



FYLDE BOROUGH COUNCIL



Meeting Agenda

Development Control Committee
Town Hall, St Annes
Wednesday 21 October 2009, 10:00a.m.

**The maximum capacity for this meeting room is 60 persons –
once this limit is reached no other person can be admitted.**

Membership

Development Control Committee

CHAIRMAN - John Bennett
VICE-CHAIRMAN - Janine Owen

Councillors	Ben Aitken	Councillors	George Caldwell
	Christine Akeroyd		Barbara Douglas
	Michael Cornah		Albert Pounder
	Richard Fulford-Brown		Trevor Fiddler
	Kevin Eastham		Howard Henshaw
	Peter Hardy		Linda Nulty
	Maxine Chew		Heather Speak

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Our Vision

To establish Fylde Borough Council as a high performing local authority

Our Corporate Objectives

To improve the economic, social and environmental well-being of our communities through:

- The promotion and enhancement of the natural built environment
- Increasing the availability and access to good quality housing for all
- Maintaining healthy and safe communities to reduce the fear of crime
- Supporting and sustaining a strong and diverse Fylde coast economy to further enhance employment prospects

We will achieve this by:

Focusing on customer requirements
Clear community and organisational leadership
Delivering high quality, cost-effective services
Partnership working



A G E N D A

PART I - MATTERS DELEGATED TO COMMITTEE

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>If a member requires advice on Declarations of Interest he/she is advised to contact the Monitoring Officer in advance of the meeting. (For the assistance of Members an extract from the Councils Code of Conduct is attached).</i>	4
2. CONFIRMATION OF MINUTES: <i>To confirm as a correct record the minutes of the Development Control Committee meeting held on 7 October 2009 (previously circulated).</i>	4
3. SUBSTITUTE MEMBERS: <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
4. DEVELOPMENT CONTROL MATTERS	AS NUMBERED

Personal interests

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
 - (ii) any person or body who employs or has appointed you;
 - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (vii) any land in your authority's area in which you have a beneficial interest;
 - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

- 9.—(1)** Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
 - (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
 - (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

Prejudicial interest generally

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
 - (b) you must not exercise executive functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

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Item No:	Application No:	Location/Proposal	Recomm.	Page No.
1	07/1049	LYTHAM QUAYS, PLOTS 225 - 228 AND 74 & 77, PRESTON ROAD, LYTHAM ERECTION OF THREE STOREY BUILDING PROVIDING 24 NO. SHELTERED FLATS WITH WARDENS FLAT AND ASSOCIATED COMMUNAL AREAS TO REPLACE DETACHED DWELLINGS PREVIOUSLY APPROVED ON PLOTS 225 -228. ERECTION OF SPLIT LEVEL THREE / FOUR STOREY BUILDING TO PROVIDE 15 NO. APARTMENTS TO REPLACE DETACHED DWELLINGS PREVIOUSLY APPROVED ON PLOTS 74 & 77	Approve Subj 106	3
2	09/0190	LAND OPP. COPPICE FARM, WEST MOSS LANE, BALLAM, LYTHAM ST ANNES RETENTION OF EXISTING 8 STABLES, OPEN FRONTED FEEDING SHED, TACK ROOM AND TEMPORARY STABLE.	Grant	14
3	09/0208	1 GREENWICH DRIVE, LYTHAM ST ANNES, FY8 4QT PART DEMOLITION AND RELOCATION OF EXISTING BOUNDARY WALL, TOGETHER WITH EXTENSION TO THE WALL (RESUBMISSION OF APPN 07/1095)	Grant	19
4	09/0209	1 GREENWICH DRIVE, LYTHAM ST ANNES, FY8 4QT LISTED BUILDING CONSENT FOR PART DEMOLITION AND RELOCATION OF EXISTING BOUNDARY WALL, TOGETHER WITH EXTENSION TO THE WALL (RESUBMISSION OF APPLICATION 07/1096)	Grant	25
5	09/0390	WILLOWS, PLUMPTON LANE, GREAT PLUMPTON, PRESTON, PR4 3NE ERECTION OF REPLACEMENT DWELLING.	Grant	30
6	09/0396	WHITE HOUSE, RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2PA AMENDMENTS TO PREVIOUSLY	Grant	37

APPROVED REPLACEMENT DWELLING
08/0608.

7	09/0431	CARTFORD INN HOTEL, CARTFORD LANE, LITTLE ECCLESTON WITH LARBECK, PRESTON, PR3 0YP HOTEL AND KITCHEN EXTENSION TO AN EXISTING HOTEL/ PUBLIC HOUSE	Grant	45
8	09/0526	CARR FARM, LODGE LANE, BRYNING WITH WARTON, LYTHAM ST ANNES, FY8 5RP CONSTRUCTION OF AN ANAEROBIC DIGESTER PLANT FOR PRODUCTION OF ELECTRICITY FROM FARM CROPS AND WASTE. PLANT INCLUDES 2 X DIGESTER TANKS, 2 X COMBINED HEAT & POWER PLANTS, 2 X TRANSMISSION SUB STATIONS, REPLACEMENT STORAGE CLAMPS, AMENDMENTS TO HARD SURFACED AREAS AND OTHER ASSOCIATED WORKS. (RESUBMISSION OF 08/0974)	Approve Subj 106	53
9	09/0597	14 UPPER WESTBY STREET, LYTHAM ST ANNES, FY8 5NH ERECTION OF FRONT PORCH, SINGLE STOREY REAR AND SIDE EXTENSION AND FIRST FLOOR EXTENSION TO SIDE (AS AMENDED).	Grant	69
10	09/0618	159 INNER PROMENADE, LYTHAM ST ANNES, FY8 1DW ERECTION OF SINGLE STOREY SIDE EXTENSION, REAR EXTENSION ROOF LIFT AND ERECTION OF FRONT BAY WINDOWS.	Grant	75
11	09/0624	OAKLANDS, 250 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1AH USE OF EXISTING WORKSHOP FOR VEHICLE MAINTENANCE / REPAIRS AND MOT TESTING.	Refuse	80

Development Control Committee Schedule 21 October 2009

Item Number: 1 Committee Date: 21 October 2009

Application Reference: 07/1049		Type of Application: Full Planning Permission	
Applicant:	KENSINGTON DEVELOPMENTS	Agent :	J C Planning
Location:	LYTHAM QUAYS, PLOTS 225 - 228 AND 74 & 77, PRESTON ROAD, LYTHAM		
Proposal:	ERECTION OF THREE STOREY BUILDING PROVIDING 24 NO. SHELTERED FLATS WITH WARDENS FLAT AND ASSOCIATED COMMUNAL AREAS TO REPLACE DETACHED DWELLINGS PREVIOUSLY APPROVED ON PLOTS 225 -228. ERECTION OF SPLIT LEVEL THREE / FOUR STOREY BUILDING TO PROVIDE 15 NO. APARTMENTS TO REPLACE DETACHED DWELLINGS PREVIOUSLY APPROVED ON PLOTS 74 & 77		
Parish:	St Johns	Area Team:	Area Team 1
Weeks on Hand:	19	Case Officer:	Andrew Stell
Reason for Delay:			

Summary of Recommended Decision: Approve Subj 106

This item was considered at the meeting of the Development Control Committee on 26th August 2009 when members deferred making a decision to allow a site visit to take place and to seek the submission of additional illustrative material. Members visited the site on 7th October 2009 and additional illustrative drawings have been submitted by the applicant.

The application was reported as follows and the officer recommendation remains unchanged.

Summary of Officer Recommendation

The application involves replacing existing detached and semi detached dwellings with 2 apartment blocks and so increase the number of residential dwellings on the site by 34 over the existing approved number. The scheme has an acceptable design, scale, access, parking provision and relationship to neighbours and so accords with Policy HL2 of the Fylde Borough Local Plan. The application is therefore recommended for approval subject to the satisfactory conclusion of a s106 agreement covering the provision of on-site affordable housing, and various financial contributions.

Reason for Reporting to Committee

The scale of development involved means that the application is classed as major development and so is outside of the scheme of officer delegation.

Site Description and Location

The application relates to two separate red edges within the Lytham Quays residential development.

One is a rectangular area on the site frontage measuring 28m x 55m that is located between the identified public open space area (currently providing the car park for the sales office) and The Breakers apartment block. This area has planning permission for the erection of 4 semi detached dwellings and garaging but no work has started on these plots.

The other element is the site of two villas in the rear of the development on the boundary of the site with the estuary. This is also rectangular with a width of 50m and a depth of 30m. The access to this site is to utilise the access points for the two villas which each run between detached dwellings fronting onto Victory Boulevard which is the main spine road within the Lytham Quays site.

Surrounding land to the front site are mainly residential associated with the Lytham Quays development but with the Lytham Hospital on the opposite side of Preston Road and the Land Registry office immediately to the side.

To the rear plot the surrounding land uses are also residential associated with Lytham Quays with the estuary to the direct rear across the public open space to be provided and employment land to the east.

Details of Proposal

The application was originally submitted and work was undertaken on it in December 2007. However, that scheme was not progressed to a decision. In June 2009 a new set of drawings was submitted and these form the basis for this report.

The scheme for the frontage is a single rectangular building providing 24 sheltered accommodation flats and a wardens flat. The building measures 45m x 21.5m and has a ridge height to 10.4m which rises to 13m in its central gable. The building provides accommodation across 3 floors with the dwellings being 2 bedroomed and having main habitable windows on each elevations. The main access is to the rear facing The Breakers apartment block and leads to a reception area, communal lounge and central access corridor for the flats. A total of 14 parking spaces are provided for this element with 12 in 6 tandem spaces to the rear. The construction materials are mainly brick with stone and timber features and a pitched tiled roof. The supporting information describes how this block will be sheltered accommodation for the over 55s and agrees to the principle of this being controlled by legal agreement or planning condition.

The scheme for the rear involves the erection of a building with a width of 41m and depth of 17m. The building is split level with four levels at the front and three to the rear (facing the estuary). It provides 15 x 2 bedroomed apartments across the three upper floors with the partial basement providing 27 of the total of 30 parking spaces. Measured from the front the building has a ridge height of 14m at the highest point but has an 11.5m high central link element to offer variation in the scale of the building. The construction materials are again predominantly brick but with a rendered element to the central link section and a tiled roof.

Relevant Planning History

Application No.	Development	Decision	Date
07/0076	SUBSTITUTION OF HOUSETYPES TO PLOTS 91, 94, 96, 99, 102, 105, 107, 110 AND 113 (9 PLOTS) - APPROVED UNDER 06/73.	Finally Disposed Of	07/06/2007
07/0077	SUBSTITUTION OF HOUSETYPES TO	Refused	15/06/2007

	PLOTS 91, 94, 96, 99, 102, 105, 107, 110 AND 113 (9 PLOTS) - APPROVED UNDER 06/73.		
07/0075	RESUBMISSION OF APPLICATION 06/0073 FOR REVISIONS TO APARTMENT ELEVATIONS AND INTERNAL ALTERATIONS PLOTS 229- 260.	Granted	07/06/2007
06/0771	TEMPORARY VEHICULAR ACCESS TO SHOW AREA CAR PARK FROM CHANDLERS REST	Granted	19/10/2006
06/0516	ADVERTISEMENT CONSENT TO DISPLAY AN ILLUMINATED FREE STANDING BOARDS IN A V CONFIGURATION.	Granted	26/10/2006
06/0517	TEMPORARY SALES COMPLEX	Granted	27/07/2006
06/0073	APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR: RESIDENTIAL DEVELOPMENT OF 170 DWELLINGS COMPRISING OF: 116 DETACHED AND MEWS HOUSES, 42 APARTMENTS AND 12 AFFORDABLE PROPERTIES.	Approved with 106 Agreement	14/07/2006
04/0314	OUTLINE APPLICATION FOR HOUSING DEVELOPMENT COMPRISING 586 NUMBER UNITS (INCLUDING 60% AFFORDABLE) WITH MIX OF 1,2,3 & 4 BED DETACHED, SEMI AND MEWS HOUSES AND APARTMENTS (PRIVATE & SHELTERED)	Refused	31/10/2005
02/0641	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF LAND (5.23ha)	Granted	05/03/2003
00/0099	ALTERATIONS TO FORM LOADING DOCKS WITH CANOPY AND RELOCATION OF FUEL	Granted	22/03/2000
99/0153	INSTALLATION OF 2 NO. YEAST TANKS WITH CANOPY OVER AND VINEGAR TANK	Granted	21/04/1999
97/0718	ALTERATIONS TO EXTERNAL ELEVATIONS	Granted	03/12/1997
93/0797	REPLACE FELT ROOFING ON 2 PITCH ROOFS WITH STEEL SHEETING (RETROSPECTIVE)	Granted	02/02/1994
92/0802	ERECTION OF ENCLOSED CANOPY.	Granted	02/12/1992
07/0515	PROPOSED GARAGE TO VARIOUS PLOTS OF LYTHAM QUAYS.	Withdrawn - Invalid	08/06/2007

Relevant Planning Appeals History

None associated with these plots.

Parish Council Observations

N/A

Statutory Consultees

Environment Directorate

They raise concerns over the parking arrangements proposed for the sheltered accommodation in the front block as the parking standards would require only a maximum of 8 spaces for that development rather than the 14 shown in this scheme. No major concerns are raised with the access arrangements to the rear block, the parking provision for that block or the capacity of the road network to meet the needs of the development.

Strategic Housing

Raise no objection to the scheme and make the following comments:

- Highlight the requirement in the Interim Housing Policy for development schemes such as this to provide affordable housing and the priority for this to be social rented housing provided on site. The management costs of this are to be clarified up front so that the accommodation remains affordable to tenants
- The developer's Registered Social Landlord should be identified at an early stage
- Minor design comments concerning the design of the sheltered accommodation and the ability of disabled users to access it easily, store/charge scooters, provide communal bathrooms, etc

Environment Agency

They initially raised an objection to the proposal which was partially the cause of the significant delay in its determination. However, this objection has now been withdrawn subject to mitigation measures outlined in the most recent Flood risk Assessment being implemented during the development.

British Aerospace

Raise no objections

Blackpool Airport

Has no objection or comment on the application

Lancashire County Contributions

Contributions are requested for education, transport and waste management. The education contribution assumed that none of the properties would be restricted to elderly occupants which is not the case so the figure requested has been revised to £40,393. The transport requested figure had not been provided at the time of writing this report. The waste management figure requested is £18,720. The total LCC contribution is therefore £59,113 plus whatever transport request is received.

Observations of Other Interested Parties

None to report

Neighbour Observations

Neighbours notified: 18 October 2007

No. Of Responses received: 30 to initial notification, 3 to revised scheme

Nature of comments made:

The objections that were received as a response to the initial notification are not reported as the scheme has fundamentally changed since that time.

The three objections received to the current scheme relate to:

- The proposed sheltered flats will increase the traffic into the estate as a result of the residents and their visitors. This problem is compounded by the current phasing on the main junction lights which means that there are lengthy waits to exit Lytham Quays.
- The proposed parking being inadequate in number and not fully achievable due to the tandem design.
- The proposal will extend the construction phase of the development and so cause greater disturbance to residents
- The sheltered flats are overly tall and will dominate the open space and surrounding dwellings
- The level of detail about the proposed construction materials is inadequate
- The development could cause further delays in the establishment of the public open space at the entrance to the site
- The appearance of the development from The Breakers apartments is unattractive, with the view of the limited parking area a particular disappointment
- The replacement of villas with apartments will increase the level of traffic utilising the far end of the spine road which will be detrimental to highway safety in that area, particularly with the numbers of children in the surrounding dwellings
- The safety of accessing the apartments along the extended driveways of the frontage properties is questioned.

Relevant Planning Policy

Regional Spatial Strategy:

DP01:	Spatial principles
DP02:	Promote Sustainable Communities
L05:	Affordable Housing
CLCR01:	Central Lancashire City Region Priorities

Fylde Borough Local Plan:

SP01:	Development within Settlements
HL02:	Development Control Criteria for new housing proposals
TREC17:	Public open Space within new housing proposals
EP01:	Environmental Improvement Schemes

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPS3:	Housing

Site Constraints

Former industrial area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

Local Plan Allocation

The site is located within the Dock Road / Preston Road existing employment area as allocated under Policy EMP2 of the Fylde Borough Local Plan. This policy protects the land for employment use. However, it is now within a large area of residential development that is currently under construction and the two areas of development proposed are the subject of extant planning permission to construct dwellings on them. Whilst the alternative types residential development proposed under this application are not consistent with the Local Plan allocation they are appropriate on the site in the context of the development in the area in recent years.

The other policies which need to be assessed are those which relate to the normal development control criteria on residential scheme such as access, design, provision of open space, affordable housing, etc. These are explored in the following section of this report.

Front Element – Design

The approved development in this area is two pairs of semi detached houses with the sheltered apartment block now proposed occupying broadly the same area as the approved scheme. The original plans submitted for this application encroached substantially into the area of public open space which forms the entrance feature to the development and so were unacceptable.

Further changes made to the scheme have improved its design to better reflect the ‘Lytham-style’ details that are found on the rest of the development, improved front appearance facing onto Preston Road, improved side elevation facing Victory Boulevard and improved relationship between the apartments and the adjacent Land Registry office building.

The building provides accommodation across a full three storeys, but much of the upper floor is provided by a series of dormers into the roof. A large central projecting gable, canopy roofs and hexagonal turret features to the corners also assist in adding interest to the design which breaking up its scale. The building is located between The Breakers 5/6 storey apartment block and the site entrance, and at 3 storeys in height is considered to be beneficial in stepping down the scale of development from The Breakers height to the traditional two and single storey buildings on the site frontage with Preston Road.

Front Element - Relationship to Neighbours

The approved dwellings in this area are two storey 3 bedroomed houses with an L shaped footprint to each pair of semis with attached sets of double garages to the rear. The proposed building has a shallower pitched roof than these dwellings which give it a main ridge which is only around 1m above the ridge height of the approved dwellings. At the closest point the apartment block is 28m from the front corner of 7 Victory Boulevard which is the nearest neighbour that faces towards the development. This separation is considered acceptable to compensate for the increased height and proximity of the building over the approved houses given the angled relationship involved. No. 9 Victory Boulevard is closer at 24m separation but this is from the side of that property and this relationship is also considered to be acceptable.

The application brings the development much closer to the apartments within The Breakers complex to the rear. As approved, the houses were 31m from the front of this building with the garaging between. The submitted scheme reduces that distance to 22m at the closest point but around 25m in the majority of relationships. This separation is a minimal given the height of the building involved, but as the design of The Breakers means that there is no ground floor accommodation in these areas the increase in the scale of the building over the approved houses has a reduced impact and so this relationship is also considered to be acceptable.

Front Element - Type of Dwelling

The application is presented as sheltered accommodation, with the supporting statement referring to

this being limited to those households where at least one of the occupants is over 55 years of age. The council's housing staff have confirmed that there is a demand for such accommodation in the borough and this is a welcome addition to the mix of accommodation on the Lytham Quays development. It will be necessary to conclude a s106 agreement to confirm that the properties are occupied in this manner.

Front Element - Access

The level of parking proposed is 14 spaces with 12 of tandem spaces. Residents of the development have expressed concern over this number being inadequate for the scheme proposed given the likelihood of staff, doctors, visitors, etc visiting the site in cars. In contrast Lancashire County Council have raised objection due to the over supply of parking against the maximum parking standard figures. These sheltered flats are located close to the site entrance and so it is important to provide a suitable level of parking for them to avoid on road parking causing congestion around the site entrance. On this basis it is considered that the views of the highway authority should be discounted in this case and the submitted level of parking retained as being appropriate for this development.

Front Element – Summary

This part of the scheme proposes a larger building than previously approved in both footprint and height, but it is considered that it can be accommodated within the site without causing undue detriment to neighbouring residential amenity or the character of the area. As such this scheme accords with the requirements of Policy HL2 concerning new residential development standards.

