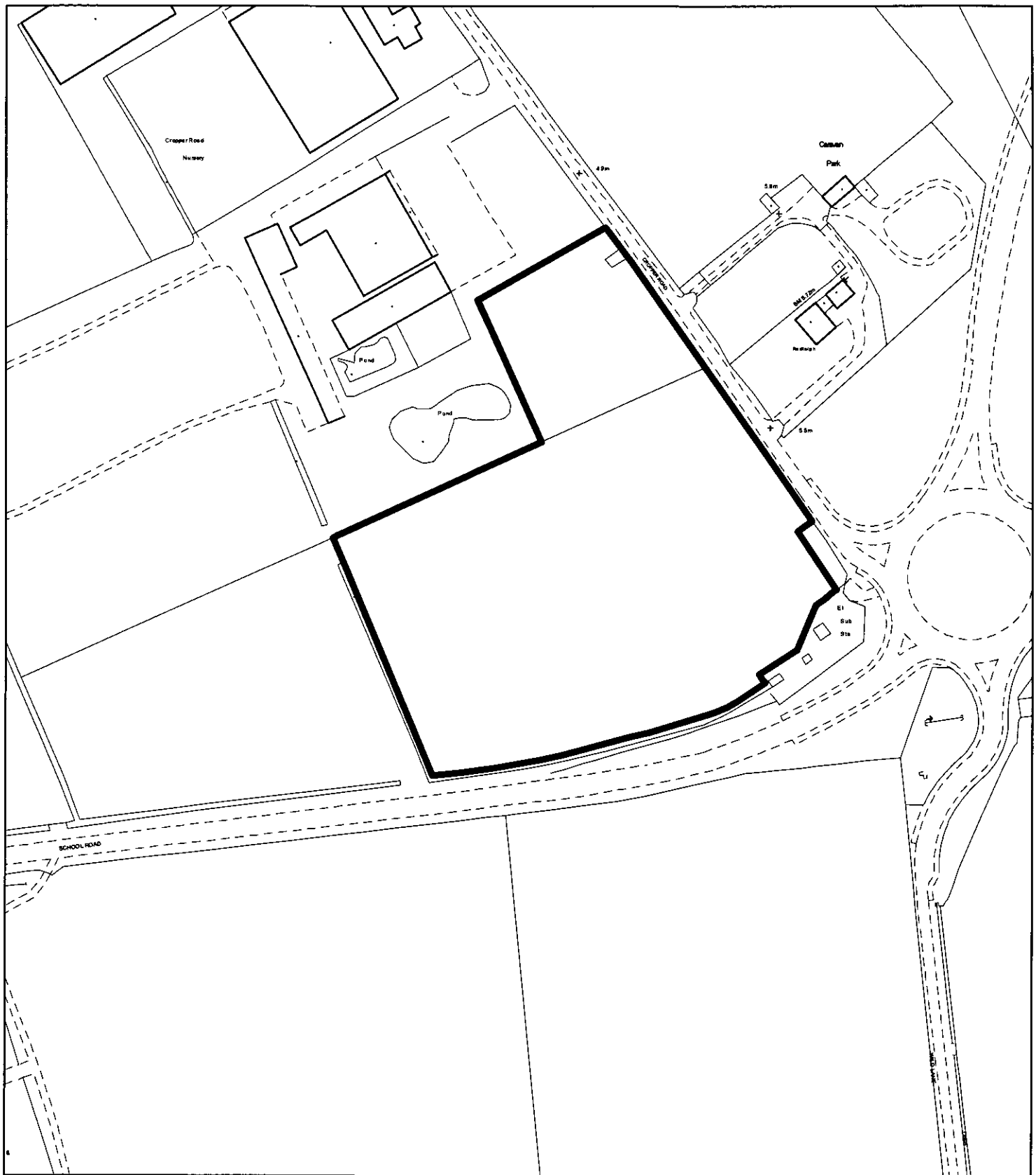
and all other relevant planning guidance  
and in particular Policies:

Fylde Borough Local Plan:SP2 & SH 15

Joint Lancashire Structure Plan: Policy 5

PPG's/PPS's: PPS1, PPS7.





D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0702

Address

Cropper Manor Garden Ctre  
Cropper Road, Marton

Grid Ref.

E.3346 : N.4323

Scale

N.T.S.

Item No.

10

**Item Number: 11**

<b>Application Reference:</b> 05/0733		<b>Type of Application:</b> Change of Use	
<b>Applicant:</b>	Mr and Mrs Fenton	<b>Agent :</b>	Janet Dixon Town Planners Ltd
<b>Location:</b>	BRYNING HALL FARM, BRYNING HALL LANE, BRYNING, NR PRESTON		
<b>Proposal:</b>	RE-SUBMISSION OF 05/428 CHANGE OF USE FROM REDUNDANT AGRICULTURAL BUILDING TO GARDEN DESIGN STUDIO DISPLAY AREA		
<b>Parish:</b>	Bryning with Warton	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	6	<b>Case Officer:</b>	Miss R Delooze
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Refuse

**Summary of Officer Recommendation**

The proposal is considered to not meet all the relevant criteria within the development plan and is contrary to Policy SH15 of the Fylde Borough Local Plan and as such is recommended for refusal.

**Reason for Reporting to Committee**

This application is being reported to Committee at the request of the Local Ward Councillor - Councillor Rigby.

**Site Description and Location**

A medium sized farm complex located within the Countryside at Warton. The property is located on a single track road off Bryning Lane.

**Details of Proposal**

The application proposes a change of use of a currently redundant farm building which is located to the North East of the main farm and is slightly detached from the main farmstead. The proposal is to provide some external improvements and alterations to the building to provide a secure structure with additional doors and windows. The applicant proposes to create an office area and showroom in connection with a garden design studio. The office will be utilised by an immediate family member and will be an area where they will create garden design proposals and the showroom will sell garden artefacts in connection with this element of the proposed business.

To the exterior of the building the applicant also proposes a garden display area where the applicant wishes to display demonstration gardens to show to the public, this area will feature plants grown on the farm and available for sale.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
05/0428	CHANGE OF USE FROM AGRICULTURAL BUILDING TO GARDEN DESIGN STUDIO AND DISPLAY AREA.	Withdrawn by Applicant	17/06/2005
92/0158	TWO STOREY REAR EXTENSION TO DWELLING.	Granted	22/04/1992
97/0722	ERECTION OF AGRICULTURAL BUILDING TO HOUSE MACHINERY	Granted	03/12/1997

### **Parish Council Observations**

#### **Warton Parish Council**

No specific observations

### **Statutory Consultees**

#### **MOD**

"No safeguarding objections"

#### **BAe**

"No objections"

#### **County Highway Authority**

Response as per previous application -

"Bryning Hall Farm is located on a single-track rural road with one passing place between Bryning Lane to the east and the farm (which would probably comprise the main access route). To the West, the road is again single track with one passing place between the farm and Corka Lane. Bryning Hall Lane is not suitable for an increase in traffic, the issue is, how much extra traffic will be created by this proposal if it is a diversification of the building and not additional to existing use. The application states that 6 vehicles will visit the site is any one day, which is an increase.

Conditions at the junction of Bryning Hall Lane and Bryning Lane must also be considered. Visibility both to the north and south of the junction is substandard.

Having made an initial site inspection I find it hard to comply with Policy SP5.8 i.e. safe and adequate vehicular access. It would difficult to justify either for an increase in use."

### **Observations of Other Interested Parties**

The applicant has submitted a statement justifying their proposal and attempting to overcome the Highways concerns, this statement has been appended to this report.

Whalley & Hirst Ltd - building contractors (surveyors report)

"We have visited Mr Fenton with regards to the change of use of a farm building to a office and showroom.

Most of the work to be undertaken is to the floor where concreting is required as it is a soil floor at present. The existing walls are adequate for the use of this building and the roof is waterproof. Any alterations to the exterior of the building are predominantly the reducing of existing doorways or installation of new ones.

The only defect with the building is movement in the pike on the back gable which can be rectified quite simply."

Building Control - Our Building Control section have been asked to have a look at the building to check its suitability for conversion, their comments will be reported to Committee in the late observations.

Bat and Barn Owl survey -

"I understand that they are planning to alter a building on the farm and there is some concern as to the affect this might have on the resident Barn Owls, which nest in a nest box that I put up in the area, and I am currently monitoring the Barn Owls in the Fylde area for the Barn Owl Monitoring Programme run by the B.T.O.

I have checked the building in question and I am confident that the Barn Owls do not use it for roosting or hunting, and there are no signs of pellets or droppings or moulted feathers. The building is unsuitable for Barn Owls, as it is too low, with no secluded areas where they would feel safe and it is also too close to human activity. They are well established on the farm and apart from where they nest, they regularly roost in 2 other buildings close to the nest site.

If there was any chance that the Barn Owls would be adversely affected by the planned work I would be the first to object, and I know the Fentons to be very responsible when it comes to conservation matters, and wouldn't do anything that may jeopardise the Barn Owls. The building is far enough away from the Barn Owls so that work carried out should not affect them in any way."

