

# LYTHAM COASTAL PATH ENHANCEMENT

Proposals by Danbro & EDG Properties Ltd



3 May 2013

## Introduction

Danbro and EDG Properties Ltd have submitted a planning application for the redevelopment of the former Land Registry Offices Birkenhead House, now known as Jubilee House, which is currently being considered by Fylde Borough Council under planning application ref 13/0001.

The following benefits will result from the proposed development:

- Creation of around 200 new Jobs for Danbro as part of their on-going expansion plans.
- Office/business space providing opportunities for micro and new start-up businesses.
- Creation of between 100 and 120 jobs in construction during the development phase of the office development.
- Creation of between 100 and 120 jobs in construction during the development phase of the residential development.
- Significant long term benefits for the local economy and environment
- Regeneration of a disused site and unattractive buildings.
- High quality architectural design and materials on one of the most important sites in Fylde.
- Visual enhancement and improvements to the amenity of the area.

In addition to the above benefits Danbro and EDG Properties would like to voluntarily provide some enhancements to the existing coastal path as a form of community benefit.

This report contains the results of a visual survey of the existing path in the vicinity of Jubilee House and identifies potential scope for improvement in the form proposals that Danbro and EDG Properties are willing to provide.

## The Existing Coastal Path

The existing coastal path in the vicinity of Jubilee House comprises four different forms, each of which adds character, variety and interest to the route:

1. The formal promenade path along The Green.



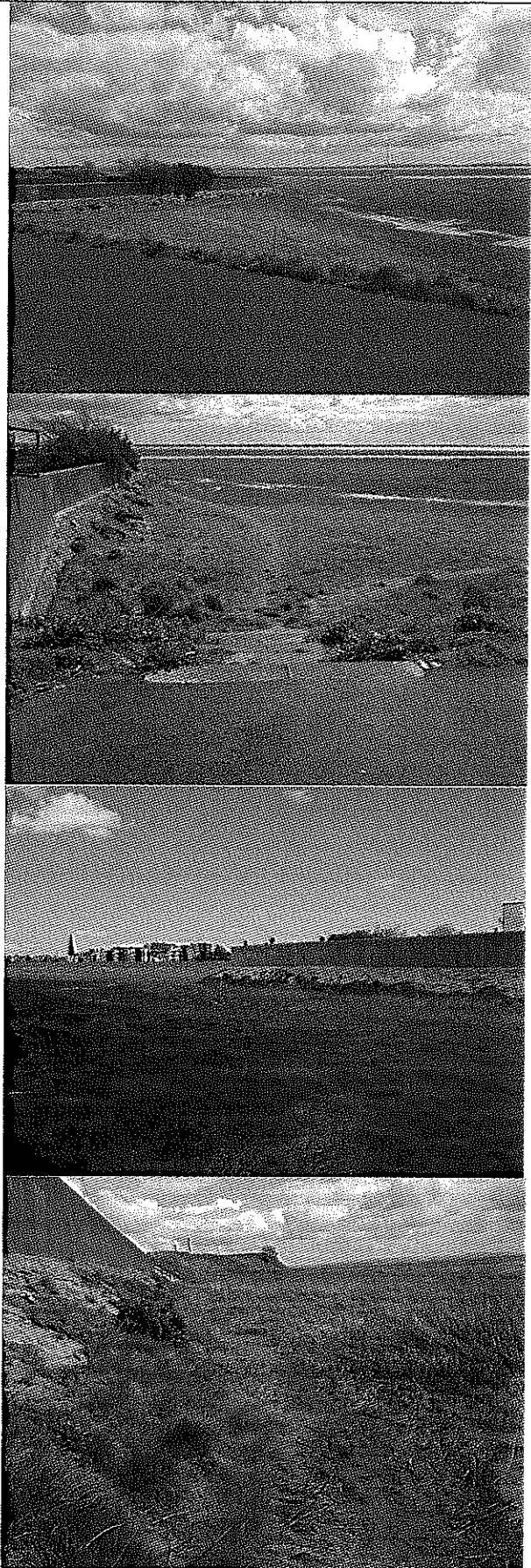
2. The path at the east end of The Green leading from the promenade to East Beach












3. The formal promenade path at Lytham Quays which is still under construction



4. The informal path network following desire lines along the grassed foreshore of the Ribble Estuary which is reached via steps off The Green and recently constructed steps adjacent The Breakers.