Rear Element - Design

The approved scheme in this area is a pair of detached 'Villa' style dwellings. These are very large properties providing 5/6 bedrooms over 3 floors of accommodation with a basement level. The design of the apartment block proposed to replace these dwellings has changed substantially since the original submission which has resulted in the scale of the building being reduced, and its design improved by the introduction of additional features to break up the scale of the building. The intention is to provide an appearance that is more like the two large detached villas that were approved, than a single apartment block. The apartments are the same overall height as the neighbouring villas. Your officers are satisfied that this has been successfully achieved and the design is considered to be appropriate for this location.

Rear Element - Relationship to Neighbours

The design changes have also resulted in the building being pulled towards the estuary and so away from the residential properties fronting Victory Boulevard. The apartments achieve a 27m separation to the rear of the nearest facing dwelling (88 Victory Boulevard) and 16m to the side gable of the nearest side-on dwelling (94 Victory Boulevard). These separations comply with the usual guideline separations between primary elevations in such relationships and are considered to be adequate to prevent any undue loss of light, massing or privacy loss impacts on these properties.

The consequence of this is that minimal external amenity space is retained around the estuary side of the apartments, but with the split level nature of the apartments, the area provided is available for use as it is level to the ground floor. The scheme involves the construction of a Lytham style wall around the general open space area on the development and the continuation of the coastal path around the development. A condition is appropriate to secure the final details and provision of this.

Rear Element - Access

The access to the rear element is off Victory Boulevard which is the main spine road for the development. A pair of two way drives are created that each run in the 8m wide gap between the front of a dwelling and the side of its neighbour. This is an unusual access arrangement for modern residential development, but is the access arrangement that was approved to access all the villa properties on Lytham Quays. The issue to assess with this scheme is whether these accesses can safely accommodate the traffic associated with the 15 apartments now proposed when compared with

that which would have been associated with the pair of 5/6 bedroomed villas that are approved in this location.

The highway authority have looked at this aspect carefully and have concluded that it is an acceptable arrangement. The properties that face the access drives are unoccupied as yet, but it is assumed that any intended purchasers will be aware of this access arrangement and will consider that in deciding whether to buy these particular dwellings.

Rear Element – Summary

The part of the scheme proposes a larger building in footprint, but one that is similar in scale to the detached villas that are approved on the site with a link between. The design of this scheme now being considered successfully allows these apartments to fit into the streetscene and allow the increased development level to be accommodated without detracting from neighbouring amenity or the appearance of the site in the streetscene or in river views. It is therefore considered that this scheme also accords with the requirements of Policy HL2 concerning new residential development standards.

Interim Housing Policy

As the site is within the settlement it needs to comply with the urban option of this policy. In addition to the normal planning criteria such as access and parking this requires that contributions are made towards affordable housing, public open space and public realm improvements. These contributions are based on the net increase in dwellings on the scheme as the IHP requires contributions from 'every development' (para 6.4) and so these are payable for the both the market apartments on the rear element and the sheltered flats on the front.

With the loss of the 6 approved properties, this scheme involves a net increase of 34 properties over the existing approval on the site. The IHP requires schemes of this size to provide the affordable element on site, but allows for the public realm and public open space elements to be provided by way of financial contributions in lieu of provision. Discussions with the developer over this aspect have lead to an agreement on the basics of this being provided in line with the percentages in the IHP and so the application would only be approved subject to a s106 being signed which confirms these figures.

LCC Contributions

The County Council have made a request for education, transport and waste management contributions as detailed in the consultees section of this report. Support for securing such contributions was given by the Inspector in the recent Stanways appeal decision where she concluded that the absence of agreements being in place to secure these contributions was a factor that went against that scheme and contributed to the appeal being dismissed. The education element has been discounted to remove any contributions from the sheltered flats as their occupants are unlikely to place a demand on local schools. Unfortunately, LCC have not been able to provide their requested transport contribution at the time of writing this report, but it is recommended that these contributions be included within the s106 which is to be completed prior to the grant of any planning permission.

Conclusion

The application site relates to areas within the Lytham Quays development that already have planning permission for residential development. Matters relating to the principle of residential development and the removal of potential previous contamination and flood risk have already been addressed and satisfied.

The scheme involves the replacement of 6 detached dwellings with 40 apartments in two separate blocks. This increase in numbers is not significant given the scale of the development and is within the design capacity of the whole development. The site is in a sustainable location close to shops and services and the scheme has an acceptable design and relationship to neighbours. Therefore it is considered that the scheme complies with the requirements of Policy HL2 of the Fylde Borough Local

Plan and other relevant policies. The application is recommended for approval subject to the satisfactory conclusion of a s106 agreement relating to the provision of affordable housing on the site, and the payment of contributions to support off site public open space and public realm improvements and LCC requested contributions.

Recommendation

That, Subject to the completion of a Section 106 agreement in order to secure:

- the on-site provision of 30% of the dwellings hereby approved as affordable dwellings
- a financial contribution of 2.5 % of the market value of each proposed housing unit towards securing off site public realm improvements ,
- a financial contribution of 2.5% of the market value of each proposed housing unit towards securing off site public open space (or an equivalent on-site provision)
- a financial contribution of £59,113 plus the as-yet-unspecified transport element, to offset the education, waste management and transport improvements required as a consequence of this development identified by Lancashire County Council.
- the occupation and management of the sheltered housing accommodation

Planning permission be granted subject to the following conditions:

(Where the Section 106 agreement is not signed within a reasonable period of time, authority to refuse planning permission is delegated to the Head of Planning (Development Control) to refuse the application as being contrary to the provisions of the Interim Housing Policy)

1. The development hereby permitted must be begun not later than the expiration of 3 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], 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.

3. This consent relates to the revised plans received by the Local Planning Authority on the 19 June 2009.

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

4. That prior to the commencement of any development hereby approved, a survey of the existing ground levels and full details of the proposed ground and slab levels shall be

submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with these approved levels.

To ensure a satisfactory finished appearance of the development that is in keeping with the character of the area and neighbouring residential properties, and does not contribute to increased flood risk.

5. The development shall only be constructed in full accordance with the mitigation measures identified in the submitted Flood Risk Assessment (ref DKM/FRO – LYTHAM dated September 2008).

To protect the living conditions of future occupants of the site

6. Notwithstanding the notation on the approved block plan (KD46/259) That prior to the commencement of any development, full details of the precise routing, design, height and materials of construction for the boundary treatment between the rear apartment block and the open space towards the estuary shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented prior to the first occupation of any of the apartments in this block and retained thereafter.

To provide an appropriate separation between these dwellings and the open space in the interests of the privacy of the occupiers of the flats and the character of the area.



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Application No. 5/07/1049	Address Plots 225-228, 74 & 77 Lytham Quays, Lytham	Grid Ref. E.3379 : N.4272	Scale N.T.S.	Item No.

Item Number: 2 Committee Date: 21 October 2009

Application Reference: 09/0190		Type of Application:	Full Planning Permission
Applicant:	Mr Bernard Hackett	Agent :	
Location:	LAND OPP. COPPICE FARM, WEST MOSS LANE, BALLAM, LYTHAM ST ANNES		
Proposal:	RETENTION OF EXISTING 8 STABLES, OPEN FRONTED FEEDING SHED, TACK ROOM AND TEMPORARY STABLE.		
Parish:	Westby with Plumpton	Area Team:	Area Team 1
Weeks on Hand:	8	Case Officer:	Mrs C Kitching
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The main issues for consideration in this application are contained within Policy SP2 of the Fylde Borough Local Plan. It is considered that the proposal is for a use, i.e. stables, that is acceptable in a rural area and would not have a harmful impact on the rural character of the area .

Reason for Reporting to Committee

The application is on the agenda as the Officers recommendation for approval is contrary to the Parish Councils views.

Site Description and Location

This application relates to part of a former agricultural field on West Moss Lane, Ballam, which is situated opposite (north of) Coppice Farmhouse on the other side of West Moss Lane. The remainder of the field also contains stables and land used for the grazing of horses.

Details of Proposal

This application seeks consent for the retention of a block of four stables and feed store/tack room situated parallel to the access track, and a block containing five stables including a temporary stable and feed store / tack store facing the other one across a small stretch of concrete hardstanding. The stable blocks are both 3.7m deep and 19m and 14.7m long respectively constructed in stained timber with a green corrugated roof.

Relevant Planning History

In 2003 planning permission was granted under 03/0882 for change of use of the field to the keeping of horses and erection of three stable blocks for a temporary period of five years. The field was then split into three plots in separate ownerships. In late 2008 the planning permission expired.

In late 2008 the owner of the northernmost plot submitted a planning application (08/0942) for the retention of her stables and also for the retention of a mobile home that had been brought onto that part of the field. That application was refused under delegated powers on the grounds of the mobile home being a dwelling which is not acceptable development within a countryside area. A further application for the retention of the stables only (09/0326) has since been approved at the July meeting of the DC Committee and the static caravan is to be removed.

Earlier in 2009 the owner of the southernmost plot applied for planning permission to retain the stables on that plot and the application (09/0133) was approved in May of this year under delegated powers.

This application relates to the middle plot of the three and is the first application on that plot since the original 2003 application.

Relevant Planning Appeals History

None

Parish Council Observations

Westby with Plumpton Parish Council notified on 10 July 2009

Summary of Response object

Consider that the number of stables is excessive for private use and so recommend refusal.

Statutory Consultees

Consumer Wellbeing and Protection

No objection

County Highway Authority

No objection

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 17 July 2009

No. Of Responses Received: none

Relevant Planning Policy

Regional Spatial Strategy:

DP07 Promote environmental quality

Fylde Borough Local Plan:

SP02 Development in countryside areas
SP13 Stables and Equestrian Centres
EP11 Building design & landscape character

Other Relevant Guidance:

PPS7 Countryside

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

Policy SP2 allows development essentially required for a use appropriate to a rural area, such as equestrian activity, providing it is of a type and scale which would not harm the character of the surrounding countryside area.

The number of stables at a single site that is remote from the applicant's dwelling is usually restricted to no more than four. This is to ensure that they are used as private stables, to ensure that the use is not over-intensive or commercial, and to counter concerns that a larger the number of horses at a site creates more chance for a demand for a dwelling to care for sick horses etc. which would be contrary to the countryside policy framework of restraint.

In this case, the applicant, his son and his son's partner are all heavily involved in equestrian activity and compete regularly. As a result they each have a number of horses for competition and some retired horses. These are all stabled at the site which has lead to additional stables being constructed above the original number approved. The current number of 9 stables is well above the usual private stable limit of 4 and so has created a concern with the application.

The stables are situated in a compact group at one end of the field where they are in close proximity to the access road and set against the backdrop of the mature boundary hedge. They are located between the other owners' stables to the north and south and it is considered that the structures do not adversely affect the rural character of the area or visual amenity. The general level of activity at the site associated with the care of these horses does not create any highway safety issues and the additional 'comings and goings' to the site as a consequence of this number of horses will not be noticeable.

Whilst the development is visually acceptable in the countryside, the number of stables involved creates a concern for the potential for future development at the site. As the number of stables is a consequence of the particular circumstances of the applicant and his direct family, it is recommended that permission be granted to retain the stables but only subject to a personal condition that ties the stables to them and requires the number to be reduced to four should they be sell the site.

Conclusions

The development does not harm visual amenity and the scheme is considered to comply with Local Plan Policy SP2. There are no other material considerations arising which indicate that the proposal should be determined otherwise.

Recommendation

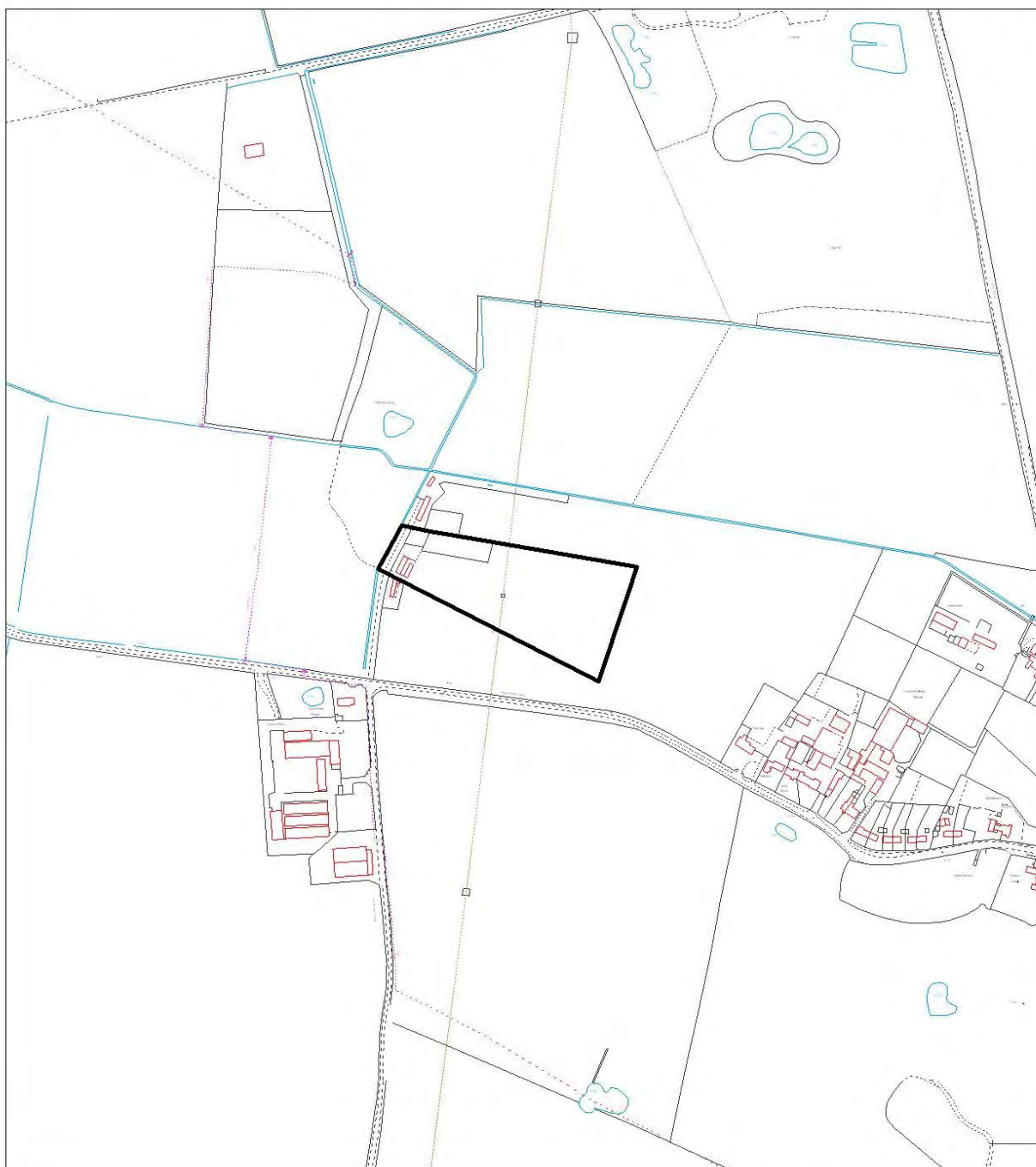
That Planning Permission be GRANTED with the following conditions:

1. The stables, feeding shed and tack room hereby permitted shall only be operated by Mr Bernard Hackett and his direct family for the stabling and care of their own private horses. Within 3 months of such a time when the premises cease to be occupied by Mr Bernard Hackett, the structures within the site shall be reduced to no more than four stables and one feed / tack store.

To allow the current private operations to continue without creating an undue number of permanent private stables in a countryside location that is remote from an occupier's residential dwelling and thereby ensure that the Local Planning Authority retains proper control over the operation of the site.

2. The stables hereby permitted shall be used for the stabling of horses and storage of associated equipment and feed for private use only. In particular, they shall not be used for any trade, business or other storage purpose.

To define the permission, in the interests of the visual amenities and character of the area and business use would require further consideration by the Local Planning Authority under development plan policies.



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Application No. 5/09/0190	Address Land Coppice Farm West Moss Lane, Ballam	Grid Ref. E.3355 : N.4305	Scale N.T.S.	Item No.

Application Reference: 09/0208		Type of Application:	
Applicant:	Mr Barron Eaves	Agent :	J C Planning
Location:	1 GREENWICH DRIVE, LYTHAM ST ANNES, FY8 4QT		
Proposal:	PART DEMOLITION AND RELOCATION OF EXISTING BOUNDARY WALL, TOGETHER WITH EXTENSION TO THE WALL (RESUBMISSION OF APPN 07/1095)		
Parish:	Park	Area Team:	Area Team 1
Weeks on Hand:	26	Case Officer:	Mrs C Kitching
Reason for Delay:	Negotiations to resolve difficulties		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The main issues for consideration in this application are contained within Policies HL5 and EP7 of the Fylde Borough Local Plan. It is considered that the proposal would not have a detrimental impact upon the visual amenities of the area and will meet the criteria laid down in the policies. Members are recommended to grant planning permission subject to conditions.

Reason for Reporting to Committee

A large number of objections have been received from the local community

Site Description and Location

The site contains a dwellinghouse with front, side and rear garden area and is situated at the junction of Greenwich Drive and Blackpool Road within the settlement of Lytham St Annes.

The house fronts onto Greenwich Drive which is the entrance road to the Hall Park housing estate.

Details of Proposal

This planning application proposes altering the side boundary treatment to the residential property. The scheme proposes relocating the existing cobbled wall at the Blackpool Road boundary by removing all but the first (northern-most) 1.5 metres and rebuilding a wall further forward, that is closer to Blackpool Road, by 3 metres distance and erection of two sections of new wall at right angles at the corner of the Blackpool Road/Greenwich Drive boundary so that there are three staggered sections of wall.

The cobbled wall is a Listed Structure and is in existence at many stretches along Blackpool Road. An application for Listed Building Consent has been submitted and is under consideration on this agenda. The appearance of the proposed wall is to be identical to the existing wall in height, materials and form. The wall would be 1450mm height above ground, cobbles of the same size set in concrete and

profiled as existing where cobbles protrude, the wall would have a rounded cap of concrete to match the existing wall.

The detailed position of the wall is as follows: the new section of wall would start from the existing end of the wall and route back towards the house for 11.5 metres and then turn 90 degrees towards the road of Greenwich Drive for 5.5 metres, turn 90 degrees again and extend a further 5 metres and make a final 90 degrees turn at a point level with the front of the house for a distance of 3 metres.

Relevant Planning History

Application No.	Development	Decision	Date
07/1096	LISTED BUILDING CONSENT TO RE-BUILD PART OF LISTED SIDE BOUNDARY COBBLED WALL	Refused	01/02/2008
07/1095	TWO METRES HEIGHT BOUNDARY WALL TO FRONT WITH GATES AND RE-ROUTE OF PART OF SIDE BOUNDARY COBBLED WALL	Refused	01/01/2008
95/0432	PITCHED ROOFS TO REPLACE EXISTING FLAT ROOFS	Granted	24/07/1995
78/0153	EXTENSION AND ALTERATIONS TO FORM LOUNGE, KITCHEN/DINING ROOM AND GARAGE.	Granted	05/04/1978

Relevant Planning Appeals History

None

Statutory Consultees

English Heritage

We do not oppose the realignment of this wall but recommend that your authority requests a mortar specification and the building of a sample panel for the agreement of the details of the wall. This could be the subject of a condition on the listed building consent.

County Highway Authority

The proposed wall does not adversely affect visibility of highway users

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 22 April 2009
Amended plans notified: 28 September 2009
No. of responses received: 17
Nature of comments made: Objection

Adversely affects the openness of the Hall Park estate which has been preserved with the benefit of a covenant and also harms the visual character of the area generally: the open plan design created green spaces around each property to the overall benefit of the ambience of the area.