### **Neighbour Observations**

None received

### **Relevant Planning Policy**

Joint Lancashire Structure Plan:

Policy 5 - Development in rural areas

Fylde Borough Local Plan:

SP2 - Development in rural areas

SP5 - Conversion of existing buildings outside settlements to commercial use

SP9 - Commercial uses within rural areas

SH15 - Small scale out of centre retail development

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPS7: Sustainable development in rural areas

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

The main issues for consideration in this application are contained within policies SP2, SP5, SP9 and SH15 of the Fylde Borough Local Plan.

The proposed alterations to the building and the siting of the building will ensure that the proposal will have no detrimental impacts on the character or visual appearance of the Countryside, as although slightly detached from the main farm it is sited on higher ground and is well screened to both Bryning Lane and Bryning Hall Lane by existing trees and shrubbery.

With regards to policy SP2 it states that uses should be essentially required for agriculture, horticulture or forestry or other uses appropriate to a rural area. Although a garden design studio is not an agricultural use the growing and selling of plants does fall within the use of horticulture, and the use of a garden design business is considered to be acceptable, however there are concerns regarding the retail element.

The application proposes to re-use an existing agricultural building which is considered to be suitable of conversion and has had the required structural report carried out by a building contractor to verify this. The work to the building will be minimum and only requires a new internal floor and a slight movement in the pike which the surveyor states can be rectified simply. The majority of the works will be to replace and improve windows and doors.

When considering policy SP2 of the Local Plan it states that proposals will be acceptable if it accords with policy SP9 of the Local Plan, this application is considered to meet with the requirements for the use to be ancillary to the farm and that the proposal will have no detrimental impacts on nearby residential amenity or affect the character of the Countryside. However, there is a key requirement for any commercial uses to provide adequate vehicular access, parking, loading and manoeuvring areas for vehicles can be provided. County Highways are of the opinion that as the junction of Bryning Hall Lane and Bryning Lane is substandard and with any increase in the amount of traffic they feel it does not comply with this criteria and as such is unsatisfactory. This matter is exacerbated by the fact that we cannot place any form of control over the development with regard to the number of future visitors to the site and therefore any further increase in traffic using this junction and Bryning Hall Farm.

With regard to policy SH15 it does not permit small-scale retail uses in locations outside existing retail centres which do not have special locational requirements such that it would not be appropriately sited within an existing retail centre, the proposed use of a garden design business can clearly be sited within an existing retail centre, and will not provide a facility which is deficient in the locale, although it is appreciated that the proposal may be considered to be assisting to diversify the rural economy and is being justified on the grounds of farm diversification as promoted within PPS7.

This application is a balanced proposal which is accepted will assist in farm and rural diversification, however PPS7 also requires any proposals which are justified as diversification should be sited in a sustainable location and with adequate vehicular access, and with County Highways unsatisfied that this aspect can be achieved and the concern over the requirement to site the retail aspect of the proposal in this location, the application is recommended for refusal.

### **Conclusions**

The proposal may be considered to be assisting in farm diversification, however as there is unsatisfactory safe vehicular access and no ability to control the number of future visitors to the site, and no specific locational requirement to site the business at the property the application is recommended for refusal.

### **Recommendation**

That Planning Permission be REFUSED for the following reasons:

1. The proposal is contrary to the provisions of the Policies SP5 and SP9 of the adopted Fylde Borough Local Plan in respect of the conversion of existing farm buildings to new commercial uses in that it fails to satisfy all the specified criteria of those policies (Criteria

8 and Criteria 4 respectively) by reason of there not being an adequate safe vehicular access to the property.

2. The proposal does not demonstrate an special locational requirement to be sited outside of an existing retail centre and would accordingly be contrary to policy SH15 of the adopted Fylde Borough Local Plan.

## PLANNING STATEMENT TO ACCOMPANY A PLANNING APPLICATION FOR CHANGE OF USE AT BRYNING HALL FARM, WREA GREEN

### PROPOSAL

The application is for a change of use of a redundant farm building to an office and showroom in connection with a garden design studio. The display area would be for garden ornaments and artefacts which would be available for people to buy as part of seeking advice associated with new garden designs. Adjoining the redundant agricultural building there would be established a demonstration garden design project featuring plants grown on the farm and available for sale. This latter aspect is of course a horticultural activity and in itself does not need planning permission but would reinforce the garden design business.

### GOVERNMENT POLICY

PPS7: Sustainable Development in Rural Areas published in 2004 is very supportive of farm diversification and states that *"Recognising that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises, Local Planning Authorities should be supportive of well conceived farm diversification schemes for business purposes that contribute to sustainable development objectives and helps to sustain the agricultural enterprise and are consistent in their scale for their rural location."* (Paragraph 30).

### DEVELOPMENT PLAN POLICY

The Fylde Borough Local Plan was adopted in May 2003 and contains Policy SP5 concerning the conversion of existing buildings outside settlements for new commercial industrial or recreational uses. The policy sets out a number of criteria which must be met, including a general one that the nature and extent of the proposal would not prejudice the character and appearance of the countryside and that the site must have or be capable of being provided with safe and adequate vehicle access and that the building and associated curtilage is adequate to provide for parking, loading and manoeuvring of service vehicles without detriment to the character of the area, and finally, the proposal can be adequately served by the local road network.

### CONCLUSIONS

This is a genuine farm diversification project, consistent with the advice set out in PPS7 and will be carried out by a member of the farming family. The building will not be significantly altered such that the character and appearance of the countryside will be affected. The demonstration garden is effectively a horticultural activity and one which can be carried out in the countryside. It should be stressed that a straight retail outlet is not being established here in the fact that the sale of ornaments and

plants are genuinely ancillary to the main use of the building which is as a garden design studio.

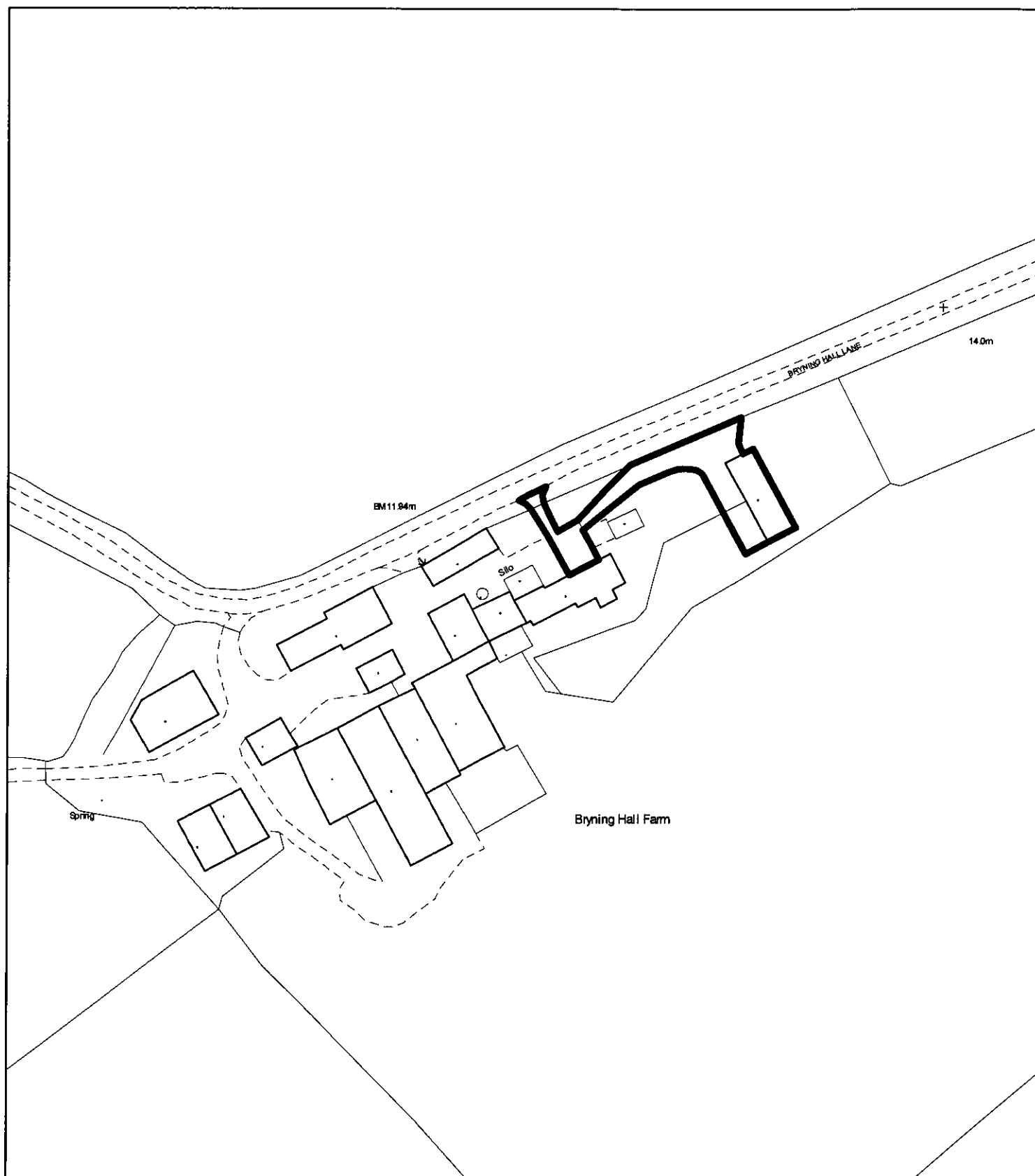
The issue which seems to have given the most concern with regard to this project is that of the attitude of the County Highway Authority who are claiming the proposal will not meet the criteria set out in Local Plan Policy SP5. They are claiming that a possible six vehicles a day visiting the site will cause problems on Bryning Hall Lane and at the junction with Bryning Hall Lane and Bryning Lane. It is accepted that the junction is substandard and that Bryning Hall Lane is a single track rural road. However, agricultural activities going on at the farm at present obviously includes the movement of very large vehicles, namely milk tankers, feed vehicles, tractors and agricultural equipment and no discount appears to have been made by the Highway Authority that diversification may result in a reduction in the movement of these large vehicles. In other words, this is a trade off situation which will result in no increased adverse highway effects recognising that the junction onto the B5260 is not an acceptable standard and that Bryning Hall Lane is narrow but with a passing space and only represents a short distance down to the farm. The proposal is not to seek the establishment of a garden centre which, it is agreed, would attract large numbers of vehicles, but a garden design studio and service which would only attract people who are following up the marketing of the service and wish to take advantage of it.