Results of Visual Survey		Enhancement Proposals:
  	<p>The existing steps from The Green appear neglected and overgrown.</p> <p>There is no handrail on the steps.</p> <p>A single way marker post directs path users along the path on The Green.</p> <p>Lack of route information at top of steps onto The Green informing of route options during dry/wet ground conditions.</p> <p>Lack of nature reserve information/signage at the east end of The Green</p>	<ul style="list-style-type: none"><li>▪ Tidy-up steps.</li><li>▪ Attach handrail to steps to improve public safety.</li><li>▪ Improve way-marking</li><li>▪ Proposed signboard at top of steps informing of the route options and nature conservation information.</li></ul>
 	<p>Lack of route information at top of steps onto the new promenade route informing of route options during dry/wet ground conditions.</p> <p>Lack of directional signage/way-marker to alternative dry route on Victory Boulevard.</p> <p>Lack of information/signage at the east end of The Green</p>	<ul style="list-style-type: none"><li>▪ Erect way-marker post at top of steps adjacent The Breakers</li><li>▪ Proposed signboard at top of steps adjacent The Breakers informing of the route options and nature conservation information.</li></ul>

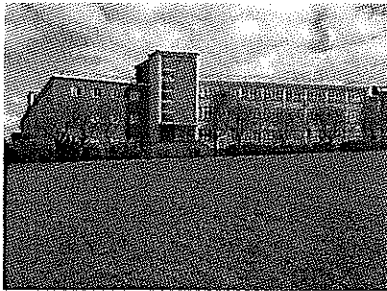
	<p>Lack of directional signage/way-marker to alternative dry route on Victory Boulevard.</p>	<ul style="list-style-type: none"> <li>▪ <b>Erect way-marker post on grass to indicate alternative path direction onto Victory Boulevard.</b></li> </ul>
	<p>Lack of way-marker directing the public to the new promenade walk.</p> <p>Gated entrance and signage acts as a deterrent for public use of the new promenade path.</p>	<ul style="list-style-type: none"> <li>▪ <b>Erect way-marker post at entrance to the path on Victory Boulevard.</b></li> </ul>
	<p>Lack of directional signage indicating alternative route to promenade path via Victory Boulevard</p>	<ul style="list-style-type: none"> <li>▪ <b>Erect way-marker post at junction of Victory Boulevard and East Beach directing users to the new promenade path</b></li> </ul>
	<p>The east end of The Green does not appear to be well used.</p>	<ul style="list-style-type: none"> <li>▪ <b>Provision of additional benches alongside the path adjacent the east boundary of The Green, in front of</b></li> </ul>





There is currently no seating along the east boundary of The Green in front of Jubilee House.

**Jubilee House.** This would encourage the public to linger and enjoy the vista of The Green.



Proposed Signboards



Proposed Way Markers



Proposed Seating

## **Viability Issues**

In considering the current planning application Fylde Borough Council planning officers have suggested that the applicants consider the provision of a coastal path route through the application site in order that members of the public can avoid using the existing foreshore route when ground conditions on the foreshore are wet/muddy. This however raises a number of issues; in particular it would significantly affect the financial viability of the development, in addition to raising concerns regarding security, crime prevention and residential amenity.

The financial viability for the site already shows a significant negative as can be seen in the viability report and should a public footpath run through the site this would have an impact on the existing land value and sale values of the apartments by up to 20%. As the apartment development is only helping to mitigate the already negative viability this reduction in values could make the development impossible to fund.

The provision of a boardwalk path along the Council owned foreshore has been considered however the costs are estimated at around £250k and this figure is unaffordable. The erection of a boardwalk on this tidal land raises issues of maintenance, on-going costs and sustainability. In addition, any impact upon the conservation interests of the nature reserve would likely require an ecological appraisal and could be problematic.

The proposed coastal path enhancements will provide an attractive compromise situation with community benefits funded exclusively by the applicants and undertaken in 2013.

The proposed development requires a huge investment by the applicants and represents a rare opportunity in the current climate of economic recession for the Council to facilitate significant economic regeneration, job creation and major environmental enhancement alongside the opportunity of contributing towards the borough's shortfall in housing supply. The proposal would provide a highly sustainable form of development and on all counts the proposed development provides significant benefits that ought to outweigh any aspirations for the provision of a path through the site.