Any wall regardless of height could constitute an enclosure and would be considered as a precedent for other enclosure applications on this Open Plan development and should not be approved. Not one property on the estate has even a small wall around the frontage, let alone a cobbled wall of considerable height. If the proposal were to go ahead it would change the nature of the Park considerably and could be taken as a precedent for other enclosed applications on the site.

The open plan character of West Park has without doubt been the essential element in maintaining its appeal as a desirable residential area over the past 39 years.

The wall has never been extended or moved to provide a better seclusion or security for any individual property.

The symmetry of the design to the entrance to Greenwich Drive opposite to our property will be spoilt.

Adversely affects visibility at junction where traffic volume is heavy and traffic queues are common in mornings and evenings and sight lines are currently poor. Breaks in the wall and deviations to its historic course have been limited to those which are necessary to increase visibility at junctions. The wall's existing course at 1 Greenwich Drive is such a deviation, deemed necessary in 1970 to create visibility at the junction with Blackpool Road. The need for visibility there is far greater now than it was in 1970.

Ample off street parking is accommodated at present and the new wall will not affect parking space

The open area at the property that is described as 'No Mans' Land' in the Design and Access Statement has not been looked after by the owners, the wall can be repaired without changing its course.

The poor state of the wall is not mitigating circumstances for a total re-design of the wall, even if the wall was not a listed structure our feelings would remain the same.

The applicant's desire for greater privacy could be achieved by alterations to the house leaving the garden open planned as originally intended.

Relevant Planning Policy

Regional Spatial Strategy:

DP07	Promote environmental quality
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Fylde Borough Local Plan:

HL05	House extensions
EP07	Features & artefacts of local importance
EP04	Alteration and adaptation of listed buildings
EP05	Demolition of a Listed Building

Other Relevant Guidance:

PPG15	Planning and the historic environment
JHE	Joint House Extensions SPD

Site Constraints

Within settlement

Lytham Hall estate wall including the wall at 1 Greenwich Drive boundary is statutorily Listed (Grade II)

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

The main issues for consideration in the determination of this application are the character and appearance of the area around the junction at Blackpool Road and Greenwich Drive, the contribution the cobbled wall makes to the heritage of the Lytham Hall Park boundary and highway safety.

The existing cobbled wall that runs along Blackpool Road and Church Road is the old boundary of Lytham Hall grounds when the undeveloped grounds were far more extensive than at present. The wall is statutorily Listed owing to its history and close association with Lytham Hall, however it has been altered to lead into housing estates at the time of those estates development and many stretches of the wall are not original and have been altered in position and also in height to suit the housing estates entrances from the original road (Blackpool Road and Church Road, Lytham). This particular stretch of wall was altered in the 1970s when the wall was staggered to form visibility splays at the entrance to Greenwich Drive as part of the planning permission for 50 houses. On this basis there is no objection in principle to amending the wall. It is however important that the wall continues to contribute to the appearance and character of the area.

The application intends that the altered wall, when finished, would be of the same appearance as the existing in terms of size, appearance and spacing of cobbles within the wall faces. A condition is appropriate to control this. The wall will not appear too dominant in relation to the house or in relation to the street scene generally. Existing trees will remain which soften the overall appearance. Blackpool Road is wide and has a spacious appearance and the relocation of the wall closer to the highway would not adversely affect the openness of the area and would not affect the visual amenity of the area.

Policy EP7 seeks to protect features which contribute to the character of an area in the interest of retaining the fine details present in the local environment. The preamble to the policy specifically refers to the characteristic cobbled walls at Lytham. As a cobbled wall is being retained there is no conflict with this policy.

The proposal to be considered is the subject of revised plans. The original application was for the staggered arrangement to be forward of the house so that the new wall was closer to Greenwich Drive. Many objections refer to this removing the open character of the estate. Further to negotiation a better scheme was submitted that allows for the wall to be amended to offer a higher level of privacy and containment for the occupiers but which does not adversely affect the pleasant appearance and distinctive character of the area and does not prejudice sightlines at the junction.

The LCC Highways officer has no objection to the application scheme as revised as the necessary visibility splay at the junction will not be affected by the wall and recommends a standard condition to protect a clear visibility splay, which has been included.

Conclusions

The proposal, as revised, is considered acceptable subject to the imposition of suitable conditions including protection of an adequate visibility splay and appropriate material for the new wall. Accordingly Members are recommended to grant planning permission.

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 3 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. This consent relates to the revised plan received by the Local Planning Authority on the 10/09/2009.

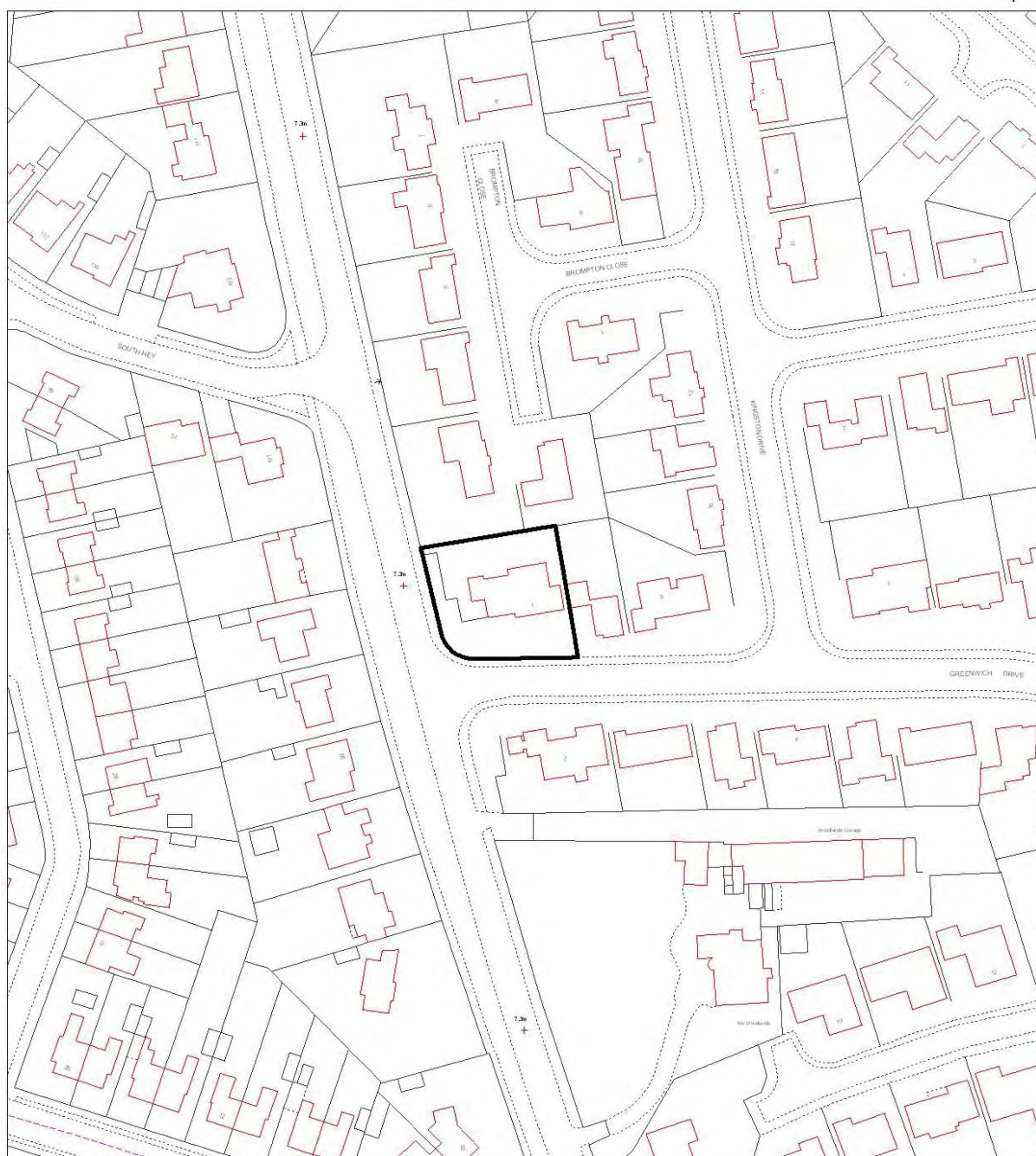
For the avoidance of doubt and as agreed with the applicant / agent.

3. The stone and mortar shall be an identical match to those of the existing wall in size, form, colour and texture. Prior to commencement of construction a sample panel shall be built and approved in writing by the Local Planning Authority together with a method statement detailing how the new material will be introduced and a specification of the mortar. Upon approval only those approved materials shall be used in the development unless otherwise agreed in writing.

To preserve the character of the statutorily Listed wall.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1metre above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of Greenwich Drive from the continuation of the nearer edge of the carriageway of Blackpool Road to a point measured 43metres in a westerly direction along the nearer edge of the carriageway of Blackpool Road, from the centre line of the Greenwich Drive.

To ensure adequate visibility at the street junction or site access.



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Application No. 5/09/0208	Address 1 Greenwich Drive Lytham St Annes	Grid Ref. E.3347 : N.4284	Scale N.T.S.	Item No.

Application Reference: 09/0209		Type of Application:	Listed Building Consent
Applicant:	Mr BARRON EAVES	Agent :	JCPLANNING
Location:	1 GREENWICH DRIVE, LYTHAM ST ANNES, FY8 4QT		
Proposal:	LISTED BUILDING CONSENT FOR PART DEMOLITION AND RELOCATION OF EXISTING BOUNDARY WALL, TOGETHER WITH EXTENSION TO THE WALL (RESUBMISSION OF APPLICATION 07/1096)		
Parish:	Park	Area Team:	Area Team 1
Weeks on Hand:	26	Case Officer:	Mrs C Kitching
Reason for Delay:	Negotiations to resolve difficulties		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The main issues for consideration in this application are contained within Policies EP5 and EP4 of the Fylde Borough Local Plan. It is considered that the proposal would not have a detrimental impact upon the Listed wall and will meet the criteria laid down in the policy. Members are recommended to grant planning permission subject to conditions.

Reason for Reporting to Committee

A large number of objections have been received from the local community

Site Description and Location

The site contains a dwellinghouse with front, side and rear garden area and is situated at the junction of Greenwich Drive and Blackpool Road within the settlement of Lytham St Annes. The house fronts onto Greenwich Drive which is the entrance road to the Hall Park housing estate.

Details of Proposal

The scheme proposes relocating the existing cobbled wall at the Blackpool Road boundary by removing all but the first (northern-most) 1.5 metres and rebuilding a wall further forward, that is closer to Blackpool Road, by 3 metres distance and erection of two sections of new wall at right angles at the corner of the Blackpool Road/Greenwich Drive boundary so that there are three staggered sections of wall.

The cobbled wall is statutorily Listed and is in existence at many stretches along Blackpool Road. A planning application for full planning permission has been submitted and is under consideration. The appearance of the proposed wall is to be identical to the existing wall in height, materials and form. The wall would be 1450mm height above ground, cobbles of the same size set in concrete and

profiled as existing where cobbles protrude, the wall would have a rounded top of concrete.

Relevant Planning History

Application No.	Development	Decision	Date
07/1096	LISTED BUILDING CONSENT TO RE-BUILD PART OF LISTED SIDE BOUNDARY COBBLED WALL	Refused	01/02/2008
07/1095	TWO METRES HEIGHT BOUNDARY WALL TO FRONT WITH GATES AND RE-ROUTE OF PART OF SIDE BOUNDARY COBBLED WALL	Refused	01/01/2008
95/0432	PITCHED ROOFS TO REPLACE EXISTING FLAT ROOFS	Granted	24/07/1995
78/0153	EXTENSION AND ALTERATIONS TO FORM LOUNGE, KITCHEN/DINING ROOM AND GARAGE.	Granted	05/04/1978

Relevant Planning Appeals History

None

Statutory Consultees

English Heritage

We do not oppose the realignment of this wall but recommend that your authority requests a mortar specification and the building of a sample panel for the agreement of the details of the wall. This could be the subject of a condition on the listed building consent.

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours originally notified: 22 April 2009
Amended plans notified: 28 September 2009
No. of responses received: six
Nature of comments made: object

Adversely affects the openness of the Hall Park estate which has been preserved with the benefit of a covenant and also harms the visual character of the area generally: the open plan design created green spaces around each property to the overall benefit of the ambience of the area.

Any wall regardless of height could constitute an enclosure and would be considered as a precedent for other enclosure applications on this Open Plan development and should not be approved. Not one property on the estate has even a small wall around the frontage, let alone a cobbled wall of considerable height. If the proposal were to go ahead it would change the nature of the Park considerably and could be taken as a precedent for other enclosed applications on the site. The open plan character of West Park has without doubt been the essential element in maintaining its appeal as a desirable residential area over the past 39 years.

The wall has never been extended or moved to provide a better seclusion or security for any individual property.

The symmetry of the design to the entrance to Greenwich Drive opposite to our property will

be spoilt.

Relevant Planning Policy

Regional Spatial Strategy:

DP07	Promote environmental quality
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Fylde Borough Local Plan:

EP04	Alteration and adaptation of listed buildings
EP07	Artefacts of local interest
HL05	House extensions

Other Relevant Guidance:

PPG15	Planning and the historic environment
JHE	Joint House Extensions SPD

Site Constraints

Within settlement
Lytham Hall estate wall is statutorily Listed

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

The main issue is the contribution the cobbled wall makes to the heritage of the Lytham Hall Park boundary.

The existing cobbled wall that runs along Blackpool Road and Church Road is the old boundary of Lytham Hall grounds when the undeveloped grounds were far more extensive than at present. The wall is statutorily Listed owing to its history and close association with Lytham Hall, however it has been altered to lead into housing estates at the time of those estates development and many stretches of the wall are not original and have been altered in form and also in height to suit the housing estates entrances from the original road (Blackpool Road and Church Road, Lytham). The wall at the side (north) of 1 Greenwich Drive was altered in the 1970s when the wall was staggered to form Greenwich Drive as part of the planning permission for 50 houses and there is no objection in principle to amending the wall. It is however important that the wall continues to contribute to the appearance and character of the area.

Policy EP7 seeks to protect features which contribute to the character of an area in the interest of retaining the fine details present in the local environment. The preamble to the policy specifically refers to the characteristic cobbled walls at Lytham. The proposed height increase is not considered to affect the character of the cobbled wall to the extent that it materially alters the character of the area.

Policy EP5 does not allow the total or substantial demolition of a Listed building unless a detailed scheme for the redevelopment or reinstatement of the site has been agreed. The wall would be reinstated and a condition of planning permission requires a method statement is approved prior to commencement.

Conclusions

The proposal involves the demolition of a Listed wall but the associated planning permission rebuilds

it in a similar style and location. This part of the wall was similarly relocated in the 1970s when the houses were built and on this basis the proposal is considered acceptable. Accordingly Members are recommended to grant planning permission.

Recommendation

That Listed Building Consent be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 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.

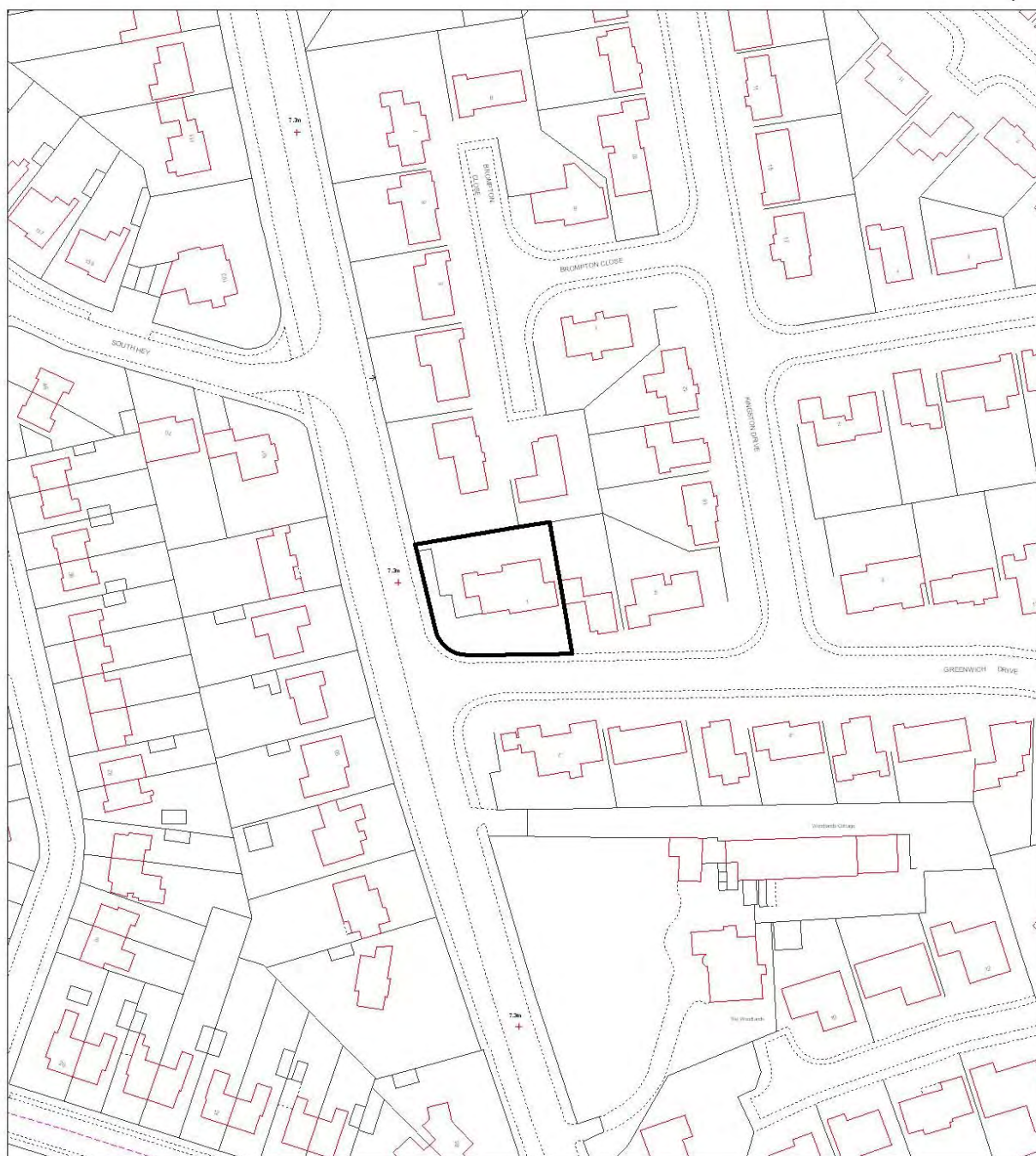
This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. This consent relates to the revised plan received by the Local Planning Authority on the 10/9/2009.

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

3. The stone and mortar shall be an identical match to those of the existing wall in size, form, colour and texture. Prior to commencement of construction a sample panel shall be built and approved in writing by the Local Planning Authority together with a method statement detailing how the new material will be introduced and a specification of the mortar. Upon approval only those approved materials shall be used in the development unless otherwise agreed in writing.

To preserve the character of the statutorily Listed wall.



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Application No. 5/09/0209	Address 1 Greenwich Drive Lytham St Annes	Grid Ref. E.3347 : N.4284	Scale N.T.S.	Item No.

Application Reference: 09/0390		Type of Application:	Full Planning Permission
Applicant:	Mr and Mrs Cheadle	Agent :	Maple Timber Frame
Location:	WILLOWS, PLUMPTON LANE, GREAT PLUMPTON, PRESTON, PR4 3NE		
Proposal:	ERECTION OF REPLACEMENT DWELLING.		
Parish:	Westby with Plumptons	Area Team:	Area Team 1
Weeks on Hand:	16	Case Officer:	Mr A Pinder
Reason for Delay:	To negotiate amendments to the scheme		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application relates to the erection of a replacement dwelling. The proposal has been revised to improve its design and appearance to the neighbours and in the street scene. It is considered acceptable, even though it is approximately a 45% increase in volume over the original, as the resultant dwelling would still be in keeping with the other dwellings in the locality.