The Planning Authority is urged to take a realistic view of the situation and acknowledge that most farms are located in rural areas on lanes which are narrow and do not reflect current highway standards or the standards that the Highway Authority would like to see. In the context of Government Guidance that it wishes to encourage farm diversification schemes it is inevitable that compromises will have to be made.

**Mr Andy Wiggett**  
Janet Dixon Town Planners Ltd

July 2005





D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0733

Address

Bryning Hall Farm  
Bryning Hall Ln, Bryning

Grid Ref.

E.3398 : N.4298

Scale

N.T.S.

Item No.

11

**Item Number: 12**

<b>Application Reference:</b> 05/0749		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	Metacre Ltd and New Fylde	<b>Agent :</b>	DE POL Associates Ltd
<b>Location:</b>	LAND NORTH OF, MYTHOP ROAD, WEETON, PRESTON, PR		
<b>Proposal:</b>	RESIDENTIAL DEVELOPMENT COMPRISING OF 8 SEMI DETACHED AFFORDABLE DWELLINGS.		
<b>Parish:</b>	Weeton and Preese	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	5	<b>Case Officer:</b>	Miss R Delooze
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Refuse

**Summary of Officer Recommendation**

The proposal does not have sufficient information to determine the application and as such is recommended for refusal.

**Reason for Reporting to Committee**

The application is on Committee as the Parish and Officer recommendations differ

**Site Description and Location**

The site is currently a greenfield site located within the village centre at Weeton. At the moment there a number of run down and semi-derelict sheds and small agricultural buildings sited on the area of land where the semi-detached properties are to be located. This area of the site also falls outside the defined limits of development of Weeton and are located within designated Countryside.

**Details of Proposal**

The applicant originally proposed to place 1 detached 5-bedroomed market dwelling at the front of site adjacent to Church View Heads Farm and Elmtree Villa, and 4 pairs of semi-detached properties with 2 bedrooms. However, on receipt and acknowledgement of the Inspectors report on the Housing Chapter the applicants were advised that the proposal would need to be for 100% affordable units to comply with the new policy. They therefore chose to withdraw the detached dwelling off the plan and just retain the 4 pairs of semi-detached units.

Each dwelling proposed is 5.5 metres in width, 9.6 metres in length, 5.1 metres in height to eaves and 8.7 metres in height to the pitch. These dwellings are of a traditional design, each being served with adequate rear garden area and driveways for parking at the front. The dwellings will accessed via the existing access off Mythop Road which is currently serving the farmhouse. As the detached dwelling has now been withdrawn from the development there will be a large green area located at the front of the site, which ensures that the proposal will be set well back from the highway.

### **Relevant Planning History**

None

### **Parish Council Observations**

#### **Weeton Parish Council**

Originally responded on 22nd August as follows:

- "1. Proposal for the tiled roofs is not in keeping with the existing properties, which are slate
2. Parking facilities for the proposed semi-detached is 'on drive', which could cause problems when there are visitors. One problem and concern is that vehicles could block the access entrance to the field and a request, should the application be approved, is that the entrance to be kept clear at all times
3. Concern expressed that the proposed detached house is in close proximity to the adjacent property known as 'Elm Tree Villa', which has windows in the side of the house, the proposed property would block out light.

Parish Council have been informed that some residents are for the application and some against, however, it is understood that you will be informed by the individuals concerned.

Parish Council recommends approval of the application as follows:-

One Parish Councillor absent, one Parish Councillor declared an interest, one Parish Councillor against and two Parish Councillors for the application."

The Parish Clerk has subsequently sent in additional comments to inform that the original recommendation is void as they did have enough Councillors at the meeting to form a quorum. The Parish Council will be holding another meeting on this application and any subsequent comments will be reported to Committee in the late observations.

### **Statutory Consultees**

#### **County Highway Authority -**

"The proposed development is acceptable in principle.

Visibility both east and west of the access must be protected and any walls or hedges within the visibility splay in the applicants control must be reduced to and maintained at no more than 1 metre in height.

It is not clear from the location plan whether or not the brick wall and stone gate post to the east of the access fall within the red edge (see attached plan). Both the gate post and wall create a sightline obstruction and these need to be removed and lowered respectively.

The internal layout including the footway is functional but I would like to see either a footway crossover or rumble strip at the entrance to the development and 2 further rumble strips between the farm access and the garage to the detached dwelling also between the garage and the turning head.  
Reason: To moderate the speed of traffic.

I would like to see the amended plans in due course to ensure that the above areas of concern have been addressed."

## **Council's Housing Section -**

"My understanding of the information from the planning inspector is that a local housing needs statement will be required in support of each application in respect of affordable housing provision under the terms of the 'rural exceptions' policy. FBC's borough wide housing needs survey is not sufficiently detailed at a local (parish) level to suffice. DC Committee clearly share this view as demonstrated by the decision made a few months ago on New Fylde Housing's application for affordable housing in Clifton. This application does not contain such a local needs statement and would therefore be subject to a recommendation for refusal.

Additionally a rural exception provision should be for 100% affordable housing. A mixed development where market housing is being proposed as part of the scheme to cross subsidise the affordable provision should not be permitted. This application includes a detached market dwelling and would therefore be subject to a recommendation for refusal.

Shared ownership can be an acceptable form of affordable housing provision providing the valuations of the houses are at a level that allows the scheme to meet affordability tests. I am awaiting further discussions with New Fylde Housing to confirm the valuations but do not see this as a reason for recommending refusal at this stage."

## **United Utilities**

"No objection to the proposal, they have noted issues which will require conditions relating to surface water run-off and metered supply, and they have noted that a public sewer runs along the southern boundary of this site and will not permit building over it. We will require an access strip of no less than 6 metres wide, measuring at least 3 metres either side of the centre line of the sewer, for maintenance or replacement."

## **Environment Agency -**

Have requested conditions and notes be attached to any approval.

## **Observations of Other Interested Parties**

N/A

## **Neighbour Observations**

5 letters of objection received, main points raised were:

There is enough affordable housing in Weeton village

The need is for better class properties

Who will want to buy a three-storey property at approx. £500,000 looking on to eight semi-detached 'affordable' houses, without garages at the rear?

This scheme should be scrapped and new plans drawn up detached properties with character to enhance the village.

Why should Weeton have to accommodate 'affordable' housing when adjacent villages have none?

Weeton already has a large 'council' estate in proportion to private properties.

The scale and size of the detached dwelling is out of all proportion to the scale and size of the cottages on the adjoining plots and as such it would have a detrimental visual impact

I also consider that the design and style of the detached dwelling is completely out of character with the cottages on the adjoining plots. A more sympathetic design and style, perhaps a pair of semi-detached cottages, would be more in keeping.

This plot is in the heart of the village and as such its development as being of crucial importance

If approved will further exacerbate the imbalance in the village between privately owned properties and "affordable dwellings".

At present, Weeton has 51 "affordable dwellings" in the form of either the existing or former Council properties. The total of traditional privately owned properties within the village amounts to 34. In other words we already have 60% "affordable dwellings".

By comparison, the figures for neighbouring villages are as follows:

Great Plumpton 15%

Singleton 23%

Wrea Green 6%

In Fylde as a whole there may well be a need for this type of property, but certainly not in Weeton. Already we have to import tenants from outside the village.

As there is no employment in Weeton, no shop, and minimal public transport, surely any advantage in being offered "affordable dwellings" in Weeton would be offset by the additional costs involved?