## **Planning Policy**

It is submitted that the proposed development does not conflict with policy, it represents a highly sustainable form of development with huge environmental, economic and community benefits. The proposed coastal path enhancements are consistent with current policy. An analysis of current national and local policy is contained below.

### **North West Regional Spatial Strategy (NWRSS)**

Policy EM4 of the NWRSS identifies areas of search for Regional Parks, with the North West Coast identified as one of these. As a strategic document it contains aspirational policy that requires to be translated to the local level, into Local Plan policy, and does not identify a specific route. The proposed coastal path enhancements would positively contribute towards achieving the aims and objectives of the NWRSS in particular with regard to the objectives relating to improved, high quality, easily accessible coastal spaces for a range of activities and conservation interests. On balance the proposed development would not conflict with the NWRSS and there is no policy basis for refusal.

The NWRSS is due to be abolished by the Government however no date has been set.



## **National Planning Policy Framework (NPPF)**

The NPPF contains a range of general policies that can be applied to the proposed development. It is submitted that the proposed development and the coastal path enhancement proposals are consistent with the NPPF. A summary of the relevant NPPF policy relating to the coastal path issues follows:

The applicants' proposals will enhance the facilities of the existing coastal path and therefore the works are consistent with the objectives of Paras 75 and 114 of the NPPF.

NPPF Chapter 7 Requiring Good Design, paras 56 and 57: The proposed development achieves a high quality, inclusive design that would positively enhance the character and appearance of the area and comprises a sustainable form of development.

NPPF Chapter 8 Promoting Healthy Communities (para 69): The proposed coastal path enhancements will positively contribute towards providing a safe and accessible environment/development where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The proposed way-marking, signboards and additional seating will assist in achieving clear and legible pedestrian/cycle routes, and high quality public space, all of which encourage the active and continual use of public areas. The Police Architectural Liaison Officer's comments are a material planning consideration on this matter.

NPPF para 75 states: "Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails. The proposed development would not be detrimental to the existing coastal path and the proposed enhancements will improve the existing route and its facilities. This is consistent with para 75. Whilst the NPPF encourages Local authorities to seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails, this is aspirational and should not be required if it would undermine the financial viability of the development; a balanced approach is required.

NPPF Chapter 10 Meeting the Challenge of Climate Change, Flooding and Coastal Change para 107 relating to development in a Coastal Change Management Area: The proposal complies with para 107 on the following basis:

- The development will be safe over its planned lifetime and will not have an unacceptable impact on coastal change;
- The character of the coast including designations is not compromised as demonstrated by the submitted Ecology Appraisal;
- The development provides a wide range of sustainability benefits, including urban regeneration, job creation and coastal path enhancements; and
- The development does not hinder the creation and maintenance of a continuous signed and managed route around the coast, to the contrary the proposed coastal path enhancements would significantly improve the existing route and inform the public and increase usage.

NPPF Chapter 11 Conserving and enhancing the natural environment para 114: The submitted Ecological Appraisal demonstrates that the proposed development would not have an adverse impact upon nature conservation interest. The proposed development will maintain, protect and enhance the character of the undeveloped coast and landscape. The proposed coastal path enhancements will positively improve public access to and enjoyment of the natural environment of the coast.

## **Fylde Borough Local Plan**

### **Policy TR1**

Local Plan Policy TR1 seeks to improve facilities for pedestrians and to encourage walking as an alternative means of travel. The proposed enhancement works will improve facilities for pedestrians, in particular the quality and attractiveness of the pedestrian/cyclist route via the provision of information and directional signage and additional seating. It is submitted that this is consistent with the spirit of Policy TR1. Criterion 4 of TR1 refers to the need to safeguard pedestrian safety. Taking the advice of the Police Architectural Liaison Officer the creation of a route through the Jubilee House site would not be conducive to public safety or crime prevention and therefore is considered inappropriate. The location of the proposed development is highly sustainable being well served by the existing coastal path and public transport. The proposed enhancement works will improve existing facilities and comply with the spirit of the policy. Danbro is working towards green carbon rating accreditation and actively promotes car sharing, cycling and the use of public transport by its staff.

Criterion 6 of Policy TR1 seeks "the creation of new recreational footpaths and the maintenance, way-marking and publicising of existing public rights of way". The proposed way-marking and directional/ information signage is consistent with this policy.