Reason for Reporting to Committee

The Parish Council's views are contrary to the officer recommendation for approval.

Site Description and Location

The application property is a large, detached dormer bungalow located on Plumpton Lane in Great Plumpton. The surrounding houses are generally large detached properties incorporating a wide range of styles. The property is set back 11m from the road frontage and is accessed by a double drive which leads to a parking area at the front of the property. A single storey, flat roofed garage is attached to the property, set back from the frontage on the western elevation. The property is located within countryside as designated in the Fylde Borough Local Plan.

Details of Proposal

This application seeks planning permission for the demolition of the existing dwelling and erection of a replacement dwelling that largely overlaps the footprint of the existing. The property provides 4 bedrooms with some limited loft accommodation and would be approximately 14 metres square. There is also an attached garage projecting 3.8 metres from the west elevation which would be set back 6.5 metres from the front of the property. The property would have twin gables at both front and back, and have a ridged roof running east to west with a maximum height of 8 metres. The main roof would be hipped on both side elevations as would the attached garage. The proposed finished materials of construction would be facing brickwork and slate coloured clay tiles to the roof. All doors

and windows would be of timber construction.

Relevant Planning History

Application No.	Development	Decision	Date
07/0004	PORCH TO FRONT ELEVATION, PITCHED ROOF TO GARAGE, RE-ROOFING AND RENDERING, NEW WINDOWS, NEW DORMERS AND CANOPIES, SINGLE STOREY REAR EXTENSION.	Granted	08/02/2007
90/0105	SINGLE STOREY REAR EXTENSION	Granted	28/03/1990
86/0178	EXTENSIONS AND ALTERATIONS.	Granted	21/05/1986

Relevant Planning Appeals History

None.

Parish Council Observations

Westby with Plumpton Parish Council notified on 01 July 2009.

Re-notified on 16 September 2009 in respect of revised scheme.

Summary of Response

In respect of the revised scheme the Parish Council reasserted their original objections to the proposal, these being:

- The proposed dwelling is excessive in size for the site and not in keeping with the surrounding properties.

Statutory Consultees

County Highway Authority

No highway objections subject to conditions relating to adequate visibility splay and vehicular egress in a forward gear.

Observations of Other Interested Parties

None to report

Neighbour Observations

Neighbours notified: 01 July 2009

Amended plans notified: 16 September 2009

No. Of Responses Received: One in respect of original scheme

Nature of comments made:

- concern over the large number of windows to the front aspect of the proposed house as these would overlook our property which is directly opposite.
- concerned over the height of the new property as it would dominate the view from our house and Plumpton Lane.

Relevant Planning Policy

Regional Spatial Strategy:

DP02 - Promote Sustainable Communities

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL2	Development Control Criteria for Housing Proposals
HL4	Replacement Rural Dwellings

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
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Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

Following discussions with officers, the application has been significantly amended prior to being placed before Committee for consideration.

The main issues to consider in the determination of this application are the criteria set out in policies SP2, HL2 and HL4 of the Fylde Borough Local Plan. As the scheme involves a replacement dwelling there is no increase in the number of residential units and hence the requirements of the Interim Housing Policy (in regard to contributions towards affordable housing, public open space and public realm improvements) do not apply.

Policy SP2 generally restricts residential development, but does permit replacement dwellings subject to the scale limits of policy HL4 and the design requirements of policy HL2.

Policy HL4 deals with the erection of replacement dwellings in rural areas. This policy requires replacement dwellings to be in keeping with the character of existing dwellings in the surrounding locality. Although the preamble to HL4 advises that increases between 25% and 33% will generally be acceptable the overall aim of the policy is to maintain the established character of countryside areas by the avoidance of over-large dwellings. In this instance the proposed dwelling would represent an increase in volume of approximately 45% over the existing property. Whilst this figure is in excess of the preamble guidelines to HL4, the size of the resultant building is not the only determining factor, and the appearance of the dwelling and the impact of the development on the character of the area also needs to be taken into consideration. The village of Great Plumpton is a varied mix of dwelling types and styles, many of which are of a similar scale to the proposed dwelling and it is considered that the proposed replacement would not result in a dwelling of a scale that is out of keeping with those of the surrounding area, nor would it result in a detriment to the visual amenity of the surrounding countryside. Furthermore as the proposal would replace an existing dwelling of little architectural merit it is considered that the replacement dwelling would be a beneficial development. Overall the proposed dwelling is considered to sit well within the location and would represent a visual improvement over the existing property. For these reasons it is considered to accord with policy HL4.

In regard to policy HL2 the main issue to consider is the impact of the development on the amenity of

neighbouring properties. In this instance the properties affected would be "Sharples" to the east and "Aynho" to the west. The design initially proposed by this application has been amended to reduce the main ridge height to 8 metres and introduce hipped roofs to the east and west side elevations. It is considered these amendments combined with the separation distance of 5 metres between the proposed dwelling and its neighbours to the side are sufficient to reduce any impact to an acceptable level. The revised design shows obscure glazing to the first floor windows on the side elevations and their retention would be conditioned should permission be granted.

County Highways have expressed the opinion that the eastern vehicle access be permanently closed should permission be granted. This is in order to limit the number of access points on to the highway. However the existing property has a similar 'drive through' dual access and it is this Officer's opinion that the benefits of such an access, by virtue of permitting vehicles to exit the site in a forward gear, outweigh any detrimental effects of having two access points onto Plumpton Lane particularly as this part of the highway is largely residential with reduced vehicle speeds.

One neighbour, at No.1 The Arbory, has raised concerns over loss of privacy to their property due to the number of windows to the front of the proposed dwelling. The original design did include a large glazed fenestration over the front entrance however the revised design has since removed this feature. This notwithstanding, the separation distance (approximately 30 metres) between the two properties is considered sufficient to negate any possibility of overlooking. The neighbour also raised a concern over the height of the originally proposed dwelling however it is considered that the revised scheme is not overly dominant in height and it should be noted that the neighbour has not submitted any objections to the revised scheme.

Conclusions

The original proposal has been revised to improve its design and appearance when viewed from neighbouring properties and within the context of the street scene. Although the amended proposed dwelling would have a volume approximately 45% greater than the original dwelling, when viewed in the context of surrounding dwellings, the proposal is considered acceptable and in keeping with the character of the area. Members are therefore recommended to approve the proposal.

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 3 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. Details of the external materials to be used for the hereby approved development including finish and colour, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development works on site or in an alternative time programme as may be agreed in writing with the Authority. 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. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A, B, C, D, E, F, G, and H of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling or curtilage relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

- A House Extensions.
- B&C Roof Extensions/alterations
- D Porches
- E Curtilage buildings
- F Hardstanding
- G Fuel containers
- H Satellite antenna]

To ensure that the Local Planning Authority has control over any future development of the dwelling which may adversely affect the character and appearance of the dwelling and the surrounding area.

4. Notwithstanding the provision of Classes A, B and C of Part 2 to Schedule 2 in Article 3 of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling or curtilage relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

- A Gates, walls, fences
- B New access
- C Exterior treatment]

To ensure that the local planning authority has control over any future development of the dwelling which may adversely affect the character and appearance of the dwelling and the surrounding area.

5. This consent relates to the revised plans received by the Local Planning Authority on the 07 September 2009.

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

6. The proposed windows shown coloured green on the approved plans 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.

7. Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) Order, each as may be subsequently amended, the proposed integral garage shall at all times be retained for the parking of motor vehicles/ancillary storage and shall not be converted to additional residential accommodation without planning permission.

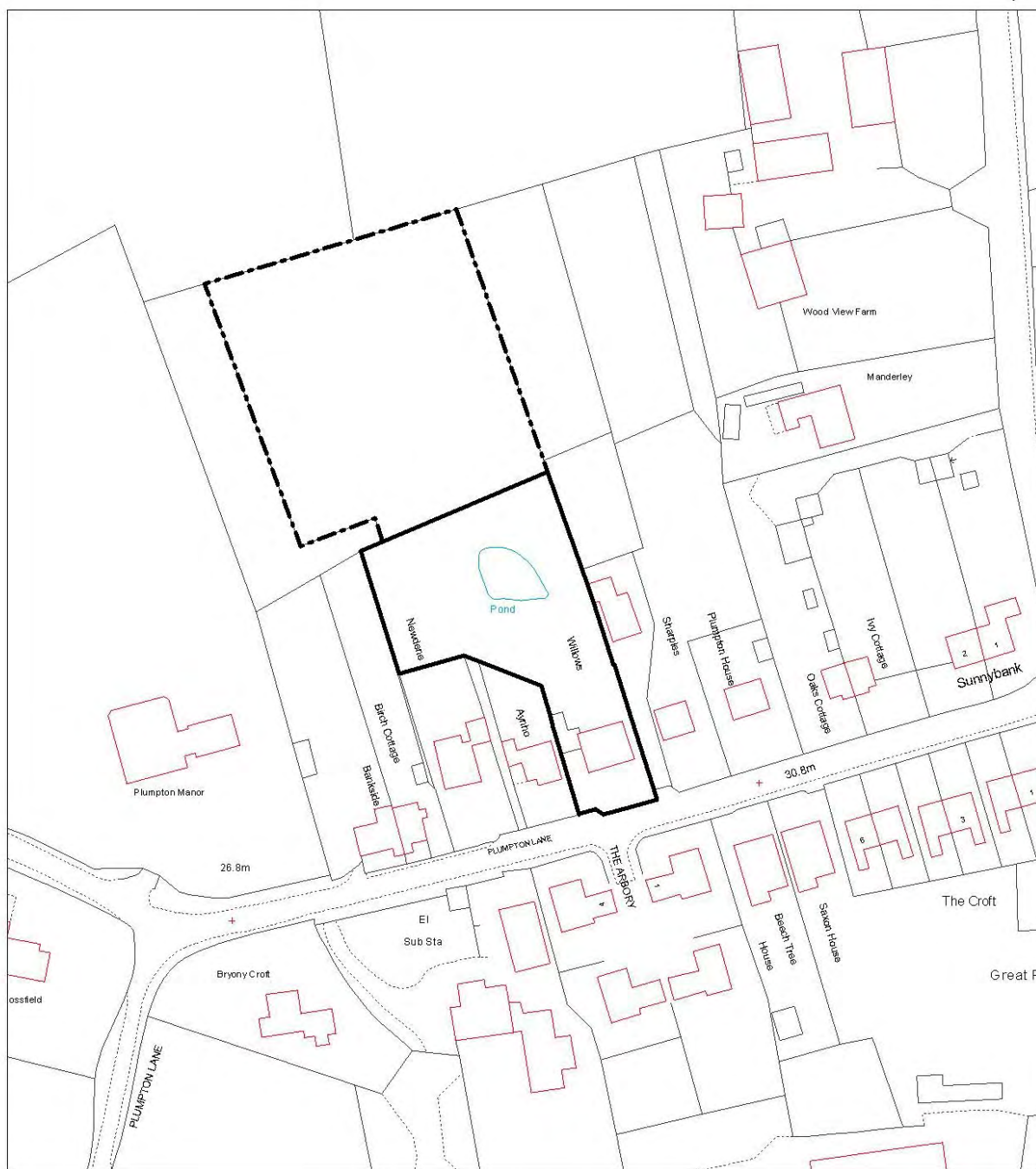
To maintain planning control and to ensure sufficient on-site car parking facilities are retained in accordance with accepted standards.

8. Prior to the first occupation of the dwelling hereby approved, the parking and turning areas shown on drawing no. 5721/P/01J are to be completed in accordance with the arrangements shown on that plan. During construction and thereafter there shall at no time be erected, planted or allowed to remain any building, wall, fence, hedge, tree, shrub or other device greater than 1 metre in height when measured from the level of the abutting highway for a distance of 2m back from the boundary of the site with the highway..

To enable vehicles to enter and leave the site in a forward gear and to maintain adequate visibility splays in the interests of highway safety.

9. The dwelling hereby approved shall be built to the finished floor level indicated on the approved drawing no. 5721/P/10J.

To ensure the finished height of the dwelling is in keeping with the character of the surrounding area.



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Application No. 09/0390	Address Willows, Plumpton Lane Great Plumpton	Grid Ref. E.3383 : N.4333	Scale N.T.S.	Item No.

Application Reference: 09/0396		Type of Application:	Full Planning Permission
Applicant:	Ribby Leisure Village	Agent :	Fletcher Smith Architects
Location:	WHITE HOUSE, RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2PA		
Proposal:	AMENDMENTS TO PREVIOUSLY APPROVED REPLACEMENT DWELLING 08/0608.		
Parish:	Ribby with Wrea	Area Team:	Area Team 1
Weeks on Hand:	17	Case Officer:	Andrew Stell
Reason for Delay:	To seek amended plans		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal relates to the erection of a replacement dwelling for an existing property that is located at the junction of Ribby Road and Browns Lane and adjacent to Ribby Hall Leisure Village. The principle of this has been established previously by an earlier planning permission. This scheme has a scale and design that is considered to be acceptable for the area, complies with the relevant policies and so is recommended for approval.

Reason for Reporting to Committee

The officer recommendation conflicts with the views of Ribby-with-Wrea Parish Council.

Site Description and Location

The White House is a detached, two-storey, white rendered dwelling within an extensive curtilage located at the junction of Ribby Road and Browns Lane adjacent to Ribby Hall Leisure Village. The property has had an attached annex and a number of outbuildings, but these have recently been demolished (with the exception of a double garage) as part of works to improve the visibility at this junction.

The application site is an irregular shaped area of land that is to the rear of The White House and separated from it by an established hedge. There are existing access points through to Browns Lane and Ribby Hall. The site is allocated within the countryside, with other surrounding land uses being agricultural.

Details of Proposal

In 2007 a Certificate of Lawfulness was granted for the existing use of the attached single storey annexe as a separate dwelling. This application relates to the erection of a replacement dwelling for that residential annex. The proposed dwelling is located on a separate area of the curtilage to The White House and has an offset rectangular footprint with maximum dimensions of 11.8m deep x 13m

deep. The property has a flat roof to 5.4m. It provides 4 bedrooms at first floor and the usual range of reception rooms at ground floor.

The access is from the existing access point to Browns Lane and links through to Ribby Hall Holiday Village, with additional landscaping undertaken around the site to complement the building and providing a private garden curtilage. The building is indicated as being rendered. Parking provision is provided within the private driveway with ample space available for at least 3 cars.

The current scheme is a reduced scale and slightly revised design from that which was originally submitted.

Relevant Planning History

Application No.	Development	Decision	Date
08/0608	RESUBMISSION OF APPLICATION 08/0235 FOR REPLACEMENT DWELLING	Granted	20/08/2008
08/0235	REPLACEMENT DWELLING	Refused	06/05/2008
07/0859	CERTIFICATE OF LAWFULNESS FOR A SELF CONTAINED DWELLING (EXISTING USE)	Granted	05/11/2007
96/0345	NEW VEHICULAR ACCESS	Granted	14/08/1996
88/1084	OUTLINE; 2-DETACHED DWELLINGS (SCHEME 1)	Refused	22/03/1989
88/1085	OUTLINE; 2-DETACHED DWELLINGS (SCHEME 2)	Refused	22/03/1989

Relevant Planning Appeals History

None.

Parish Council Observations

Ribby with Wrea Parish Council notified of both the original plans and the current proposals.

Summary of Response The Parish Council strongly object to the original and revised proposal and recommend refusal of the application. They state that the revisions make no material improvement in the visual appearance of the proposed dwelling as it remains a "holiday let" style property. Consequently, it would not be in keeping with the White House or the neighbouring domestic properties and as such contravenes Policy EP11.

Statutory Consultees

Health and Safety Executive

As the site is within the consultation distance for a major pipeline, it has been appropriate for the HSE to be consulted. No objection is raised to the development.

Observations of Other Interested Parties

None to report

Neighbour Observations

Neighbours notified: 15 July 2009

Amended plans notified: 18 September 2009
No. Of Responses Received: None

Relevant Planning Policy

Regional Spatial Strategy:

CLCR01	Central Lancashire city region priorities
DP01	Spatial Principles
DP02	Promote Sustainable Communities

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
HL04	Replacement and extension of rural dwellings
EP11	Building Design & Landscape Character

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
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Site Constraints

Countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

Principle of Development

The site is located in the Countryside as allocated by Policy SP2 of the Fylde Borough Local Plan. This policy prevents the erection of new dwellings, but permits replacement properties subject to controls over their size under Policy HL4 and to the normal development control criteria as controlled under Policy HL2. This property is a replacement for an annex to the White House that has had the benefit of a Lawful Development Certificate confirming its independent residential use, and a planning permission for a replacement dwelling on this site. As such there can be no argument with the principle of erecting a dwelling in this location.

The planning permission for the replacement dwelling required that the whole of the original annex element that has the Lawful Development Certificate be removed to ensure no net increase in dwellings. Much of this has gone as a consequence of works that have improved the visibility at the junction of Browns Lane and Ribby Road, however a double garage element remains. This is within the blue edge of this application and so a condition should be imposed on any approval to require that this remaining element of the original property be removed.

Scale of Dwelling

Policy HL4 seeks to control the scale of replacement dwellings to preserve the rural character of the area and generally limits these to no more than a 33% increase over the original property. According to the report to Committee on the previously approved replacement dwelling (08/0608), that involved a 45% increase over the original property. Whilst that is in excess of the usual guideline figure, it was supported due to the scale, design, height and position in the landscape of that dwelling being such

that they would not harm the character and appearance of the countryside.

The current proposal has a footprint that is around two thirds the size of the approved dwelling and sits on the same footprint that is set back from Browns Lane behind a belt of established trees within an existing well defined curtilage that is to receive additional planting as part of a landscaping scheme. It is very similar in height (400mm taller) and volume (5m³ greater) than the approved dwelling. On this basis it is considered that the scheme represents a reworking of the approved dwelling rather than an increase in its scale and so it is not in conflict with the scale controls imposed by Policy HL4. Conditions are appropriate to remove permitted development rights so that any future additions or alterations to the property will require planning permission.

Design

The main difference between the current and previously approved schemes is with the design of the property. The approved scheme has a simple gabled ridge form with dormers to the roof slope and windows in the gables providing light to the first floor accommodation and a brick / slate construction. This proposal is for a more modern style dwelling with a flat roof and rectangular form that is to be constructed in rendered blockwork. This is different to neighbouring buildings which are more traditional brick and rendered structures, or the predominantly single storey chalet properties at Ribby Hall.

The design has been criticised by the Parish Council who argue that it is contrary to policy EP11 which requires rural development to be of a high standard of design and to reflect the local vernacular style. This site is set well back from Ribby Road and screened from Browns Lane by established trees. This gives the plot a discreet setting which along with the good separation from neighbouring dwellings, the lack of a particular style and material of dwelling in the area and the lack of development constraints on the site provides an opportunity in a rural setting where it is considered that a dwelling can be constructed that represents more of an architectural statement than simply be a copy of the rural dwellings and farm buildings in its vicinity. The property proposed under this application is felt to have a high quality contemporary design style and if implemented correctly would enhance the range of properties in the borough. It is therefore not considered that it is in conflict with Policy EP11 or the requirement of Policy HL2 for new dwelling to be well designed.

Other matters

As it is for a replacement dwelling, the application does not involve any increase in the numbers of residential properties and so the requirements of the Interim Housing Policy do not apply.

The only neighbouring dwelling in any proximity to the proposed dwelling is The White House. At the closest point this is 45m to the north and so there are no concerns over the relationship between this property and its neighbours. The site has an acceptable access to Browns Lane and then Ribby Road and provides adequate parking arrangements. The site has an appropriately sized curtilage to provide private amenity space for the dwelling with these already well screened from neighbouring land without the need for any additional screening other than the enhanced landscape planting.