This application has been based purely on commercial necessity, rather than on any identified local need for this type of property.

Many of the residents of the village are concerned that over the last couple of years, despite the heroic efforts of our local policeman, there has been a worrying increase in vandalism. We certainly would not wish to see this situation worsen, particularly as we no longer have a resident policeman in the village.

Strongly oppose development, which might leave us vulnerable to further problem families being inflicted upon us.

What the village needs in order to redress the property imbalance, and to sustain this valuable rural community in the future, is further private housing (not necessarily expensive) which will attract families who have commitment to share 100% ownership in village life.

Local people are concerned who will occupy these proposed dwellings as we already have experience of uncontrollable youths causing a nuisance. Families have been brought in from other areas to occupy council property and been a constant problem for the village community. An affordable dwelling is a misnomer for 'council' houses and we do NOT want any more.

Good quality housing is what is needed in our village, especially on a village centre site.

The front elevation of the detached dwelling is completely out of keeping with the area and adjoining properties.

The placement of the garages is just asking for trouble with congregating youths.

Will there be adequate parking for the semi-detached properties?

The turning area looks barely adequate and dangerous/contentious parking on the development and Mythop Road looks likely.

The plans seem to take pride in conserving the "trees" to the west of the area. Although they are drawn as large mature trees, in reality they are only recent scrub of no particular distinction. They are a bit of an eyesore and another potential youth problem area. The interests of the village would be better served by using this land to give a better spaced development, particularly regarding car access and parking.

### **Relevant Planning Policy**

Joint Lancashire Structure Plan:

Policy 5 - Development in rural areas

Policy 12 - Housing provision

Fylde Borough Local Plan:

SP2 - Development in rural areas

HL1, HL2 and HL6 of the composite Revised Deposit Draft of the Housing Chapter of Fylde Borough Local Plan.

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPG3: Housing

PPS7: Sustainable development in rural areas

PPG13: Transport

Circular 6/98 Affordable Housing  
SPG: Residential Development in Fylde  
Regional Planning Guidance 13, Policies UR7, UR8 and UR9  
Fordham Housing Needs Survey  
Lancashire CC SPG Access and Parking

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

The main issues for consideration in this application are contained within policy SP2 of the adopted Fylde Borough Local Plan, Policies 5 and 12 of the Joint Lancashire Structure Plan, and the new draft housing chapter.

The proposal to site 8 affordable units within the Countryside on land immediately adjacent to the designated built up area in principle is acceptable. Originally this application was for 9 dwellings - 8 affordable and 1 market dwelling. Once we had received the draft Inspectors binding report the applicants were informed that they were no longer in compliance with the adopted SPG on housing allocations which only required 51% of the units to be for affordable. However, as the development is outside the key areas of Lytham St Annes and Kirkham and Wesham there is now a requirement that 100% of any new development must be for affordable housing. The applicants then chose to withdraw the market dwelling from the application and provide 100% affordable units to ensure that they are compliant with the new policy.

Some of the original concerns from Weeton residents to the proposal related to the design, style and siting of the detached dwelling, as this has been removed from the proposal there is no requirement for any further discussion on this aspect.

The proposed semi-detached units are to be located at the back of the application site set well back from the highway. Although encroaching into the Countryside the proposal is not considered to have any detrimental impact on the character or visual appearance of the Countryside as the site is well screened on both sides by existing trees and shrubbery. The site is open to the Countryside at the rear, however the screening provided by the proposed boundary fencing and the outlook to the rear again ensure that there will be no detrimental visual impact.

In relation to the Village of Weeton there are a mix of property types and styles, although there are a number of semi-detached dwellings. As such this application is not considered to have any detrimental visual impacts on the street scene. It is accepted that this proposal will require the removal of any element of a green space which has been retained within the village, although it is not considered by Officers to provide a key vista to the open Countryside as there are already a number of semi-derelect sheds and small agricultural buildings sited where the propose homes are to be located, therefore the loss of this space is not considered to detrimentally affect the character of the village.

The applicants were also informed that as the proposal site is located within and adjacent to the village of Weeton the Councils Housing Needs survey is not of satisfactory level of detail to utilise as a justification of housing need, and that the applicant would have to supply their own survey. This information has not been submitted and as such the application is recommended for refusal on the grounds of insufficient information.

The Inspector in his draft recommendations noted that Fylde Borough Councils housing needs survey collates the rural areas into one classification. He specifically highlighted the difficulties with this issue, and the way of overcoming the lack of detail when he states:

"The need findings of the HNS (2002) take in as a single sub-area the whole of the rural hinterland of the Borough, and would not provide a sensible geographical basis for the meeting of need locally. The sort of information contained in para 3.52 properly relates to matters which could only be demonstrated by a more detailed needs assessment of the individual settlement or locality involved.

In the absence of village appraisals of the kind recommended in para 2 of Annex B, there is currently no mechanism for defining the local need areas separately from the reference contained in para 3.54 to 'Policy SP1 settlements'. In total there are 12 of these. As a reasonable expression of rural communities in Fylde for the purposes of the local plan, these should form the basis for the consideration of local need."

With regards to the access to the site County Highways feel that the development is acceptable in principle, however they have made some requirements relating to the protection of the visibility splays and ensuring that the gate posts and wall are retained at 1 metre. They have also requested a footway crossover or rumble strip at the entrance to this development and 2 further rumble strips between the farm access and the garage to the detached property. This information has been forwarded to the applicants, however at the time of writing the report no amended plans have been received.

In relation to the proposals impact on nearby neighbouring residential properties it is considered that now the detached dwelling has been removed from the application the houses are of satisfactory distance away from Elmtree Villa and Church View Heads Farm. The nearest property to Elmtree Villa is 21.8 metres away from the rear of that dwelling which clearly complies with the Councils spacing standards, and the nearest property to the farmhouse is more than 38 metres away. These substantial distances are of an acceptable level to ensure that there is no detrimental overlooking from the proposed landing window in the side gable to Elmtree Villa, minimal loss of privacy and no loss of light issues which are of a level to be a reason to refuse this application.

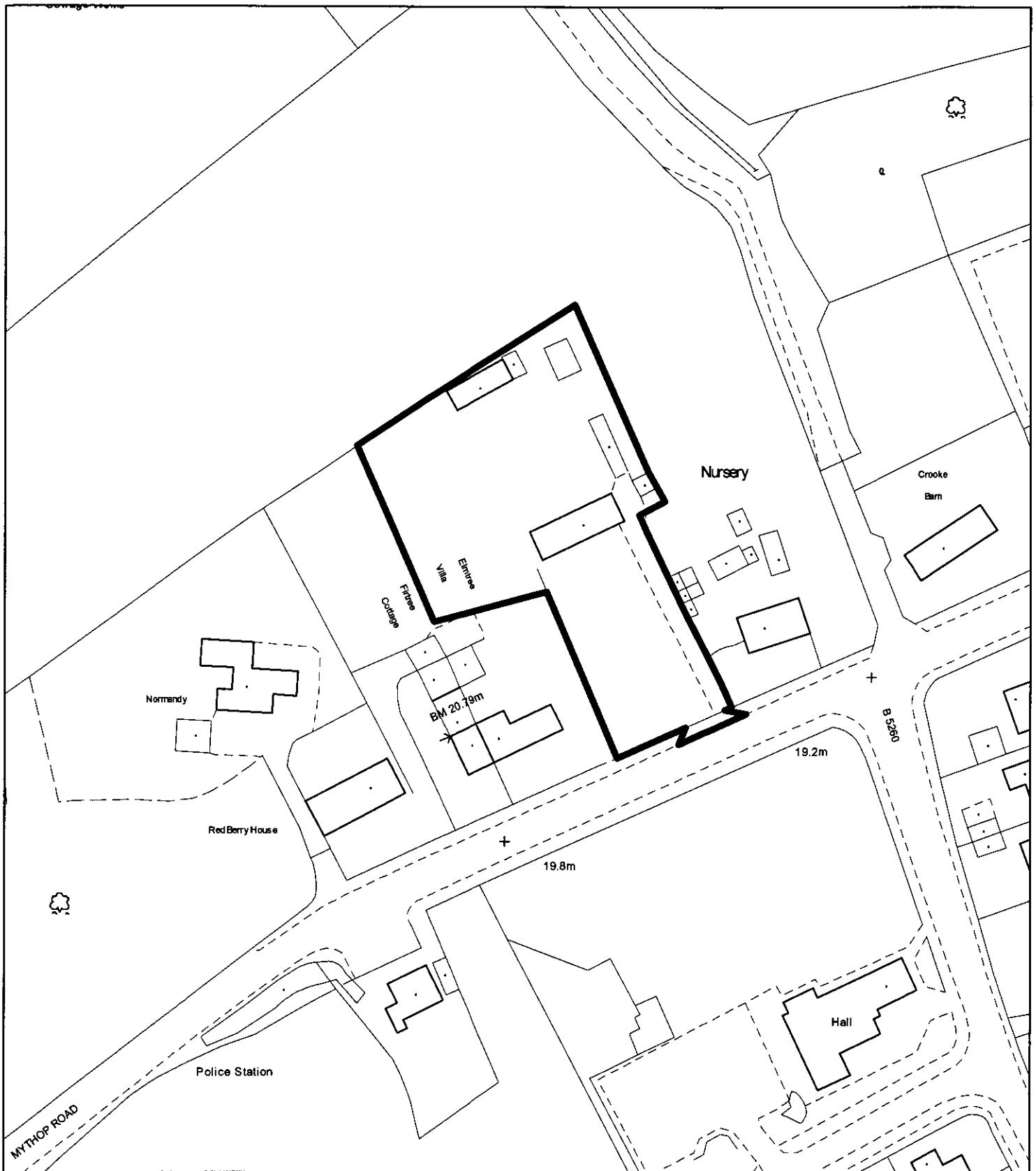
### **Conclusions**

The principle of the application is considered to be acceptable, however as the applicants have been unable to supply their own detailed housing needs survey to justify the additional 8 units, the application is recommended for refusal on the grounds of insufficient information.