Policy TR1 does not specifically require the provision of a path route through the application site and on this basis, and taking into account the proposed coastal path enhancements, there is no justification for refusal of planning application 13/0001.

### **Policy TR2**

Policy TR2 promotes increased provision for bridleways particularly in areas of high demand and where existing bridleways are fragmented. Criterion 3 states the Council will "seek the inclusion of new lengths of bridleway within large new developments particularly where these can be linked to the wider network". The proposed residential development does not comprise a large new development and there is no policy justification to require a bridleway through the site.

### **Policy TR3**

Policy TR3 states the Council will create new cycle routes where possible. Criteria 1, 2 and 4 are relevant as follows:

- Criterion 1 seeks to create new cycle routes "where possible", especially to and within town centres; centres of employment, schools and colleges. Due to the financial viability restrictions in particular, and other considerations of security, public safety and privacy issues, it is not "possible" to create a new route through the site and on this basis the proposed development does not conflict with Criterion 1.
- Criterion 2 promotes the provision of parking facilities for cyclists and requires its provision in major new developments. The proposed development includes cycle parking provision for staff/residents within the site and therefore complies with criterion 2.
- Criterion 4 requires "where appropriate" the provisions of attractive cycle routes within and into new developments. In this case the issues of viability, security and public safety render any requirement for the provision of a cycle or pedestrian route through the site unviable and therefore on this basis inappropriate.

The proposed enhancement works will improve the attractiveness of the coastal path. The proposed development does not conflict with the provisions of Policy TR3 and there are no policy grounds for refusal.

## **Policy EP1**

Policy EP1 states "within the urban areas, environmental conditions will be maintained and improved through the development control process ...." and lists a number of environmental improvement schemes. The Council's aim of maintaining and improving environmental quality of the area is at the forefront of this planning application. The proposed development is of an exceptionally high quality both in terms of design and materials and will result in significant environmental enhancements.

The stated purpose of Local Plan Chapter 7 on Environmental Protection and Conservation is to address a number of specific issues relating to the urban and rural environment in order "to help achieve in Fylde Borough the necessary balance between the need for development and the protection and enhancement of the environment". It is submitted that a balanced approach requires consideration of the significant benefits of the development, taking into account viability, security and public safety and the absence of any detrimental impact. On this basis it is considered that there is no justification for refusal of the application.

## **Interim Housing Policy (IHP)**

FBC's IHP is relevant in terms of financial contributions towards affordable housing and Public Realm projects. There is currently no Public Realm scheme for a coastal path and the proposed development accords with the IHP.

## **Conclusion**

The visual survey identifies potential scope for improvement of the coastal path access and facilities. It is anticipated that the proposed enhancement works would greatly benefit the amenity of the area and encourage increased public use of the coastal path network and also the east end of The Green which currently appears underused. Information signboards containing route options is considered important and the additional information on the route and nature reserves within the Ribble Estuary will improve public awareness and highlight the importance of the nature conservation value of the estuary.

The desire-line paths along the foreshore indicate public usage of the informal route option which enables users to experience the attractive, natural environment that complements and contrasts with the formal promenade walks. The introduction of signposting indicating the alternative path with level access from The Green, around the frontage of Jubilee House along East Beach, to the New Lytham Quays promenade walk via Victory Boulevard will provide a visual connection between the two promenade walks and encourage usage, particularly when ground conditions on the foreshore are unsuitable. This will also improve public awareness and usage of the Lytham Quays promenade walk which is still under construction.

The above policy appraisal demonstrates that the proposed development would not conflict with the wide range of strategic and local policy and that there is no robust policy requirement for the applicants to provide a path within the site or a boardwalk on the Council owned foreshore. A balanced approach to the determination of the planning application ought to take into account the financial viability of the development together with security, safety and residential amenity. On balance it is considered that the imposition of a planning condition or S106 Agreement requiring such a path provision would be unreasonable in planning terms.

The Council has the opportunity to accept the applicants' offer of coastal path enhancements and this will add to the already wide range of environmental, economic and community benefits that will result from the proposed office and residential development.

Danbro and EDG Properties Ltd are keen improve the environment and amenity of the local area and propose, subject to the agreement of Fylde Borough Council, to undertake the coastal path enhancement works in 2013.

Jane K Fox MSc PgDip  
Planning & Development Consultant  
Fox Planning Consultancy

# FIRST SCHEDULE

## Plan 1