Conclusions

The proposal represents an interesting alternative design for the replacement dwelling on this site. As has been described in the main body of this report the proposed dwelling accords with the relevant policies of the Fylde Borough Local Plan and so is recommended for approval subject to the following 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 3 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, full details of the render texture and colour, the roof treatment and colour, and the materials of the external hardsurface areas shall be submitted to and approved in writing 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. Details showing the design of all windows shall be submitted to and approved by the Local Planning Authority before development is commenced.

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

4. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A - G of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling or curtilage relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

- A House Extensions.
- B&C Roof Extensions/alterations
- D Porches
- E Curtilage buildings
- F Hardstanding
- G Fuel containers

To ensure that the Local Planning Authority has control over any future development of the dwelling which may adversely affect the character and appearance of the dwelling and the surrounding area.

5. Notwithstanding the provision of Classes A - C of Part 2 to Schedule 2 in Article 3 of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling or curtilage relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

- A Gates, walls, fences
- B New access

C Exterior treatment]

To ensure that the Local Planning Authority has control over any future development of the dwelling which may adversely affect the character and appearance of the dwelling and the surrounding area.

6. Before the development hereby permitted is commenced measures shall be agreed with the Local Planning Authority for the safeguarding and protection of existing trees from damage by development works, storage of materials and operation of machinery. The area within which trees are growing shall be adequately fenced off with chestnut paling or other similar fencing to the satisfaction of the Local Planning Authority before any development is commenced, or material brought into the site. No vehicles shall pass into this area, no materials shall be stored there, no waste shall be tipped or allowed to run into the area, no fires shall be lit and no physical damage to bark or branches shall be allowed. Any pruning or other treatment to trees shall be competently carried out only after agreement with the Local Planning Authority.

To safeguard the visual amenities of the neighbourhood.

7. This consent relates to the revised plans received by the Local Planning Authority on the 18 September 2009.

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

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.

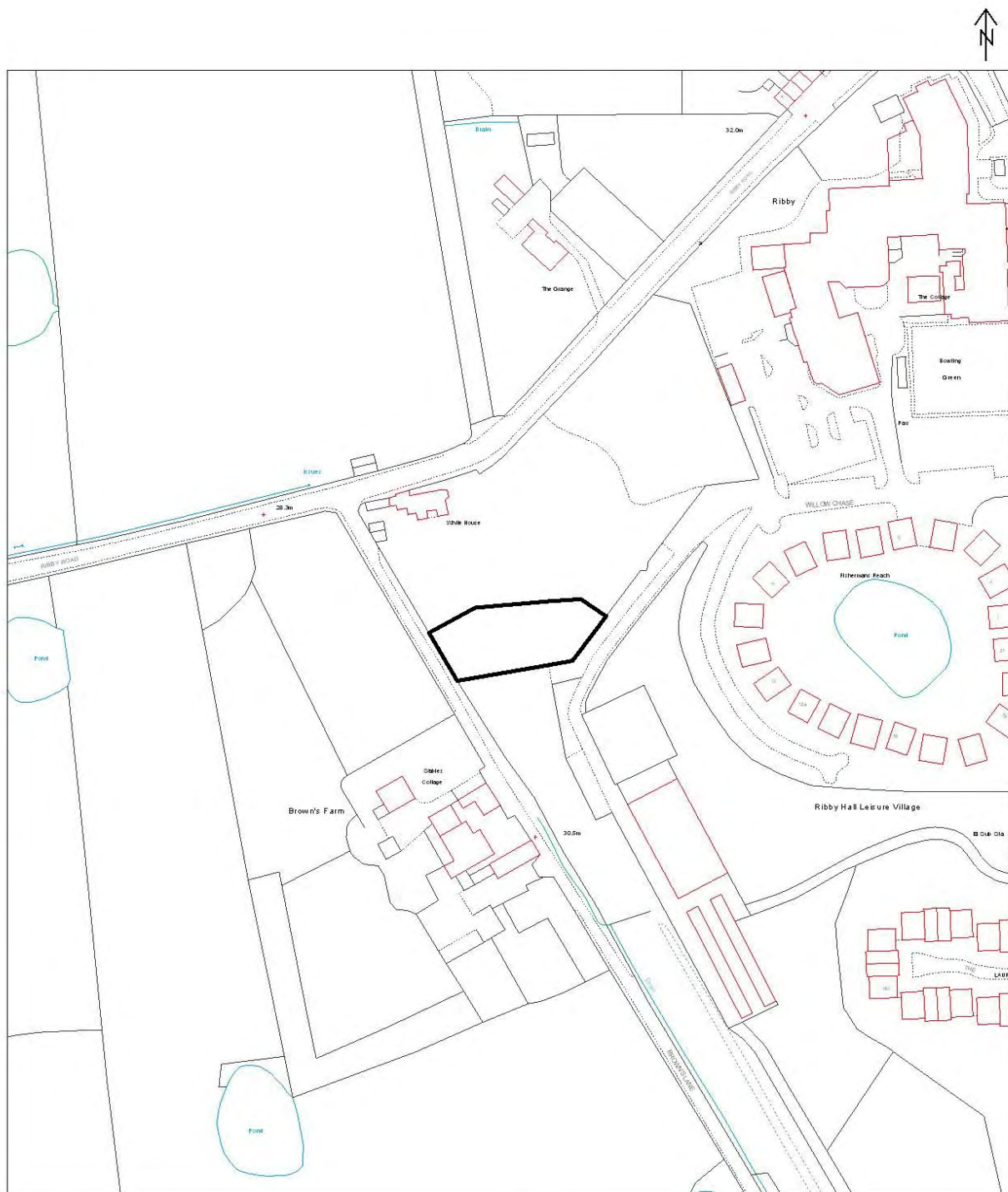
9. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged 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. Prior to the commencement of any development, a scheme of the removal of the whole of the dwelling that is to be replaced by this property (as indicated in green on Fletcher Smith drawing 2327/016/03) shall be submitted to and approved in writing by the Local Planning Authority. This should include the phasing of demolition, the removal of all materials from site and the method of reinstatement of the area and shall be implemented in accordance with the agreed phasing with demolition no sooner than the first occupation of the new dwelling.

Reason: The proposal is for a replacement dwelling, and granted in consideration of removal of the existing dwelling and outbuildings, retention of which would be contrary to Policy SP2 of the Fylde Borough Local Plan.



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Application No. 09/0396	Address White House Ribby Road, Wrea Green	Grid Ref. E.3407 : N.4316	Scale N.T.S.	Item No.

Item Number: 7 Committee Date: 21 October 2009

Application Reference: 09/0431		Type of Application: Full Planning Permission	
Applicant:	Miss Beaume	Agent :	Chris Hewitt Architect Ltd
Location:	CARTFORD INN HOTEL, CARTFORD LANE, LITTLE ECCLESTON WITH LARBECK, PRESTON, PR3 0YP		
Proposal:	HOTEL AND KITCHEN EXTENSION TO AN EXISTING HOTEL/ PUBLIC HOUSE		
Parish/Ward:	Little Eccleston with Larbreck	Area Team:	Area Team 2
Weeks on Hand:	15	Case Officer:	Mr A Gavan
Reason for Delay:	To seek amended plans		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal is for a substantial hotel extension on the north of the site and an extension to the kitchen at the rear. The proposal is considered to comply with the relevant criteria as outlined in Policy SP9 of the FBLP. The design of the proposal is acceptable given the overall site and there will be no unreasonable impact on the amenities of neighbouring properties.

Some concerns have been raised with regard to highways issues however these can be covered by planning conditions and are not of a nature to warrant refusal.

Reason for Reporting to Committee

The Parish Council recommendation differs to that of the Officer

Site Description and Location

The site is The Cartford Inn situated on the south bank of the River Wyre in Little Eccleston. Whilst the village is now a mix of styles the Cartford Inn remains one of the most prominent traditional local landmarks and has historically been the cultural centre of the village.

The Inn has been gradually extended over the last two centuries , initially in a southerly direction up Cartford Lane and then more recently in an easterly direction to the rear. The additions to the south fronting Cartford Lane are sympathetic in style however much of the rear aspect of the building is not.

The best aspect as seen from the site is to the north and north east. To the north is located the river, to the north east a bend in the river offers further views and in the background the Pennine Hills. To the west is located Cartford Lane. It is only the southerly aspect that offers no amenity value but adjacent are located two traditional style houses and privacy issues would dictate that this aspect is protected from encroachment.

Details of Proposal

The application is for an extension to the existing Inn. The proposal involves two main parts with an extension to the existing kitchen at the rear and a more substantial three storey extension on the side/rear elevation facing over the River Wyre for addition bedrooms for the hotel and for owner accommodation.

The extension containing the hotel room and owner accommodation will have a ridge height of 9.5m and extends approx 16m along the side elevation. The width is approx. 8m.

It will have a total of 3 storeys with the top floor used as owner accommodation. The ground and first floor will provide additional guest rooms and extension to the dining room at ground floor.

The application also proposes an extension to the kitchen and introducing a feature around the entrance which is to be located at the rear and entered off the car park.

The kitchen extension will have a flat roof to a height of 3m.

Relevant Planning History

Application No.	Development	Decision	Date
92/0880	CHANGE OF USE STORAGE TO BREWERY TO BE USED IN CONJUNCTION WITH EXISTING PUBLIC HOUSE	Granted	24/02/1993
87/0786	CHANGE OF USE; ALTERATIONS TO GIVE ADDITIONAL LICENSED	Granted	27/01/1988
87/0776	CAR PARK & PICNIC AREA	Granted	02/12/1987
78/0088	NEW CAR PARK.	Granted	26/04/1978
78/0499	CHANGE OF USE FROM BARN TO LOUNGE BAR AND EXTENSION TO FORM A BEER STORE.	Granted	13/07/1978
78/0821	CHANGE OF USE OF 1ST FLOOR TO RESTAURANT.	Granted	14/11/1979
78/0991	OUTLINE - 1 DETACHED DWELLING.	Refused	10/12/1978
78/0993	CHANGE OF USE - PRIVATE STABLES TO RIDING SCHOOL.	Refused	20/12/1978
80/0797	OUTLINE - 1 DETACHED DWELLING.	Refused	15/10/1980
82/0254	ILLUMINATED SIGN.	Granted	26/05/1982
83/0218	INTERNAL ALTERATIONS AND EXTENSION TO REAR, NEW FRONT ENTRANCE AND WINDOW AWNINGS.	Granted	20/04/1983
85/0429	RETENTION OF EXISTING DIRECTIONAL SIGN - GARSTANG ROAD.	Refused	14/08/1985

Relevant Planning Appeals History

None.

Parish Council Observations

Little Eccleston with Larbreck Parish Council notified on 07 July 2009

Summary of Response

Object:

1. Policy SP9 (2) - There is no percentage increase stated but this seems to be a large extension. One

elevation appears to be three storeys when a large part of the current elevation is single storey. The north elevation will be very obvious when approaching over the Toll Bridge.

2. Policy SP9 (4) - There is concern that manoeuvring space is limited. The access to the Toll Bridge is closely adjacent to the car park access and could cause congestion at this point and further points along the lane. In addition there is access to one Caravan Park directly opposite this entrance and two further caravan sites situated in the immediate vicinity. Service vehicles already have difficulty turning on this narrow lane and any additional vehicles would cause residents problems.

The new access for service vehicles will cause significant congestion on this small lane as there will be no waiting area and the owners current policy is not to allow any large vehicles onto the car park. Whilst this lane is very narrow it is a thoroughfare to the over wyre villages and is very busy; it would be unacceptable to have vehicles waiting on the road. It also needs to be noted that there is no pavement along this road and therefore pedestrians use the road regularly and it would be very dangerous to have to negotiate around any waiting vehicle. The Parish Council has recently undertaken a Risk Assessment of road safety in the village and this has been forwarded to FBC, LCC and the Police for their information.

3. Policy SP9 (5) - This is a quiet rural village with public footpath following the River Wyre. An increase in traffic could adversely affect the tranquillity, wildlife, road safety and access to the footpath, particularly during any build.

The parish have also highlighted some other issues regarding the completion of the application form, site plan and design statement. This has subsequently been amended.

Statutory Consultees

County Highway Authority

No objections in principle, however,

- some concern over the increase in traffic, however not enough to warrant recommending refusal.
- Concern over egress from car park - poor sightlines at present as car park at front of pub. Recommend off site highway works for a kerbed build out at the Cartford Lane junction entrance in front of the pub. This will bring forward the give way point at the junction to improve sightlines and clear cars from parking tight up to the entrance. Standard 2 off site highways conditions recommended & applicant needs to enter into a legal agreement with the County.
- at present there is a separate 1.2m wide defined path at the side of the car park entrance however this stops approx 7m from Cartford lane. Recommend that this is extended the additional distance up Cartford Lane to improve pedestrian segregation.
- The car park entrance would benefit from surface improvements as the existing surface is quite poor. Recommend that the applicant improved this access surface at least along the frontage of the new extension.
- Concern over servicing vehicles only using south entrance as this has no manoeuvrability, would ask that service vehicles could also use main car park entrance. I acknowledge that the extension is unlikely to have a significant increase in delivery vehicles.
- The application refers to 4 ex cycle parking spaces however I could not see them during my visit. Recommend condition for covered cycle parking.

Environment Agency

No objections

Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 07 July 2009

No. Of Responses Received: None

Relevant Planning Policy

Regional Spatial Strategy:

DP01	Spatial Principles
DP04	Make the best use of existing resources and infrastructure
DP09	Reduce emissions and adapt to climate change

Fylde Borough Local Plan:

SP01	Development within settlements
SP09	Diversification of the Rural Economy

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
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Site Constraints:

Within Settlement Boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

The key issues for consideration are contained in Policy SP1 and SP9 of the Fylde Borough Local Plan.

Policy SP1 defines Little Eccleston as a settlement and allows for development within the settlement boundary subject to additional policy criteria.

Policy SP9 allows for the construction of new buildings in the villages identified in Policy SP9 subject to the following criteria:

- on farms the proposed use is ancillary to the main farming enterprise and is either related to the main enterprise or has a special affinity with the countryside and in any case is appropriate to a farm location;
- proposed new buildings are of an appropriate scale, design and materials and relate well to other existing buildings and the character of the rural area;
- satisfactory foul and surface water drainage disposal arrangements and other essential services can be provided;
- adequate vehicle access, parking, loading and manoeuvring areas for vehicles can be provided;
- the proposal would not adversely affect the amenities enjoyed by nearby residents or prejudice the character of existing buildings or surrounding area.

The preamble to this policy states that the Council would welcome new business, commercial or light industrial development in rural settlements providing existing amenities are not unduly affected.

Criteria 1 of this policy does not apply as the site is not a farm.

With regard to criteria 2 the proposal is a relatively large addition and given the location and prominence of the site your officers considered that the initial plans did not take due consideration as to the impact the proposal would have on the character of the area. Amendments were requested to reduce the ridge height of the extension and some minor alterations to the design of the ground floor element. The applicant has made all the amendments requested.

The Rearward extension

This is an extension proposed to the rearward part of the main block of the hotel, two storeys in height. This is required, as the existing kitchen area will be absorbed into the enlarged dining room. The extension would infill part of a well area (courtyard), lining up with the external rear face of the original hotel. The rear wing and kitchen area are all contained within the rear 'courtyard' and as a result of these factors, the infill extension will be hidden from public view and is not considered to materially impact on the historic quality of the building. Materials will match the existing building and it would have a flat roof. There would be no detrimental impact on the surroundings as a result of the development.

External alterations

The scale of the proposed development is in response to the massing of the main building that fronts on Cartford Lane. The applicant initially proposed a height of 9.6m which resulted in a building approx 0.5m higher than main building. The proposal has since been reduced to give consideration to the street scene and the subsequent view when approaching from the toll bridge and which results in a height that is consistent with the street scene and adjacent buildings. This height reduction ensures that the elevation adjacent to the surrounding buildings is no higher than the existing ridges.

The design statement prepared in support of this application discussed the design philosophy of the proposal. The hotel extension has been reduced in height and matches in scale, proportion and character of the original three structures that front Cartford Lane.

It is considered that although the north elevation is prominent when seen from across the river, all be it that there is a bank of mature tree screening in front of it, the sensitivity of the design will enhance the scene, particularly when you consider that the rather ramshackle collection of late additions to the rear of the property will be demolished. The kitchen extension is flat roofed but this is tucked away behind the hotel extension and the design seeks merely to minimise any impact. The reception entrance is the only notable feature and necessarily needs to be prominent, however given its position in relation to the rest of the building and other properties it does not form an intrusive feature.

In connection with highway matters (safety/access), LCC Highways, who were consulted on this application, have not expressed concern and with the limitation on speed imposed on the adjacent Cartford Bridge (located approx 10m away) which ensures that the traffic on Cartford Lane proceeds at a safe pace. As such the proposal complies with criteria 4.

The County Council as Highways Authority have raised some concerns with regard to traffic however not to the extent to warrant refusal.

With regard to the potential impact on neighbouring amenities the proposed extensions to the side and rear are contained well within the site. The nearest residential property is approx. 14m at River Mead House and there will be no further impact on neighbouring properties than existing.

Conclusions

For the reasons outlined above the application is considered to comply with the relevant criteria as outlined in Policy SP9 and SP1 of the Fylde Borough Local Plan, as altered, October 2005.

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 3 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. 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.

4. 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.

5. Boundary treatments shall be implemented and retained in accordance with precise details, which shall be submitted to and approved in writing by the Local Planning Authority, before any development is commenced.

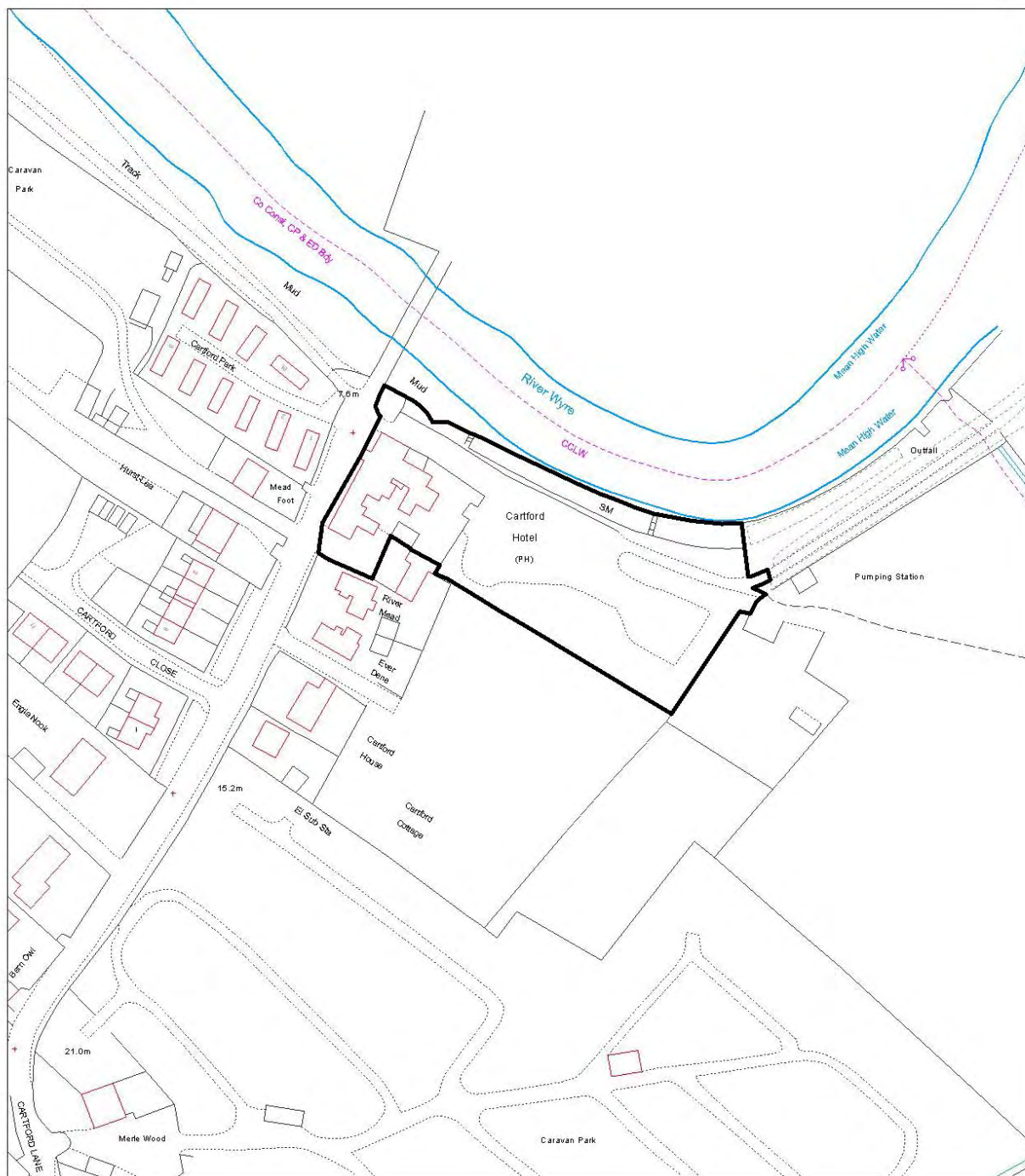
To maintain a suitable standard of development

6. Samples of materials proposed for all hard surfaced areas of the site shall be submitted to the Local Planning Authority for approval 28 days prior to the commencement of any surfacing work on site, and thereafter only approved materials shall be used either during the initial works or subsequently in any repairs to the surfaces.