### **Recommendation**

That Planning Permission be REFUSED for the following reasons:

1. The proposal does not comply with the requirements of the draft Housing chapter of the Fylde Borough Local Plan as the applicants have not submitted a housing needs survey for Weeton to justify the need for 8 additional units within the village. There is therefore insufficient information to determine this application.



<b>D I Wilkinson - Business Manager</b> <b>The Built Environment Unit</b> <b>Fylde Borough Council</b>		Reproduced from the Ordnance Survey Map with the permission of the Controller of H. M. Stationery Office. (C) Crown Copyright Reserved. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence No. 100006084.		
<b>Application No.</b> 5/05/0749	<b>Address</b> Land north of Mythop Road Weeton	<b>Grid Ref.</b> E.3383 : N.4346	<b>Scale</b> N.T.S.	<b>Item No.</b> 12



**Item Number:** 13

<b>Application Reference:</b> 05/0761		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	Mr and Mrs S Mills	<b>Agent :</b>	Mr R V Hopper
<b>Location:</b>	WHITE HALL, KIRKHAM ROAD, TREALES, PRESTON		
<b>Proposal:</b>	TWO STOREY AND SINGLE STOREY EXTENSIONS AND GARAGE		
<b>Parish:</b>	Treales, Roseacre and Wharles	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	4	<b>Case Officer:</b>	Mrs J Cary
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The main issues are whether the proposed extensions fall within Policy HL6 in relation to extensions to rural dwellings and whether there is any detriment to neighbouring properties or the wider countryside area. It is considered that the proposal complies with policy HL6 and does not cause any detriment and it is therefore recommended that members approve the application.

**Reason for Reporting to Committee**

The officers recommendation of approval is contrary to the Parish Council's view, and does not therefore fall within the scheme of delegation.

**Site Description and Location**

The site is WhiteHall, Kirkham Road, Treales, a large farmhouse serving the former White Hall Farm. The property is located close to the junction with Moorside and Kirkham Road. There is a complex of traditional barns to the north of the dwelling, which have previously been granted permission for its conversion to residential use.

**Details of Proposal**

The application is for the erection of a two storey and single storey extension, together with a new garage. The two storey extension would measure 5.2m by 8.4m. A single storey extension to the rear over an existing ground floor element is proposed measuring 2.8m by 8.8m, together with a conservatory measuring 5m by 5.5m. A detached double garage is also proposed measuring 7.5m by 6.8m. A change of use of additional land to incorporate the garage is also proposed.

**Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
96/0476	CONVERSION OF REDUNDANT FARM BUILDINGS INTO 5 NO.	Granted	06/11/1996
98/0682	AMENDMENTS TO DESIGN OF CONVERTED BARN APPROVED UNDER CONSENT	Refused	27/01/1999

5/96/0476  
99/0356 AMENDMENT TO PREVIOUSLY APPROVED Granted 11/08/1999  
SCHEME 5/96/476 - CONVERSION OF  
REDUNDANT BARNs INTO 5 DWELLINGS

### **Parish Council Observations**

#### **Treales, Roseacre and Wharles Parish Council**

Object to the proposal stating the following: whilst exact dimensions are not provided this application appears to be in breach of the direction in regards to the enlargement of rural dwellings.

### **Statutory Consultees**

None

### **Observations of Other Interested Parties**

None

### **Neighbour Observations**

None received.

### **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 5

Fylde Borough Local Plan:  
SP2,  
HL6,  
HL10  
Policy HL4: The Alterations Review of the Fylde Borough Local Plan incorporating the  
Inspector's recommendations.

Other Relevant Policy:  
PPS1  
PPS7

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

The main issues are whether the proposed extensions fall within the spirit of Policy HL6 of the Fylde Borough Local Plan with regards to extensions to dwellings in the countryside area.

Whilst the preamble to Policy HL6 states that modest extensions (defined as normally between 25% and 33% of the volume of the original premises) are acceptable, one still has to assess whether the resultant dwelling, by virtue of its scale, design or materials would be in keeping with the rural character of the area or other traditional dwellings in the location.

The proposed extensions equate to an approximate 31 % increase without the garage, but which increases to 58% when including the garage. The dwelling is a former farmhouse, of which they are generally of a large size. In terms of the character of the area, there is an existing complex of farm buildings adjacent to the site, together with the large farmhouse associated with Church View Farm to the west of the site. Whilst the extensions to the dwelling would fall within the allowable increase as contained in Policy HL6, the percentage only increases when the garage is included. Whilst the addition of the garage does take it to around a 58% increase, the garage is detached from the dwelling and therefore, does not unacceptably increase the overall visual dominance of the dwelling. As such therefore, and in accordance with Policy HL6, the resultant dwelling would still not be out of scale or keeping with the surrounding area. In terms of the additional area of land for the garage, this additional amount would not unacceptably harm the character of the countryside.

The application is therefore considered acceptable.

### **Conclusions**

It is considered that the dwelling would not result in a dwelling which is out of scale or keeping with the character of the area and the application is therefore recommended for approval.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. The materials of construction and/or finish in respect of the extension(s) hereby approved shall match those of the existing building entirely to the satisfaction of the Local Planning Authority.

To ensure visual harmony in respect of the overall development.

3. The garage door shall be constructed in timber and finished in an appropriate colour to be agreed with the Local Planning Authority, or have a simulated timber appearance to the satisfaction of the Local Planning Authority and shall thereafter be retained in its approved form.

In the interests of visual amenity given the sensitive location in the countryside area.

4. All window frames in the proposed extension shall be set in reveal to match the existing dwelling and thereafter maintained as such to the satisfaction of the Local Planning Authority.

To ensure a satisfactory standard of development in the interests of the overall quality of the built development.

### **REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

#### **SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which  
comprises of the:

The Fylde Borough Local Plan.

The Joint Lancashire Structure Plan.

and all other relevant planning guidance  
and in particular Policies:

Fylde Borough Local Plan: SP2, HL6

Joint Lancashire Structure Plan: Policy 5

PPG's/PPS's: PPS, PPS7



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.  
5/05/0761

Address  
White Hall  
Kirkham Road, Treales

Grid Ref.  
E.3437 : N.4328

Scale  
N.T.S.

Item No.  
13

**Item Number: 14**

<b>Application Reference:</b> 05/0764		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Mr P Houghton	<b>Agent :</b>	CFM Consultants Ltd
<b>Location:</b>	WIMBOURNE, BAMBERS LANE, MARTON, BLACKPOOL		
<b>Proposal:</b>	CHANGE OF USE HOLIDAY & ANCILLARY BUILDING TO MANAGERS ACCOMMODATION		
<b>Parish:</b>	Westby with Plumpton	<b>Area Team:</b>	Area Team 1
<b>Weeks on Hand:</b>	4	<b>Case Officer:</b>	Mr D Shepherd
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision: Grant****Summary of Officer Recommendation**

The application has come about as accommodation is clearly required on site for 24 hour coverage, for the provision of care for the horses that are liveried there. This can be as many as 50 horses when the stables are full.

For reasons that are explained further on in the report, the original house accommodation on Bambers Lane is not available. There are current underused holiday accommodation units available on the site which this application proposes utilising as both a managers unit of accommodation and an assistant manager.

In terms of policies SP 13 and 14 of the local plan, it is suggested that where dwellings are required for stables and equestrian centres or for special needs dwellings in relation to small scale commercial operations including riding stables and equestrian centres, that it is appropriate (subject to other policies of the plan) to allow conversion of existing buildings to provide accommodation for supervision and security of the operation.

Your officers feel this proposal falls within the above category and is accordingly recommended for approval.

**Reason for Reporting to Committee**

The response from the Parish Council neither objects to or supports the application proposal, accordingly the application has been put on the agenda.

**Site Description and Location**

Countryside location, a mixed leisure type development containing, livery, riding school facilities, skate board/BMX facilities, bar and restaurant. There are various buildings on site including the large range of stables, covered riding area, indoor skateboarding/BMX facilities and bar restaurant in a "western" styled building. The application building is a building that has permission to be used as units of holiday accommodation.

### **Details of Proposal**

Change of use of holiday accommodation to both a managers unit of accommodation and an assistant managers unit of accommodation.

### **Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
00/0717	CHANGE OF USE OF LAND FROM AGRICULTURE TO USE AS A CARAVAN SITE ANCILLARY TO THE FUNCTION OF WIMBOURNE EQUESTRIAN CENTRE	Refused	28/02/2001
00/0719	REMOVAL OF CONDITION 7 & 9 AND MODIFICATION OF CONDITIONS 6,8, 10 & 13	Withdrawn by Applicant	11/10/2001
02/0868	CHANGE OF USE OF LAND AND BUILDINGS TO SKATING ARENA, FOOTBALL PITCH,	Refused	28/04/2003
04/0368	CHANGE OF USE OF LAND AND BUILDINGS TO SKATING ARENA, FOOTBALL PITCH, TOURING CARAVAN AREA, PICNIC AREA, HOLIDAY ACCOMMODATION AND BMX TRACK	Refused	20/07/2004
88/0007	USE OF SITE AS RIDING SCHOOL, LIVERY STABLES & CHANGE	Granted	05/10/1988
91/0018	CHANGE OF USE LECTURE ROOM TO 3NO HOLIDAY CHALETs	Granted	27/03/1991
93/0548	CHANGE OF USE OF 3 HOLIDAY CHALETs TO PERMANENT	Refused	10/11/1993
93/0736	EXTENSION TO EXISTING STABLE BLOCK TO PROVIDE 4	Granted	05/01/1994
94/0085	RESITING AND REPLACEMENT OF EXISTING BARN	Granted	30/03/1994
94/0150	ERECTION OF 39 ADDITIONAL STABLES, INDOOR RIDING SCHOOL	Granted	25/05/1994
94/0443	CHANGE OF USE FROM 3 NO HOLIDAY CHALETs TO 9 NO EN SUITE	Granted	14/09/1994
94/0607	AMENDMENTS TO APP 5/94/0150 FOR 39 STABLES, INDOOR	Granted	12/10/1994
95/0234	GROUND & 1ST FLOOR SIDE EXTENSION	Granted	24/05/1995
95/0307	USE OF PART OF INDOOR RIDING ARENA AS BAR/EATING AREA	Granted	11/10/1995
96/0080	MODIFICATION OF CONDITION NO. 3 ON APP. 5/95/307 TO	Refused	27/03/1996
96/0327	MODIFICATION OF CONDITION 3 ON APPLICATION NO.	Granted	17/07/1996

### **Parish Council Observations**

#### **Westby with Plumpton Parish Council**

The Parish has considered the application and cannot establish if suitable for living accommodation. They request that the site is inspected to establish that the plans are correct as they seem to contradict the site layout as it is at the present time. OFFICER NOTE; The site has been visited as a result of the application and the plans are correct.

### **Statutory Consultees**

County Highways;  
No objections

Environmental Protection Team  
No objections

### **Observations of Other Interested Parties**

None

### **Neighbour Observations**

One, on grounds that the use has already commenced and that FBC policies are against allowing permanent residential accommodation where there was none previously provided. To allow this would be hypocritical bearing in mind other similar applications in the area.

### **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 5

Fylde Borough Local Plan:  
SP 2  
SP5  
SP6  
SP13  
SP14

Other Relevant Policy:  
PPS1: Delivering Sustainable Development  
PPS 7: Sustainable development in rural areas.

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

As stated earlier, policies SP 13 and 14 of the local plan allow use of existing buildings for accommodation to serve for supervision and security of equine type uses. Whilst this is cross referenced back to compliance with other policies of the plan (SP 5 and 6), this is usually when the buildings in question have not already been converted. In this case, the buildings are already converted to holiday accommodation.

In relation to why the application has come about, the applicant used to live in the large house to the rear of the site in Bambers Lane and was obviously able to manage and supervise the business from there with his wife. In recent times, the applicant and his wife have divorced and she has received the house in the divorce settlement. The house has been permanently and physically severed from the business now. This has clearly resulted in the need for alternative on site accommodation for both the manager and an assistant manager. The units are small units previously used as holiday accommodation and it is only the occupancy that would change.



The application would provide modest, on site accommodation for full time, 24 hour supervision and security of the business without the need for new buildings and in full compliance with policies SP 13 and 14 of the local plan. The previous property provided substantial managers accommodation and as previously stated, the applicant resided there with his wife and family and supervision and security were shared between them. The applicant is now single and clearly 24 hour supervision, 365 days per year solely on his own is not practical. A unit for an assistant is considered appropriate in the circumstances and as mentioned earlier, both units are modest and certainly, even together, are substantially smaller than the former house.

### **Conclusions**

Acceptable development in line with policy.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 5 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. The use of the buildings subject of this application shall be used as on site accommodation for a person(s) employed in the day to day running of the equine business/commercial livery for on site supervision and security. At no time shall these units be occupied as permanent residential accommodation unconnected with the business.

Reason; The Council would not be prepared to grant permission for permanent dwellings in the countryside unconnected to the associated business and also having regard to the Post Inspectors Decision in relation to the Housing chapter of the Local Plan.

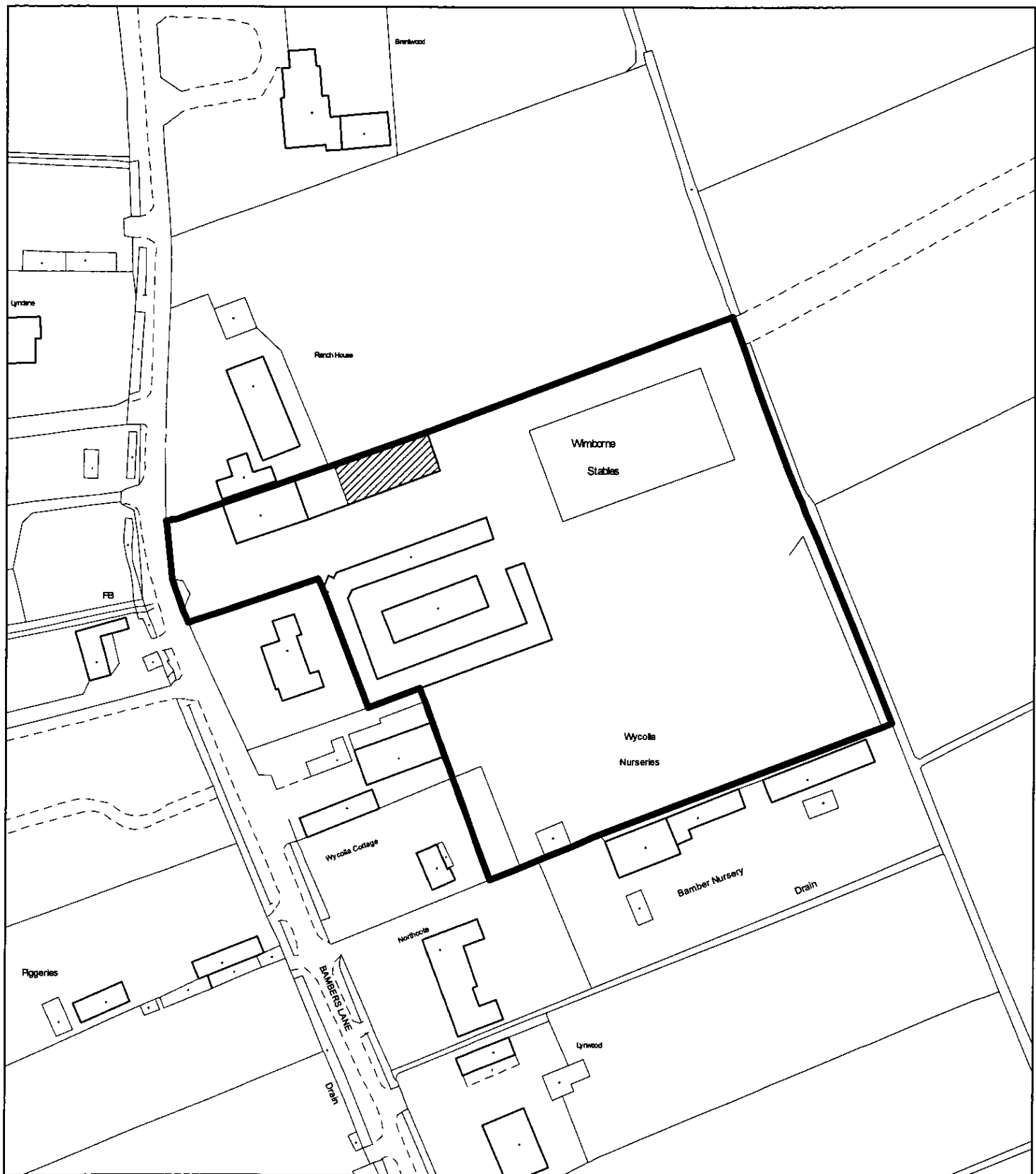
### **REASON FOR APPROVAL**

The proposal complies with the relevant development plan policies and guidance and does not have an undue impact on the amenities of nearby residents or the visual amenity of the area.