In the interests of visual amenity and to contribute to the overall quality of the development.

7. The hotel extension shall not be occupied until a means of vehicle access has been constructed in accordance with the recommendations of the County Highways Engineer.

To secure a satisfactory standard of development.



Strategic Development Services Fylde Borough Council		This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (C) Crown copyright Licence No. 100006084. 2009. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 09/0431	Address Cartford Inn Hotel Cartford Ln, L Eccleston	Grid Ref. E.3422 : N.4408	Scale N.T.S.	Item No.

Application Reference: 09/0526		Type of Application: Full Planning Permission	
Applicant:	J Rigby and Farmgen	Agent :	Farmgen
Location:	CARR FARM, LODGE LANE, BRYNING WITH WARTON, LYTHAM ST ANNES, FY8 5RP		
Proposal:	CONSTRUCTION OF AN ANAEROBIC DIGESTER PLANT FOR PRODUCTION OF ELECTRICITY FROM FARM CROPS AND WASTE. PLANT INCLUDES 2 X DIGESTER TANKS, 2 X COMBINED HEAT & POWER PLANTS, 2 X TRANSMISSION SUB STATIONS, REPLACEMENT STORAGE CLAMPS, AMENDMENTS TO HARD SURFACED AREAS AND OTHER ASSOCIATED WORKS. (RESUBMISSION OF 08/0974)		
Parish:	Bryning with Warton	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Andrew Stell
Reason for Delay:			

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

This application is a re-submission of an application for an anaerobic digestion facility that was refused earlier this year. The proposal involves development that will enable electricity to be generated primarily from locally sourced agricultural crops. The proposal is similar to the previous scheme, but the operation has been revised and this application features additional information that seeks to address the concerns which lead to the previous application being refused.

It is considered that the applicant has now demonstrated that there are adequate very special circumstances to justify the location of the proposal in the green belt as the benefits that it will bring to supporting the surrounding agricultural economy outweigh any harm to the openness of the green belt. It is also considered that the previous transport concerns have been adequately addressed and that the proposal can be operated without causing any undue highway safety concerns.

It is therefore recommended that the application be approved subject to a series of conditions to provide effective control over the operation of the proposed facility.

Reason for Reporting to Committee

The previous application was considered by the Development Control Committee, the proposal has generated significant public comment and the officer recommendation is contrary to the views expressed by the Parish Council.

Site Description and Location

Carr Farm is a collection of agricultural buildings located on the northern side of Lodge Lane around 750m from its junction with Lytham Road. Lodge Lane runs in a northerly direction from Lytham Road before turning east and becoming West End Lane and then returning to the main road just before the outskirts of Warton village. The area is entirely within the green belt. There are a number of farms accessed off Lodge Lane / West End Lane as well as residential dwellings clustered around each junction with Lytham Road. The land is generally flat and open with views interrupted by various groups of trees.

Details of Proposal

The application proposes the formation of an Anaerobic Digester plant at Carr Farm. The physical development proposed at Carr Farm is unchanged from that proposed in the earlier application, which involves the following elements to enable the Anaerobic Digester plant to operate.

- Two digester tanks. These are circular structures with diameters of 22m and 24m and are proposed to be slightly sunk into the ground to give a height to the top of the dome of 12.5m and 13m above adjacent ground levels. They are indicated as being constructed in a dark green colour in an effort to mimic the appearance of a traditional farm slurry tank and minimise their prominence in the rural area.
- An 8m diameter slurry store.
- A solid waste store.
- Two Combined Heat and Power (CHP) gas engines. These are contained within shipping container style units that each measure 12m x 3m.
- Two sub stations. One of these is located to the rear of the site adjacent to the CHP with the other at the frontage where it can be access and maintained from the road by United Utilities engineers.
- The silage clamps on site are to be replaced with larger structures measuring 24m x 26m with 3m high blockwork walls.
- Improvement to the existing access point from Lodge Lane at the south west corner of the site with an internal road network provided to facilitate the movement of the delivery and loading vehicles around the site.
- An extension of the built area of the farm into the field to the rear by around 20m for the width of the site.
- Two dilapidated barn buildings are to be demolished on the site to accommodate the new structures

The earlier application was refused by committee for the following two reasons.

1. The applicant has failed to demonstrate that there are sufficient crops available in the immediate locality of the proposed anaerobic digester plant to sustain the proposed levels of power generation. In the absence of sufficient source material in the locality there are no very special circumstances that justify the location of inappropriate development in this green belt location. Accordingly the proposal would be contrary to the provisions of Policy SP3 of the Fylde Borough Local Plan, as altered October 2005.
2. The number and weight of vehicles accessing this particular site to deliver product would put undue pressure on the existing road network surrounding Carr Farm and so be detrimental to highway safety, contrary to Policy EMP3 of the Fylde Borough Local Plan, as altered, October 2005.

The applicant has therefore submitted a significant degree of supporting information in an attempt to address these reasons in this application which includes:

- A transport assessment produced by specialist transport consultants
- A design and access statement produced by the architects
- An agricultural justification report produced by the joint applicant
- A summary of a consultation exercise that was undertaken prior to the submission of the application involving two exhibition days to which the applicant invited local residents and interested parties
- Details of the route for a cross-field access track to allow improved access across the fields to proposed storage sites
- Bat and Barn Owls Surveys produced by a local ecologist.
- A document summarising the application
- A revised landholding and transport routeing map
- Further clarification statement to address points raised by officer and residents during determination of the application

Whilst the built development has not changed from the previous application, the supporting information and operation details have been clarified and revised. The following is a summary of how the logistics of the proposed AD facility will operate:

1. The Anaerobic Digester facility and associated development will be located at Carr Farm. This is designed to provide 800kw of electrical supply to the national grid continuously for between 8000 and 8322 hours per year.
2. This will be predominantly fuelled by locally sourced agricultural crops which will account for at least 90% of the inputs. The balance will comprise other crops, slurry and other animal waste, silage and other material that is to be agreed with the council prior to its use.
3. These agricultural crops will predominantly (more than 90%) be sourced from the immediately surrounding land. A plan submitted with the application indicates that 285 hectares of land is currently available to grow the volume of crops required to fuel the facility. Any use of additional land would require an amendment to this plan that would need to be agreed with the council prior to its use.
4. From harvest, the crops would be stored at existing storage facilities at the application site or at Shepherds Farm, Moss Side Villa Farm or Wrea Brook Farm. Existing storage facilities are to be utilised at these sites and provides around 60 days storage at each.
5. The crops would be initially transported to these storage facilities either direct via the fields or along the roads, with the routes to be used indicated on the submitted plan. Any amendment to these routes (such as if additional land is sourced) would need to be agreed by the council prior to its use.
6. The AD facility is fed via a hopper that has at least a 24 hour capacity so is fed no more than once a day by a single operator who will typically visit the site for 2 hours each day.
7. The agricultural crops will only now be transported between the 3 storage farms and Carr Farm via Wrea Brook Lane with an existing cross-field track between Wrea Brook Farm and the rear of Carr Farm to be improved with suitable hardcore to enable year round use. This removes the anticipated 300 traffic movements a year on Carr Lane/Lodge Lane from the previous application.
8. Slurry will be transported to the site from Little Carr Side Farm via umbilical cords across the fields.
9. Chicken litter will be transported to the site from Wrea Brook Farm using the cross-field track and input direct into the AD facilities. This will occur once every 6 weeks as the broiler house at that site is cleared at the end of each rearing cycle with no such material stored at Carr Farm.
10. Any material that is to be imported from outside the area to make up any shortfall from the 90% local agricultural crops will access the site via Lodge Lane. This is to provide operational flexibility and meet any shortfall but is to be controlled to be no more than 107 vehicle movements of over 10 tonnes in any year, with these further restricted to prevent any more than 40 vehicle movements in any single month.
11. The crops and other material within the digester tanks produce a gas which is then burned in a gas engine on the site to produce electricity. This is then sent to the national grid via two

transformers within the site and a new connection within the verge of Lodge Lane between the site and the nearest existing sub-station at West End Lane.

12. The output material from the digestion process is approximately one third solid and two thirds liquid. The solid is returned to Wrea Brook Farm in the return trip of the delivery trailers and then spread on its fields as fertiliser. The liquid waste is returned to Little Carr Side Farm along an umbilical cord and also used as fertiliser.

Relevant Planning History

Application No.	Development	Decision	Date
08/0974	CONSTRUCTION OF AN ANAEROBIC DIGESTER PLANT FOR PRODUCTION OF ELECTRICITY FROM FARM CROPS AND WASTE. PLANT INCLUDES 2 X DIGESTER TANKS, 2 X COMBINED HEAT & POWER PLANTS, 2 X TRANSMISSION SUB STATIONS, AMENDMENTS TO STORAGE CLAMPS, AMENDMENTS TO HARD SURFACED AREAS AND OTHER ASSOCIATED WORKS.	Refused	14/05/2009

Relevant Planning Appeals History

None.

Parish Council Observations

Bryning-with-Warton Parish Council have been consulted and resolved to recommend that the application be refused.

They consider that the roads in the area are too narrow and in too poor a state of repair to cope with the proposed traffic, particularly since some of the vehicles will be coming from the north along Bryning Lane from Wrea Green and then using Wrea Brook Lane which is in a particularly bad state. They appreciate that the applicants are forecasting a reduction in the traffic in the area as a consequence of the milk tanker no longer calling daily at farms. However the proposal assumes that many of the journeys to the site will be through the fields and as the land will often be so wet that it is difficult to use then these vehicles will revert to using the roads.

Statutory Consultees

County Highway Authority

County Highways have assessed the revised application and the supplied information including the specialist consultants transport assessment. They refer to the reduced HGV/Tractor movements that are anticipated on the public highway through a change in farming practice i.e. from dairy to arable and the use of a series of internal roads and cross field tracks in the application. On the basis that these are capable of being controlled by conditions they raise no objection to the application.

County Ecology

As there are ponds within 500m of the site, a barn owl nests within a building and farm structures are to be demolished at Carr Farm, there may be some ecological impact from the development. County Ecology do not object to the proposal and recommend that

conditions are imposed to require work to cease if newts are found, and that a mitigation scheme be approved and implemented to provide an alternative barn owl nesting and roosting sites.

County Land Agent

The County Land Agent has re-visited the site and discussed the proposal with the applicants. He describes the application and refers to the ownership and lease arrangements between the landowner (R-Group) and the operating company (Farmgen).

He refers to the support given in PPS7 to farm diversification enterprises who diversify into non-agricultural operations to support the main agricultural activity at the site (para 30) providing that it does not involve an excessive expansion and encroachment of building into the countryside (para 31). He then concludes that the scale of the change in enterprise is beyond diversification and is change of use from agriculture to industrial / commercial use which does not meet the criteria of these paragraphs and Fylde Borough Local Plan Policy SP3.

He advises that the feedstock that is to be produced to operate the facility will need to be stored within the farms and as this is to be in buildings that have not been used for many years there will be no adverse impact on the agricultural enterprises, with further buildings being available as the current dairy enterprise will cease and so create available buildings.

He highlights paragraph 24 of PPS 22 which relates to Renewable Energy and directs local planning authorities to minimise potential transport increases by locating biomass plants as close as possible to the sources of fuel. He refers to the applicant's efforts to minimise the amount of road transport in this application and concludes that whilst there will be some road transport, it is minimal and that the proposal meets the criteria in PPS22.

Environment Agency

Repeat their previous comments which raise no objection to the proposal.

The Ramblers Association

The Ramblers Association comment that as the concerns of residents concerning Bryning-with-Warton bridleway 12 and public footpath 13 & 14 contained in the previous application appear to have been addressed in the new application. As LCC highways have no worries concerning traffic generation on rural roads, then the Ramblers Association have no grounds for objection.

Health and Safety Executive

A consultation has been undertaken using the PADHI+ system has been undertaken which has not resulted in any objection to this proposal.

United Utilities

Raise no objection

CPRE

They describe the proposal and then raise objection to it on the following grounds:

1. The scale of the plant would require the importation of large quantities of feed stuffs from outside the locality
2. The scale of the plant would create an industrial plant of significant size not appropriate for a site on land designated as agricultural land and green belt
3. The import of large amounts of feed stuffs would involve significant numbers of movement of lorries on roads unsuitable for such heavy traffic

4. The movement of feed stuffs across the fields would involve the use of tracks unfit for such heavy use, including a stretch of a public right of way
5. The scale of the plant would result in a significant reduction in the area of land in the area under cultivation for food production
6. The scheme conflicts with Policy SP3 as it is inappropriate development in the green belt and Policy EMP3 as the use of surrounding roads will be detrimental to road safety. They are also concerned that the loss of land from food production will be contrary to RSS Policy RDF2 which seeks to support sustainable farming and food production.

LCC Contributions

An initial request for an unspecified transport contribution was made by LCC but has been withdrawn given the lack of any such request or highway objection to the original application.

Neighbour Observations

Neighbours notified: 10 August 2009 and press and site notice published

No. Of Responses Received to initial notification: 3 individual letters, and a report with 2 addendums from a spokesman acting for the occupants of 14 residential properties in the vicinity of the site

Nature of comments made in individual letters:

One letter questions the merits of Anaerobic Digestion as a technology on the basis that it is not efficient, creates a waste product to be disposed off that continues to give off odour and methane which is harmful to the environment.

A second letter queries the accuracy of the figures for the efficiency of the process that are claimed by the applicant and feels that the proposal will require additional road movements along roads that are unsuited for them. The letter also refers to the digester tanks as being eyesores.

The final letter refers to the waterlogged state of the farmland across which the application claims that the material is to be transported, and that the existing lanes are unable to cope with the heavy axle weight vehicles that this proposal will involve. He also refers to increased noise and risk associated with a gas storage facility.

Nature of comments made in collective submissions:

These submissions have the claimed support of 14 residential neighbours, although they are not supported by signatures. The submissions give the background to the scheme and the reasons for which the original application was refused before outlining the following objections and concerns with the current proposal which conclude that the application should be refused.

- Question the ability for the available land that is associated with the application to provide the required amount of feedstock to fuel the AD plant. The residents believe that this is due to the applicant over-estimating the area of land available for production within that which is owned, overestimating the yield of the land, that not all of the land associated with the application will be devoted to this enterprise with other farming activities retained and that some of the land could cease to be available at any time.
- If their concerns over the ability to provide the feedstock on the associated land are correct then the residents are concerned that additional feedstock will need to be imported to the site over that which is claimed in the application. This would exacerbate the highway concerns and would undermine the circumstances that justify this development being located in the green belt. This means that the application fails to comply with Policy SP3 of the Fylde Borough Local Plan

- Question the accuracy of the transport assessment. The residents believe that this is due to an overestimation of the amount of existing farm traffic using Lodge Lane, a misunderstanding of the route taken by brewery waste vehicles and overestimation of their number, and an overestimation of the number of milk tanker movements on various surrounding roads. The result of this is that the traffic that would be associated with delivering feedstock to the AD plant is actually an increase over the current levels of large vehicles using the surrounding roads rather than the reduction which the application claims. This means that the proposal will continue to raise the highway safety concerns that lead to the earlier application being refused as contrary to Policy EMP3 of the Fylde Borough Local Plan
- The cross field route to the AD plant are unsuited for use for many parts of the year as it is frequently waterlogged. This means that the traffic it is anticipated to take will need to use surrounding roads
- They highlight that the transport assessment has failed to account for the significant level of traffic associated with hay making in the area.
- The residents refer to a fatality that occurred at an AD plant in Dorset that has been used as a comparator by the applicants. They suggest that this application should be deferred until all the safety investigations into that application have been concluded.
- The latest addendum from the neighbours reiterates and provides further explanations to support their view that the crop yields claimed in the application are unachievable in the land surrounding the site. They suggest that the applicant should undertake field tests prior to any determination to prove the actual yield that is available
- That the proposed use of chicken litter raises concern over the unacceptable and obnoxious odour nuisance that this type of litter can cause given the proximity in which it could be stored to the residential properties
- The applicants pre-application consultation exercise generated some broad support from local residents. The residents submission now claims that this was based on false and inaccurate information that was presented at those open days and so they wish to withdrawn those favourable comments

Relevant Planning Policy

Regional Spatial Strategy:

DP4	Making the Best Use of Existing Resources and Infrastructure
DP9	Reduce Emissions and Adapt to Climate Change
RDF2	Rural Areas
RDF4	Green Belts
EM17	Renewable Energy
EM18	Decentralised Energy

Fylde Borough Local Plan:

SP03	Development in green belt
SP09	Diversification of rural economy
EMP3	Business & industrial uses outside defined area
EP27	Noise pollution
EP26	Air pollution

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPS22	Renewable Energy

Site Constraints

Within Green Belt

Environmental Impact Assessment

Part 3 of Schedule II of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended indicates that an EIA can be required for schemes involving energy production. Whilst this scheme will clearly be of that type, it is not considered that the scale of the proposal or the nature of the potential impacts will be of a significance that requires the submission of an EIA in this case.

Comment and Analysis

Introduction

As the application is for development that has previously been discussed at DC committee on two occasions in April and May of this year, it is not proposed to outline all the issues that are raised in great detail. The previous application was refused for the two reasons quoted in the Details of Proposal section of this report. It must therefore be assumed that the other matters raised were not of sufficient concern to justify a reason for refusing the application at that time and so this report will only comment on them where they are pertinent to the current application.

Green Belt Issues

The application site is located within the green belt as defined in the Fylde Borough Local Plan where Policy SP3 restricts the majority of development. As the proposed use is industrial in nature (rather than agricultural), the application needs to demonstrate that very special circumstances exist to support the development. The DC Committee were not satisfied that the previous application adequately demonstrated that sufficient crops were available to the applicant from the local sources they were claiming to enable the facility to operate for the whole year without requiring material to be imported from elsewhere. It was this that led to the first reason for refusal that the scheme was inappropriate development in the green belt.

To address this reason for refusal the applicants have provided further analysis of the crop yields that they expect to achieve and the efficiency of the Anaerobic Digestion process. Details of various gas engines have been submitted that achieve the 800kw output which the application is based upon along with details of the crop yields that would be required. These crop yields are based on 8,322 hours operation per year (to allow for servicing and maintenance) and use maize as an example crop with an average yield of 48t/hectare. Although this is one of a number of crops that will be grown, it has been presented as a typical crop that can be grown in the area and that produces a crop that is suitable for Anaerobic Digestion. Other crops that are suggested include triticale, rye grass, other cereal crops, sunflowers, silage, root crops such as potatoes, sugar beet or turnips, and leaf vegetables such as cabbages.