### **SUMMARY OF RELEVANT POLICIES**

This decision has been made having regard to:  
the policies contained within the adopted Development Plan which  
comprises of the:  
The Fylde Borough Local Plan.  
The Joint Lancashire Structure Plan.  
and all other relevant planning guidance  
and in particular Policies:

Fylde Borough Local Plan: SP 2, SP 13 & SP 14  
Joint Lancashire Structure Plan: Policy 5  
PPG's/PPS's: PPS1, PPS 7.



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.

5/05/0764

Address

Wimbourne  
Bambers Lane, Marton

Grid Ref.

E.3341 : N.4326

Scale

N.T.S.

Item No.

14

**Item Number: 15**

<b>Application Reference:</b>	05/0766	<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Joanne Jesse Maxton	<b>Agent :</b>	Halliwell's LLP
<b>Location:</b>	PATHWAYS, BLACKPOOL RD, NEWTON, PRESTON		
<b>Proposal:</b>	CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE FOR PATHWAYS NURSERIES		
<b>Parish:</b>	Newton Clifton and Salwick	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	4	<b>Case Officer:</b>	Ruth Thow
<b>Reason for Delay:</b>	N/A		

**Summary of Recommended Decision:** Refuse

**Summary of Officer Recommendation**

The applicant has failed to provide sufficient evidence to substantiate the application and on the balance of probability has failed to demonstrate that the greater percentage of business at the premises was that of retail sales and not through plants/produce grown at the nursery.

**Reason for Reporting to Committee**

The application is on the agenda as the view's of the Parish Council are contrary to officer recommendation.

**Site Description and Location**

The application site is an established nursery to the west of Blackpool Road, Newton it is in the area designated as countryside.

**Details of Proposal**

This application is for a Certificate of Lawfulness for an existing use as a garden centre.

**Relevant Planning History**

<b>Application No</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
91/0685	TWO STOREY SIDE EXTENSION AND DORMER EXTENSIONS TO REAR	Granted	03/12/1991
92/0658	SINGLE STOREY EXTENSION TO SIDE.	Granted	09/10/1992
98/0390	ERECTION OF TWIN POLYTUNNEL & CREATION OF CAR PARK & HARDSTANDING	Refused	07/10/1998

### **Parish Council Observations**

#### **Newton Clifton and Salwick Parish Council**

3rd September 2005 Newton with Clifton Parish Council "Specifically Support the proposal".

### **Statutory Consultees**

Not applicable

### **Observations of Other Interested Parties**

None

### **Neighbour Observations**

None received

### **Relevant Planning Policy**

Other Relevant Policy:  
PPS1: Delivering Sustainable Development

### **Environmental Impact Assessment**

This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

The main issues to consider in determining this application are contained in the evidence supplied with the Certificate of Lawfulness and is not adjudged against normal planning considerations.

So, in determining such an application one has to carefully consider the information put forward in the Statutory Declaration and accompanying exhibits and consider whether the applicant has demonstrated against the balance of probability that the use has been on-going for a period of not less than 10 years.

The applicant purchased the premises in October 2004, from the previous owners who bought the premises in 1991, resided in the dwelling and ran a business there.

The nursery use was established many years ago, however the applicant is claiming use as a Garden Centre and not as nursery. The Council has to be certain that its use is as a garden centre and has not just been operated as a nursery with ancillary retail sales, which would not automatically assume full garden centre use.

Whilst the applicant has submitted numerous documents that confirm elements of retail sales, there is no evidence to suggest that the retail use was the predominant use in terms of the range and percentage of products sold, which were not grown on the site, compared to those which were grown on site, together with percentage turnover.

As such, there is no substantive evidence to corroborate the claim made by the applicant that the site has operated as a garden centre as opposed to a nursery with ancillary sales.

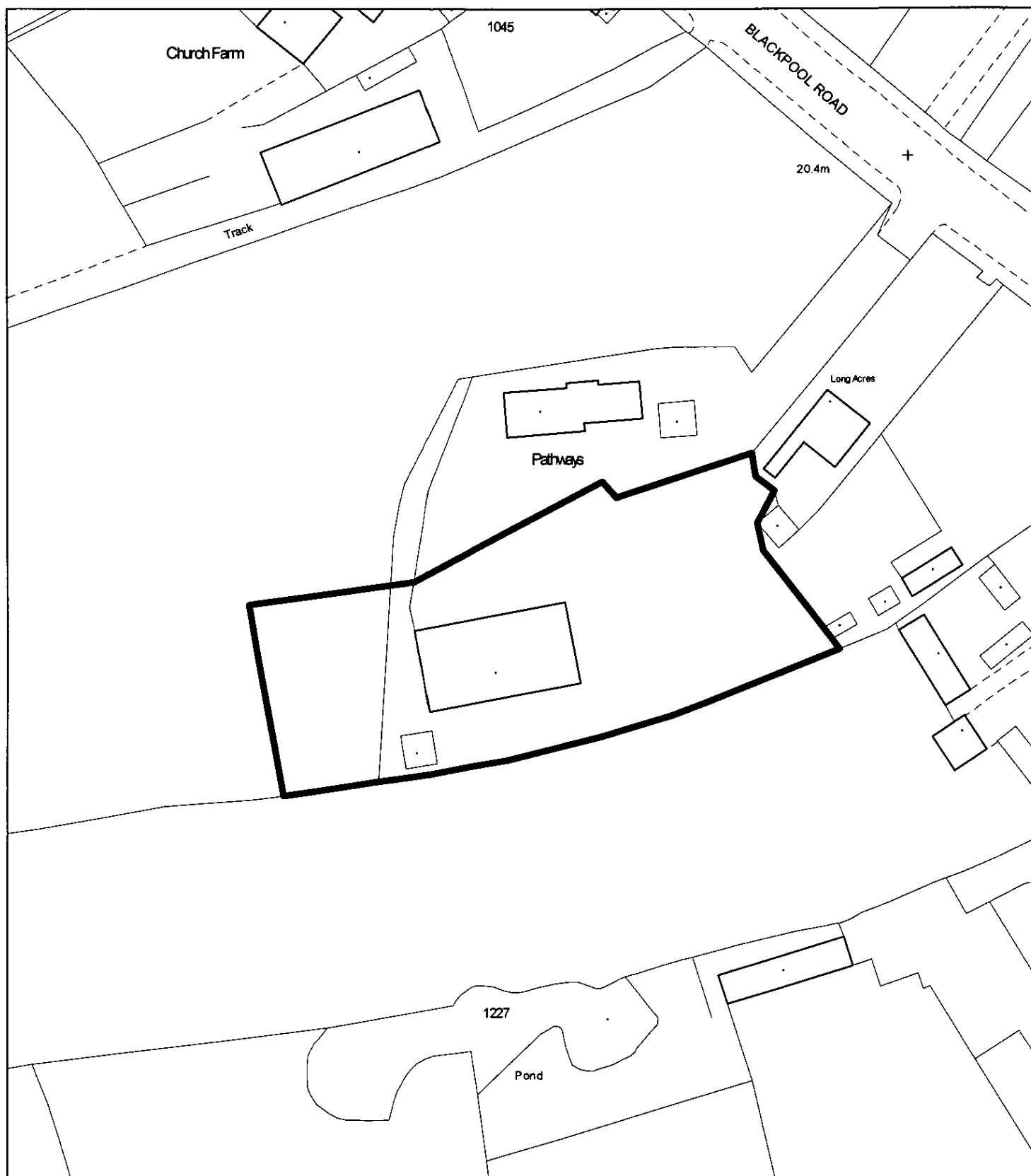
### **Conclusions**

The applicant has failed to provide sufficient evidence to substantiate the application and has failed to demonstrate on the balance of probability that the site has been used as a garden centre.

### **Recommendation**

That Planning Permission be REFUSED for the following reasons:

1. The applicant has failed to provide sufficient evidence to substantiate the application and has failed to demonstrate that on the balance of probability the use of the land has been continuously run, without interruption, as a garden centre for a period in excess of 10 years.



**D I Wilkinson - Business Manager**  
**The Built Environment Unit**  
**Fylde Borough Council**

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**Application No.**

5/05/0766

**Address**

Pathways  
Blackpool Road, Newton

**Grid Ref.**

E.3441 : N.4313

**Scale**

N.T.S.

**Item No.**

15

**Item Number:** 16

<b>Application Reference:</b> 05/0690		<b>Type of Application:</b> Change of Use	
<b>Applicant:</b>	Mr Foulds	<b>Agent :</b>	A.V.V.F.
<b>Location:</b>	LAND ON SOUTH SIDE OF, FAIRFIELD ROAD, POULTON LE FYLDE, FY6 8L		
<b>Proposal:</b>	CHANGE OF USE FROM FIELD TO FISHING POND AND SMALL STOCK POND WITH ASSOCIATED CAR PARKING FOR 8 CARS.		
<b>Parish:</b>	Staining	<b>Area Team:</b>	Area Team 2
<b>Weeks on Hand:</b>	9	<b>Case Officer:</b>	Ruth Thow
<b>Reason for Delay:</b>	Awaiting consultation replies		

**Summary of Recommended Decision:** Refuse

**Summary of Officer Recommendation**

The proposal fails to create fishing ponds on this stretch of access road would give rise to unacceptable levels of traffic which in turn poses a threat to other highway users.

**Reason for Reporting to Committee**

The application is on the agenda as the Parish Council's views are contrary to officer recommendation.

**Site Description and Location**

The site is land to the south of Fairfield Road, surrounded by open countryside, accessed from a track leading onto Fairfield Road.

**Details of Proposal**

The application proposes the change of use of the field to fishing pond and small stock pond with associated car parking for 8 cars.

**Relevant Planning History**

None

**Parish Council Observations**

**Staining Parish Council Parish Council**

"Staining Parish Council are concerned over the slow erosion and loss of agricultural land but have no objections over this proposal". - Conclusion "No Objections".

**Statutory Consultees**

## **Wyre Borough Council**

"No specific observation"

## **Environment Agency**

"Thank you for referring the above application to us we have no objection in principle to the proposed development but wish to make the following comments:-

We recommend that the native aquatic plant species be planted. Marginal aquatics such as reed beds would provide refuge for juvenile fish and would also help to prevent the ponds becoming eutrophic. We can provide a guide related to the creation of ponds and would also be happy to provide advice on planting native species. We also recommend that it would be beneficial if the parking area was created out of honey-comb matting rather than a solid surface as it would prevent run off containing potential contaminants from entering the fishery."

## **County Highway Authority**

"The junction of the field access track to the proposed fishing lake and Fairfield Road will be the subject of a minor improvement. The substandard visibility splay is to be improved.

This is, however, not adequate to support the considerable increase in use which the creation of a fishing lake will bring. Currently the unmade road, as I understand it, is used for access to four private stables, an agricultural building and access to the fields. It is single track with no passing places.

I cannot support increased vehicular use which may necessitate vehicles reversing onto Fairfield Road where visibility is not at full standard, to the detriment of road safety. The track is not included within the red edge and therefore is outside the applicant's control."

## **Observations of Other Interested Parties**

None

## **Neighbour Observations**

3 letters of objection received points raised are:

Road safety - poor visibility

Speed of vehicles

Cars parked look unsightly

## **Relevant Planning Policy**

Lancashire Structure Plan:  
Policy 5

Fylde Borough Local Plan:  
SP2                                      Development within countryside area  
TC10                                    TREC10 Countryside recreation

Other Relevant Policy:

PPS1: Delivering Sustainable Development  
PPS7: Sustainable Development in Rural Areas  
PPG13: Transport

## **Environmental Impact Assessment**



This development does not fall within Schedule I or II of the Town and Country Planning (Control of Environmental impact) (England and Wales) Regulations 1999.

### **Comment and Analysis**

The application site is located in typical Fylde landscape, fairly flat with gently undulating slopes. The land is currently vacant and is accessed down a narrow single dirt track road.

The applicant proposes creating two ponds accessed across the field, to the first pond to be used for fishing and continuing onto a second pond, used for stock. At present no ponds exist in this field

In terms of visual impact the proposal would not represent a visual detriment to the character of the countryside area as the field is screened from the dirt track and from Fairfield Road by indigenous hedging planting and the applicant proposes creating a grass mound windbreak 1.5 metres high. The applicant states that the use of the pond would be for a private syndicate and it is proposed to create a small car park area for 8 cars.

Policy TREC10 recognises the need to take a positive role in encouraging recreation at suitable locations whilst discouraging such activities in locations which could lead to unacceptable conflicts. The proposal would clearly fall within the aims of TREC10 in the change of use of the field but the main issue in this case is the access.

Whilst the applicant has stated in his application that the use would be for a small syndicate and indicates 8 parking spaces on his plan, the increased number of vehicles visiting the site could not be controlled and restricted to private use only. As such the use of this lane for increased activity is unsuitable due to its width and condition.

The Highways Authority cannot support the increased vehicular activity that this proposal would generate on a substandard track, that is primarily agricultural field access track. Improvement to the visibility would be required to ensure road safety. As the access track is not part of this application any amendments cannot be included as part of the development.

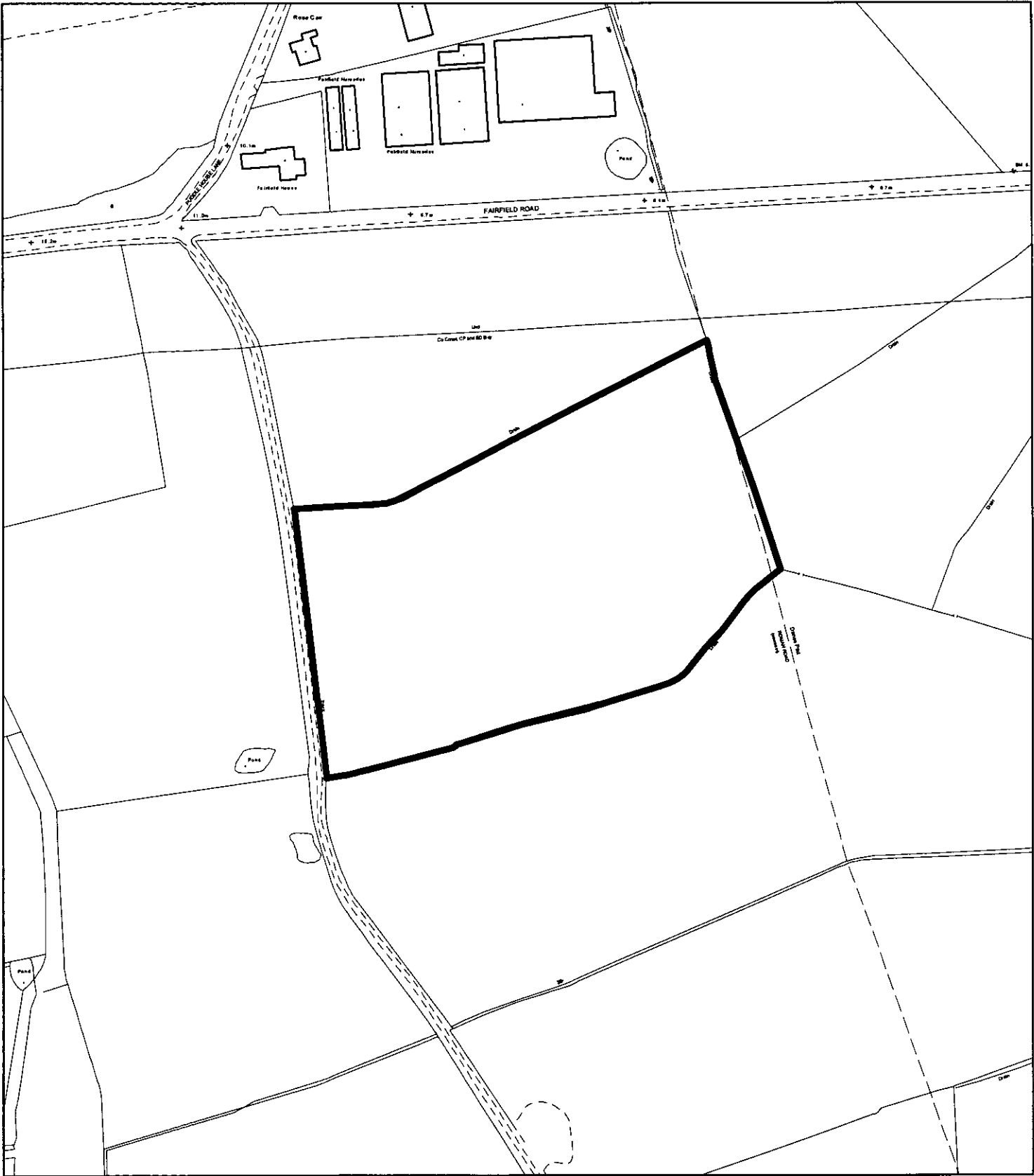
### **Conclusions**

The proposed development would be unacceptable on issues of highway safety.

### **Recommendation**

That Planning Permission be REFUSED for the following reasons:

1. The proposed fishing ponds will result in an unacceptable level of vehicular movements along a narrow track with poor visibility, thereby causing an additional threat to other highway users. e.g. pedestrians, cyclists and horse-riders and fails to comply with PPG13 which seeks to promote more sustainable transport choices and promote accessibility by public transport. Nor does the proposal reduce the need to travel by car.



D I Wilkinson - Business Manager  
The Built Environment Unit  
Fylde Borough Council

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Application No.	Address	Grid Ref.	Scale	Item No.
5/05/0690	south side Fairfield Road Poulton-le-Fylde	E.3357 : N.4372	N.T.S.	16