A range of these will undoubtedly be grown on the land in each year, but the supporting information is based on an assumption that maize will be the entire primary crop for ease of calculations. The applicant states that a total of 14,688t of material is required each year to achieve their targets of 95% of the material being locally sourced and to allow the facility to operate for 8,000 hours per year. This material is 12,192t of maize, 1,000t of farmyard manure / chicken litter and 1,469t of grass silage.

Since the last application, the applicants' landholding in the local area has increased to 285 hectares and as the 12,192t of maize at 48t/hectare requires 254 hectares they are confident that this can be provided within the land that is now under their control. The chicken litter and slurry is also to be sourced from existing activity on this land although the slurry would reduce in the future as the dairy farming reduces. The silage, or other imported crops, that could be used to make up the year round operation above the 90% local crops would be imported from elsewhere if required.

The previous reason for refusal referred to that application failing to "demonstrate that there are sufficient crops available in the immediate locality" to enable the facility to operate as presented. This application provides further details on this aspect and along with the increase in landholding now

available, and with the further details of the crop harvest that can be taken from these fields, officers are satisfied from the submitted information that at least the 90% of the inputs required to operate the facility all year round can be sourced locally. A series of conditions are necessary to ensure that the details submitted are complied with.

Transport

The second reason for the original application being refused related to the level of traffic that would be attracted to narrow rural roads that are said to be unsuited to take heavy vehicle traffic and so create highway safety concerns. The applicant has also provided further details on this, with details of a number of proposed central storage facilities, revised routings to ensure that the bridlepath is not used and significant use of a cross-field track.

This cross-field track is an important change to the proposal as it enables the local agricultural crops to be delivered to Carr Farm direct from the three other storage sites without having to utilise Lodge Lane. This is a significant improvement over the previous scheme that removes many of the vehicle movements that would previously have been required from the local roads. Controls are required to ensure that this is upgraded to allow year round use, that it is maintained in that condition prior to the commencement of any operation of this facility and that it is used for all crops within the 90% of locally sourced crops.

The track leads to Wrea Brook Farm where there are around 60 days worth of storage facilities as well as the chicken broiler operation. Crops would be delivered through this site along Wrea Brook Lane from the other storage sites at Shepherds Farm and at Moss Side Villa Farm or direct from the various fields. This will increase traffic on Wrea Brook Lane, which is narrow and has a series of sharp bends, but it does not serve any properties other than Wrea Brook Farm and Great Carr Side Farm which are both in the ownership of the Rigby family and so will have no direct impact on any residential properties. Public footpath 14 heads west from Great Carr Side Farm and so there will be some pedestrian traffic on the lane, but this will currently encounter agricultural traffic associated with their farming operations. The footpath follows a different route across the fields to that suggested for use in this application so will not be adversely affected by this proposal.

Wrea Brook Lane connects to Bryning Lane which is a better standard road that links Warton with Wrea Green. Under the current landholding plan all vehicles that access the site will use this road but it is considered that it is capable of handling the traffic and no objection to the proposal has been raised by County Highways. A further improvement on the transport that has been proposed by the applicant's which is to restrict the timing of vehicles using Bryning Hall Lane between Moss Side Villa Farm to only morning use as there is greater equestrian use of that route associated with Woodside Farm in the afternoon and evenings.

The only deliveries to Carr Farm in vehicles over 10 tonnes under this proposal are those vehicles that would make up any shortfall from the locally produced agricultural crops needed to operate the facility. The number of vehicle movements associated with this is dependant on the percentage shortfall they are to account for, the type of crop used as different crops have different calorific values and volumes, and the size of delivery vehicles. In their submission the 'worst case scenario' is presented which requires 107 movements of a 30t vehicle carrying grass silage along Lodge Lane from Lytham Road to Carr Farm in a year. If imported maize was to provide this shortfall the vehicle numbers would reduce to 79 and to 34 if wheat grain was available. Equally, if more local agricultural crops are available, the percentage shortfall to be made up would also be reduced. The materials that are to be imported are to be controlled to be only agricultural in nature with these to be on an agreed list. The initial suggestions for this list are cattle and pig slurry, broiler and pig manure, and spoilt crops and milk. No food or brewery waste will be included on this list.

The applicant's submission includes a Transport Assessment which includes details of the anticipated vehicle movements from the AD facility and the existing traffic movements associated with the

current agricultural operations at the surrounding farms. This refers to a reduction in vehicle movements from the current situation of 418 movements each year. These figures have been criticised by the residents as overemphasising the current movements. They have supplied their own figures which are considerably less and project an increase of 38 movements each year as a consequence of the 107 silage deliveries to Carr Farm over the current level of use.

It may well be that the actual situation will be somewhere in the middle of these two estimates. Irrespective of the accuracy of either set of figures, it is clear that the use of the three storage farms, the use of Wrea Brook Lane and the use of the cross-track field will reduce the number of agricultural vehicles that will be using the surrounding road network to access the site compared to that proposed in the previous application. The controls proposed under the previous application were that vehicle movements over 10 tonnes that used the surrounding roads were to be limited to 40 movements each week, whilst it is now proposed to limit these movements to no more than the maximum of the 'worst case scenario' 107 movements in any year and 40 in any month.

On this basis it is considered that the previous concerns over the number and weight of vehicles that would need to use surrounding roads to access this site have been adequately mitigated by this submission. As such the previous conflict with Policy EMP3 no longer applies and a reason for refusal based on that policy is no longer justified, subject to the details being appropriately controlled by condition.

Other Matters

The buildings and other structures to be constructed at Carr Farm have not changed from the previous scheme. The digesters in particular are substantial structures, but are designed, located and coloured to be as unobtrusive as possible in an effort to minimise their impact on the open character of the area.

The county land agent has referred to the use as an industrial process and so inappropriate in the green belt. This is correct, and is why the applicant has been required to demonstrate very special circumstances that would justify the development being located at Carr Farm. He then highlights the guidance in PPS22 that such facilities should be located as close as possible to the source of their fuel. It is that principle which has led to this site being positioned immediately abutting the landholding of the Rigby farms and in a location where it can now be directly connected to that land. The applicant's have referred to the possibility of locating the AD plant at land off Boundary Lane, but this is more remote from the source of the agricultural crops and severed from it by the main drain to the river. This would mean that all crops would need to be transported by road and is considered to be a much less appropriate solution than the Carr Farm proposal.

The neighbour's have referred to the recent death of a worker at a similar facility in Dorset. The HSE continue to investigate this, but have allowed the facility to return to work and are investigating the procedures for working at height and inside the digesters, rather than the principle of Anaerobic Digestion.

Mention has been made of the farm land associated with this proposal being taken out of food production to produce crops that provide energy and that this is contrary to the principles of sustainable farming as supported by Policy RDF2 of the Regional Spatial Strategy. Whilst this is a valid point, the proposal uses some land that is currently not actively being farmed and will support the agricultural activities on this land into the future as the economics of AD and the controls of any planning permission will create an inextricable link between the land and the Carr Farm facility.

Conclusion

The previous application was refused as the Committee were not satisfied that the applicant was able to produce a sufficient quantity of crops within the local area to fuel the AD facility, and that as a consequence of this they would need to import additional feed stuffs from a wider area. As such, the vocational benefits of positioning the facility in the green belt would not be realised and so the

application was contrary to Policy SP3 as an inappropriate industrial development in the green belt. The committee were also concerned that the vehicle movements associated with bringing the agricultural crops and other feed stuffs to the site could not be safely accommodated on the surrounding roads to Carr farm.

In this revised submission the applicant's have therefore sought to address these concerns. Your officers are satisfied that this proposal gives the required certainty about the provision of agricultural crops in the area to enable the location benefits claimed by the applicant from a location at Carr Farm to be realised. With this benefit and the support that the facility would provide to agricultural activity on the surrounding land it is considered that the application successfully demonstrates the very special circumstances needed to justify inappropriate development in the green belt. This is in line with the guidance in PPS22 which seeks to locate such biogas operations as close as possible to the source of their fuel.

This application also presents improved routing proposals to its predecessor which reduce the amount of vehicular traffic associated with the development that will use the surrounding road network, largely as a result of the use of a cross field track leading to Wrea Brook Farm and other storage facilities within the landowners control. It is considered that the application also addresses the concerns that were previously expressed in this regard.

As the application has adequately addressed the previous reasons for refusal it is appropriate that planning permission be granted. When the previous application was presented to committee, officers proposed a combination of conditions and a proposed s106 agreement to control the operations. Members queried the enforceability and complexity of this and as a result this application is presented to committee for approval subject to conditions only, but with these amended to cover the aspects that were previously to be covered by the s106 agreement.

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 3 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. That prior to the first operation of the Anaerobic Digestion plant hereby approved, a schedule of the materials to provide all the input to the Anaerobic Digestion process shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only materials which appear on this schedule may be used at the facility, and the Schedule can only be varied with the prior written consent of the Local Planning Authority. The Schedule shall have two parts: a list of agricultural crops and a list of non-agricultural crops.

To allow the Local Planning Authority to retain control over the operation of the facility to ensure that the material used to fuel the system is primarily from an appropriate local agricultural source.

3. That in each calendar year no less than 90% of the total annual volume of material to be input into the Digester Tanks shall be agricultural crops from that element of the Schedule

approved under condition 2 of this permission, and the balance of the total annual volume of material to be input into the Digester Tanks in each year shall only comprise of material which is on that element of the approved Schedule.

To enforce the connection between the AD facility and the surrounding agricultural land in order to minimise the number and volume of deliveries to the site.

4. Prior to the commencement of any development hereby approved, a landholding map with individual fields identified shall be submitted to and approved in writing by the Local Planning Authority. In any calendar year no less than 90% of the agricultural crops referred to on that element of the Schedule of Acceptable Material approved by condition 2 of this permission shall be sourced from fields on this agreed map. Any variation of these approved landholdings shall be approved in writing by the Local Planning Authority prior to them being utilised to provide crops for this facility.

To enforce the connection between the AD facility and the surrounding agricultural land in order to minimise the number and volume of deliveries to the site.

5. That there shall be no more than 107 single vehicle movements of vehicles over 10 tonnes along Lodge Lane associated with the operation of the Anaerobic Digester facility in any calendar year, and of these no more than 40 single vehicle movements shall occur in any calendar month. A single vehicle movement is a movement to the site and a movement from the site that involves the public highway. A log shall be kept at Carr Farm of all such single vehicle movements which shall be made available for inspection at all times by Officers of the council. The log will include details of the vehicle type, registration number, load type, load weight, and vehicle source/destination.

In order to ensure that the volume of road movements associated with this proposal is controlled to a level where the potential for adverse impacts on the structure of the carriageway and highway safety issues will be minimised.

6. That all solid and liquid digestate produced from the facility shall be taken from the AD facility in accordance with a scheme of routeing, transport method and final destination that has been agreed in writing by the Local Planning Authority. Any variation to the disposal of this digestate shall only be in accordance with an amendment to this scheme which shall have been submitted to and approved in writing by the Local Planning Authority.

To ensure that the waste products are taken from the site without creating further highway movements.

7. That prior to the commencement of any development a routing plan, along with the timings when individual routes are to be used, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter all vehicles delivering crops to the site that are included within the agricultural crops list approved as part of condition 2 shall utilise these approved routes with the final route to Carr Farm being via Wrea Brook Lane and the cross field track approved as part of condition 8 to this permission in all cases. Any amendment to this routing plan must be agreed in writing by the Local Planning Authority prior to the use of the amended route.

To provide appropriate control over the use of the surrounding highway routes by large vehicles in the interests of highway safety.

8. Prior to the commencement of any development, full details of the routing, width, method of construction and replacement bridge over the ditch for a cross field track to connect Carr

Farm with Wrea Brook Farm shall be submitted to and approved in writing by the Local Planning Authority. This track shall be constructed prior to the first operation of the facility and shall be maintained in a serviceable condition at all times thereafter.

To provide an appropriate alternative connection to the site for deliveries of agricultural crops to and solid digestate from the proposed development.

9. Prior to the commencement of the use hereby approved, a scheme for the soundproofing of the Combined Heat and Power (CHP) units shall be submitted and agreed in writing by the Local Planning Authority. This scheme shall be implemented during the installation of the CHP units and shall be maintained to ensure the satisfactory control over noise emissions from this element of the proposal for the period of its operation.

To control the potential emission of noise from the site in the interests of preserving the amenity of neighbouring residential occupiers.

10. Prior to the commencement of the use hereby approved, a scheme for the control of odours from the site shall be submitted and agreed in writing by the Local Planning Authority. This scheme shall be implemented during the construction of the facility and shall be maintained to ensure the satisfactory control over odour emissions from this element of the proposal for the period of its operation.

To control the potential emission of odour from the site in the interests of preserving the amenity of neighbouring residential occupiers.

11. That prior to the commencement of any works hereby approved, a scheme shall be submitted to and agreed in writing by the Local Planning Authority for any alterations to existing ground levels on and around the site. This scheme shall include details of existing and proposed levels, sectional details of the proposed alterations and the source/location of material to be used in these works. Any alterations to ground levels shall only be undertaken in accordance with this approved scheme.

To enable the Local Planning Authority to retain appropriate control over alterations to the site levels in the interests of securing the satisfactory appearance of the site and safeguarding existing features.

12. That the manual loading of the hopper feed for the digester tanks and the removal of digestate from the digester tanks or from the site shall only be undertaken between the hours of 9.00 and 18.00 on any day.

To provide appropriate control over the level of activity at the site in the interests of preserving the residential amenity of neighbouring occupiers.

13. That prior to the commencement of construction of the development hereby approved, the westerly access point shall be increased in width to 5.5m and shall be surfaced in a solid surface material such as concrete or tarmac for a distance of 10m into the site from the edge of the carriageway with Lodge Lane. This access shall be retained as such at all times thereafter.

To ensure that the access to the site is of an appropriate standard to enable the construction and operation of the facility without detriment to highway safety.

14. That all construction and operational traffic associated with the Anaerobic Digestion facility hereby approved shall only utilise the western access to the site as indicated on MCK plan 07-094 1100 Rev D (or any amendment to this plan that is approved in writing

by the Local Planning Authority).

To ensure that the vehicular access to the site is of an appropriate standard and in an appropriate location in the interests of highway safety and neighbouring residential amenity.

15. That notwithstanding any denotation on the approved plans, details of the proposed colouring of the Digester Tanks United Utilities substation and all other structures involved in the Anaerobic Digester facility shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter all these structures shall be erected and maintained in these colours unless otherwise agreed in writing with the Authority.

In the interest of securing a satisfactory overall standard of development and minimising their visual impact in the countryside.

16. That the premises shall only be used for the purpose of an Anaerobic Digestion facility and for no other purposes within Use Class B2 specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended, nor for any other purpose without the prior written permission of the Local Planning Authority.

To ensure that the Local Planning Authority retains an appropriate level of control over the use of the site and can enable other uses to be considered on their merits.

17. 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.

18. 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.

19. Prior to the first operation of the Anaerobic Digestion facility hereby approved, the United Utilities sub-station to the frontage of the site with Lodge Lane shall be constructed in full accordance with the approved details. This shall also relate to the erection of the approved fencing and provision of landscaping, with these details retained thereafter.

To ensure that this element of the scheme is appropriately secure and has a satisfactory appearance in the countryside.

20. Prior to the commencement of any development, a scheme to indicate the location, heights and materials of any fencing for the boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. Any such fencing shall only be erected in full accordance with this agreed scheme.

To ensure that the satisfactory appearance of boundary treatments at the site.

21. That no works shall commence or be undertaken between the months of March and July inclusive, until a walkover survey of the site and its boundary hedges has been undertaken to establish the presence of any breeding birds and the results submitted to the Local Planning Authority. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting sites shall be submitted to the Local Planning Authority for approval and implemented throughout the construction of the dwelling.

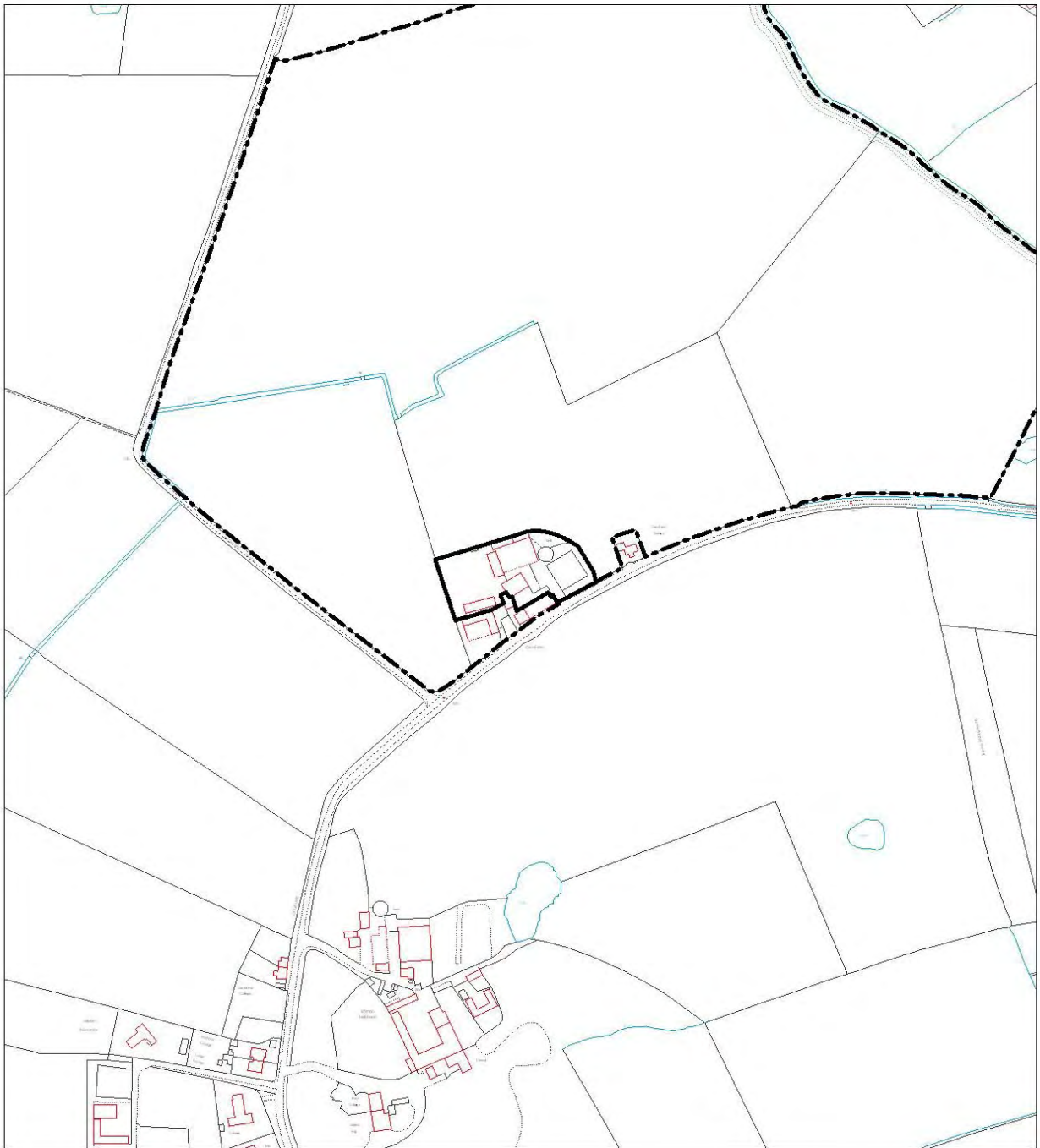
To ensure that disturbance to any breeding birds within the site is minimised during the construction of the dwelling

22. Prior to commencement of any site clearance, site preparation or development work hereby approved at Carr Farm a method statement for the protection of the barn owl roost / nesting site at Carr Farm shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the phasings contained in that statement to the satisfaction of the Local Planning Authority.

In order to retain the nesting / roosting of Barn Owls on the site as they are a species that is protected by the Wildlife and Countryside Act 1981.

23. That should any species of Bat, or Great Crested Newts, be suspected or detected within the site at any time prior to or during the implementation of this planning permission, all works shall cease immediately and advise sought from Natural England or a suitable qualified ecologist. The advice given is to be followed to the written satisfaction of the Local Planning Authority.

In order not to disturb or deter the occupation of the site by Bats and Great Crested Newts as they are a species whose habitat is protected by the Wildlife and Countryside Act 1981.



Strategic Development Services Fylde Borough Council		This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (C) Crown copyright Licence No. 100006084. 2009. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 09/0526	Address Carr Farm Lodge Lane, Warton	Grid Ref. E.3388 : N.4286	Scale N.T.S.	Item No.

Application Reference: 09/0597		Type of Application:	
Applicant:	Mrs Masheter	Agent :	Firebuild Solutions Ltd
Location:	14 UPPER WESTBY STREET, LYTHAM ST ANNES, FY8 5NH		
Proposal:	ERECTION OF FRONT PORCH, SINGLE STOREY REAR AND SIDE EXTENSION AND FIRST FLOOR EXTENSION TO SIDE (AS AMENDED).		
Parish:	Clifton	Area Team:	Area Team 1
Weeks on Hand:	8	Case Officer:	Keith Brooke
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal accords with policy and there are no material considerations arising which indicate that the application should be determined otherwise. It is recommended that planning permission is granted.

Reason for Reporting to Committee

Applicant's agent is an employee of the Council

Site Description and Location

The site comprises a two storey semi detached dwellinghouse situated on the south side of Upper Westby Street, Lytham, within the Lytham Town Centre Conservation Area. It is entirely surrounded by neighbouring residential properties. It has an ungated access directly onto Upper Westby Street serving a flank driveway which provides, along with the frontage, off -street parking facilities. Parking on the street is also unrestricted at this point.

The site is located within the settlement of Lytham and within the Lytham Town Centre Conservation Area, both as identified in the Fylde Borough Local Plan, As Altered, October 2005. It contains no other plan designations or allocations.

Details of Proposal

Full planning permission is sought for the erection of a front porch, a single storey rear and side extension and a first floor side extension.

The front porch will project 2m x 1.5m wide x 2.6m high to the eaves and originally 3.85m high to the ridge of its hipped roof, now 3.6m high as amended.

The single storey rear and side extension, as amended, will be a 'T' shaped wrap-around and will extend 8.35m along the length of the utility and kitchen, x 5.81m wide in the kitchen itself, with the foot of the 'T' comprising a lounge extension projecting 1.5m from the rear wall of the dwelling x 2.3m wide, all 2.7m high to the eaves, with the kitchen/utility part 4.075m high to the ridge of its hipped and lean-to roof, and the lounge part 3.35m high to the top of its monopitch roof.

The first floor side extension will project 2.6m rearwards from the existing first floor gabled bathroom x 0.9m wide x 4.9m high above ground level to its overhanging eaves projected from the plane of the main roof. This will provide an enlarged bathroom and realigned stairwell.

All proposed building materials comprise facing bricks, roof tiles and white PVCu windows and doors to match the existing. There will be a small triangular rendered panel inserted to the rear of the new side bathroom window.

Relevant Planning History

Application No.	Development	Decision	Date
76/0180	EXTENSION AT REAR TO FORM UNIT OF LIVING ACCOMMODATION.	Granted	05/05/1976
76/1080	AMENDED PLANS FOR EXTENSION AT REAR.	Granted	02/02/1977
77/0019	CAR PORT.	Refused	02/02/1977
81/0482	CAR PORT.	Granted	24/06/1981

Relevant Planning Appeals History

None.

Parish Council Observations

N/A

Statutory Consultees

None consulted

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 26 August 2009
Amended plans notified: 01 October 2009 (14 days for responses)
No. Of Responses Received: None at the time of writing this report

Relevant Planning Policy

Regional Spatial Strategy:

RDF01 Spatial priorities
DP07 Promote environmental quality

Fylde Borough Local Plan:

SP01 Development within settlements

HL05	House extensions
EP03	Development within conservation areas

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPG15:	Planning and the Historic Environment

Site Constraints

Conservation area site

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

Section 38 of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”. The process of that determination is on the individual merits of the application.

The Development Plan comprises the North West of England Plan: Regional Spatial Strategy to 2021 (RSS), and the Fylde Borough Local Plan (FBLP), As Altered, October 2005.

The RSS provides a framework for development and investment in the region for the next fifteen to twenty years. It establishes a broad vision for the region and its sub-regions, priorities for growth and regeneration, and policies to achieve sustainable development across a wide range of topics, including jobs, housing and transport. It also sets out spatial priorities for the Central Lancashire City Region, within which Fylde Borough is located.

The RSS includes generic planning policies, relating in this instance to spatial priorities and promotion of environmental quality, with which it could be argued the proposal accords. Equally, the opposite argument could be put if the proposal is not sustainable, does not accord with local plan policies or with government guidance.

The key issues in the determination of this application are Policies HL5 and EP3 of the FBLP and the Council’s adopted Supplementary Planning Document (SPD) ‘Extending Your Home’.

As regards the other policies listed above, the site is located within the settlement of Lytham which remains a focus for appropriate new development, reinforced by RSS Policy RDF1.

Turning to Policy HL5, in reverse order:-

- the proposal will not prejudice the safety of vehicular access to the site;
- although the flank extension will preclude vehicular access over the full length of the drive, sufficient space will remain in front of it and on the frontage of the site to accommodate parking for two vehicles in accordance with prior Structure Plan standards;
- a small area of garden will be lost as a result of the development, offset by the removal of part of the existing single storey rear projection, but sufficient will remain to serve the reasonable needs of the occupants of the dwelling;
- the amenities of neighbouring residents will not be prejudiced by the mainly single storey extensions proposed, and the first floor side extension is minor in extent with both its and the new side bathroom window proposed with obscure glass. This can be regulated by condition. None of

- the extensions will result in dominant or overbearing development; and
- whilst the design of the proposed extensions may be considered to be fussy, particular in terms of the roofs, it reflects, in that regard, the fussiness of the existing building with its various projections and hipped roofs, and is undoubtedly simplified by the amendments to the kitchen projection and to the porch roof. Many of these similar neighbouring properties have been previously extended, and most of what is proposed in this instance is to the flank or to the rear and it is not considered that it will adversely affect the amenity within the street scene.

The proposal accords, therefore, with Policy HL5.

Similarly, as regards Policy EP3, it is not considered that the proposal will detract from the character or appearance of the conservation area in which the property is situated.

Finally, the extent of the proposal along the common boundary to the rear is limited to 1.5m, which accords with Design Note 4 of the Council's adopted SPD 'Extending Your Home'. All other aspects of the proposal accord with the design principles set out therein. It is noted that the proposed extension at this point overlaps the common boundary, and it is understood that the neighbouring owners have requested this on the basis that they also intend to extend in the future. Certificate B has now been requested. In addition, separate notice will ultimately be required under the Party Wall Act.

Conclusions

The proposal accords with policy and there are no material considerations arising which indicate that the application should be determined otherwise.

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 3 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. This consent relates to the application as amended by revised plans received by the local planning authority on 22 September 2009 and 5 October 2009.

To define the permission.

3. The materials and finishes to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing with the local planning authority.

To ensure a satisfactory external appearance for the completed development.

4. The remaining part of the flank driveway along with the forecourt to the frontage of the property shall be retained and remain unobstructed at all times for the parking of motor vehicles.

To ensure that sufficient on-site car parking facilities are retained.

5. The proposed windows to the bathroom and stairwell on the first floor of the eastern elevation of the dwelling shall be glazed with obscure glass only and thereafter retained as such at all times.

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



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Application No. 09/0597	Address 14 Upper Westby Street Lytham	Grid Ref. E.3361 : N.4272	Scale N.T.S.	Item No.

Item Number: 10 **Committee Date:** 21 October 2009

Application Reference: 09/0618		Type of Application:	Full Planning Permission
Applicant:	Mr D Yates	Agent :	Keystone Design Associates Ltd
Location:	159 INNER PROMENADE, LYTHAM ST ANNES, FY8 1DW		
Proposal:	ERECTION OF SINGLE STOREY SIDE EXTENSION, REAR EXTENSION ROOF LIFT AND ERECTION OF FRONT BAY WINDOWS.		
Parish:	Fairhaven	Area Team:	Area Team 2
Weeks on Hand:	7	Case Officer:	Mr A Gavan
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal will not increase the overall footprint of the property and given the nature of the properties on either side of the site the design is considered in keeping. The ridge height and building line are maintained with no. 157 Inner Promenade and do not project forward of no. 161. There will be no issues of overlooking to either of the adjacent properties.

The proposal complies with the relevant criteria contained in Policy SP1 and HL5 of the FBLP

Reason for Reporting to Committee

At request of Cllr Caldwell

Site Description and Location

The application site is 159 Inner Promenade, a large detached property set within reasonably sized grounds. The area is characterised by large detached properties of a wide variety of styles. It is within an area designated as urban on the Fylde Borough Local Plan, as altered, October 2005. The property has been part demolished however the main building remains.

Details of Proposal

The application is for two storey front extensions on the front of the property, alterations to the front elevation to include a new balcony and single storey side and rear extension.

The two storey front extensions will be 8.5m high with a pitched roof gable. The extension to the right will be recessed slightly projecting 1m x 3.8m wide with the one to the left being 4.2m wide. The front alterations include a new balcony supported over brick piers which form the entrance.

To the side the proposal involves a single storey storage/utility area 3.5m wide and extending to the

rear of the property 15m. It will be 3.5m high.

To the rear it is proposed to build a flat roof extension extending 1.2m from the main rear elevation to a height of 4m.

Relevant Planning History

Application No.	Development	Decision	Date
05/0961	REPLACEMENT DWELLING	Withdrawn by Applicant	20/07/2006
03/0390	PROPOSED BLOCK OF 6 FLATS ON 3 FLOORS	Withdrawn by Applicant	23/04/2003
92/0063	ERECTION OF A SECOND SATELLITE DISH ON SIDE OF HOUSE	Granted	09/04/1992
86/0707	EXTENSION TO FORM SITTING ROOM	Granted	28/01/1987
78/1201	EXTENSION TO LOUNGE, NEW PATIO AND FIRST FLOOR BEDROOM.	Granted	17/01/1979
86/0413	EXTENSION TO FORM SUN-LOUNGE, SAUNA AND SOLARIUM.	Granted	13/08/1986

Relevant Planning Appeals History

None.

Parish Council Observations

St Anne's on the Sea Town Council notified on 02 September 2009

Summary of Response

No specific observations

Statutory Consultees

N/A

Neighbour Observations

Neighbours notified: 02 September 2009

Amended plans notified: N/A

No. Of Responses Received: 2

Nature of comments made:

The proposal will breach the building line between Cartmell Road & Denford Avenue.

The development should be contained within the existing footprint.

Relevant Planning Policy

Regional Spatial Strategy:

DP01	Spatial Principles
DP04	Make the best use of existing resources and infrastructure
DP09	Reduce emissions and adapt to climate change

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Site Constraints

Within settlement boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

The main issues to consider in the determination of this application are the criteria set out in Policy HL5 of the Fylde Borough Local Plan, as altered, October 2005.

The principal issues refer to the effect of the development upon the character of the street scene and existing building and the impact on the amenities of nearby residents.

The proposal involves developments to the front, rear and side elevations of the property. The development to the side elevation would be single storey and flat roofed. The development to the rear would not be readily visible from the street and therefore would not have undue visual impact.

In considering the proposals for the front elevation this would include remodelling the left and right sides of the property to include a forward projecting two storey gable extensions and balustrade from the new gable across the front elevation of the property. The applicant has reduced the height of the ridge of the proposal as well as ensuring the front extensions do not extend beyond the existing building line of the adjacent properties. The balustrade and balcony have been simplified to be more in keeping with the existing and adjacent properties. The two storey gables are not considered to represent a visual obstruction in the street scene and would not be detrimental to the character of the wider street scene.

Giving due consideration to the development with regard to neighbours the application property is adjacent to no's 157 and also the Orchard Garden flats at 161 Inner Promenade. The foot print of the property will not be increased, as the existing outbuildings are being demolished along the boundary with no. 161 the overall footprint of the building will be reduced from 281 sq m to 241 sqm. The proposal does involve extending the ground floor at the rear to provide additional space for the dining area. The proposal also involves extending the ground floor on the right of property for storage and utility space.

There is an existing wall and shrub planting on the neighbour boundaries and an approx. distance of 5m between the two properties. Given that there is an existing boundary wall approx 2m high and the extensions are single storey there would be no loss of privacy or light as a result of the proposals.

The property benefits from a large site and the additions would allow sufficient garden area remaining to serve the reasonable needs of the occupiers of the dwelling. There are no issues raised with regard to car parking or highway safety.

Conclusions

For the reasons outlined above the application is considered to comply with the relevant criteria as outlined in Policy HL5 of the Fylde Borough Local Plan, as altered, October 2005.

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 3 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.

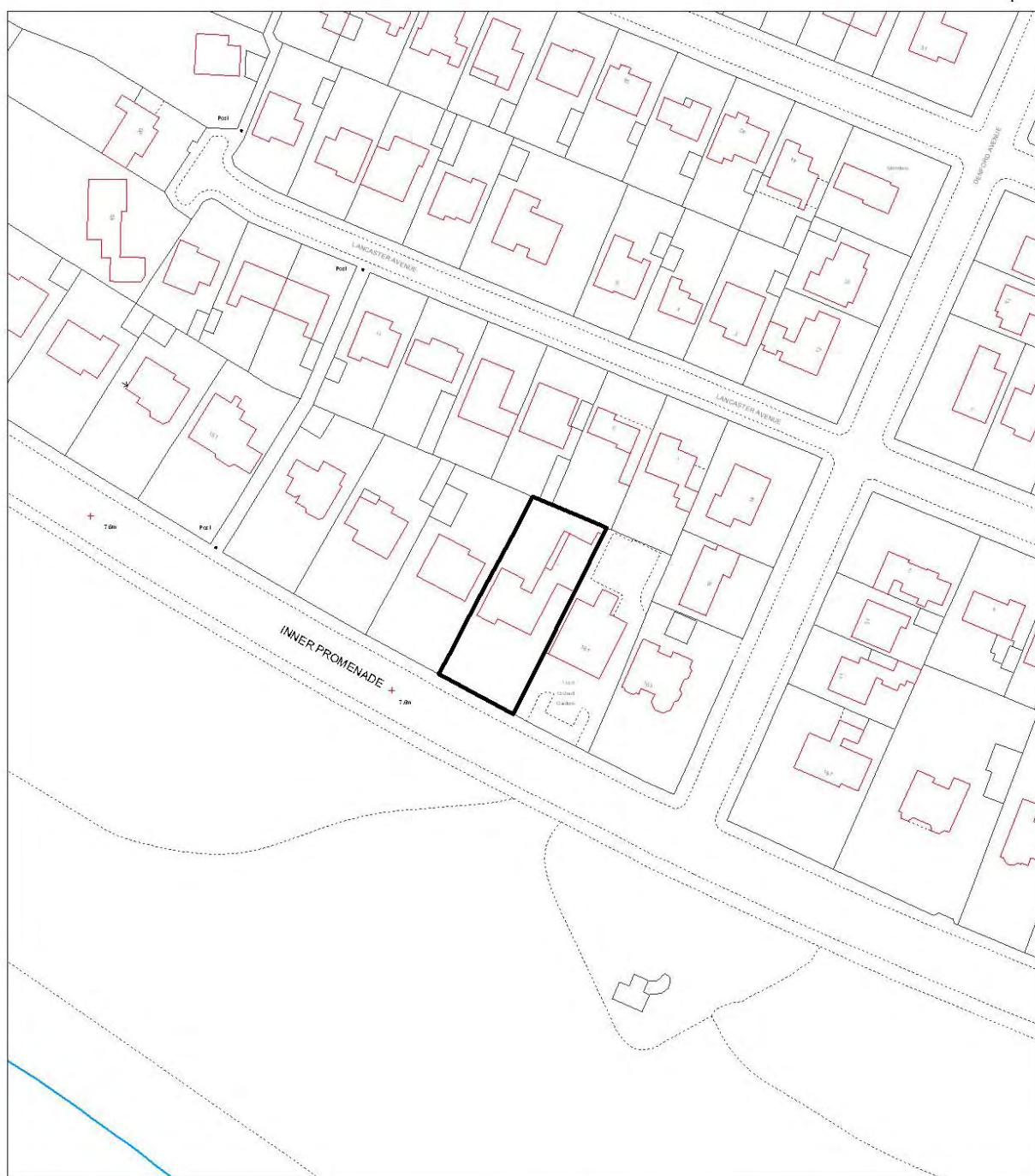
This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

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. This consent relates to the revised plan[s] received by the Local Planning Authority on the 7 October 2009.

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



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Application No. 09/0618	Address 159 Inner Promenade Lytham St Annes	Grid Ref. E.3329 : N.4277	Scale N.T.S.	Item No.

Item Number: 11 **Committee Date:** 21 October 2009

Application Reference: 09/0624		Type of Application:	Full Planning Permission
Applicant:	Mr Bamber	Agent :	Robert V Hopper RIBA
Location:	OAKLANDS, 250 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1AH		
Proposal:	USE OF EXISTING WORKSHOP FOR VEHICLE MAINTENANCE / REPAIRS AND MOT TESTING.		
Parish:	Bryning with Warton	Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Andrew Stell
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The proposal is to change the use of a building in the Countryside just outside Warton to vehicle repair and MOT storage. The building was constructed under a planning permission in 2003 as an ancillary use to the adjacent caravan operations. As the building has now been separated from that use there is no justification for its retention in this Countryside location and the proposal is contrary to Policy SP2. Moreover, the proximity to the caravan site creates an undue potential for harm to residential amenity by the increased noise associated with general vehicle repair and so is recommended for refusal.

Reason for Reporting to Committee

The Head of Planning (Development Control) has agreed to a request for the application to be presented to the DC Committee from the Ward councillor.

Site Description and Location

The application site is an existing portal frame industrial style building, its parking area and access to the highway. The building is located to the north of Lytham Road adjacent to Oaklands Caravan Park. The area is within the Countryside as allocated in the Fylde Borough Local Plan, with the settlement boundary of Warton including properties on the opposite side of Lytham Road but 130m to the east of the building on the same side.

The building is rectangular with dimensions of 25m x 15m with a ridge height of approximately 6m. The access is shared with Oaklands Caravan Park and is initially tarmac surfaced before becoming a gravelled / road planning surface to the building. The immediate surrounding land uses are caravan storage and touring caravan park but there are residential properties in the vicinity and agricultural land beyond.

Details of Proposal

The building was constructed under planning permission 03/0167 as a workshop for the repair of caravans and motorhomes. At that time the building was in the same ownership as the Oaklands Caravan Park, but the latter has recently been sold and is now operated independently. Condition 9 of the planning permission restricts the use of the repair building and states "*Notwithstanding the provision of the 1987 Town and Country Planning (Use Classes) Order or any Order revoking, replacing or re-enacting that order, the building shall be used for no other purpose other than ancillary to the main caravan use of the overall site. Reason: To prevent a separate use in the countryside.*"

As the ownership of the building has now been separated from that of the caravan park it cannot lawfully be used for any purpose. At the officer site visit the building and its surrounding curtilage was empty and there was no activity taking place at the site.

This application is to change the use of the site to allow general vehicle maintenance and MOT testing to be undertaken from the premises and its operation independent of the caravan park. No extensions or other external alterations are proposed.

Relevant Planning History

Application No.	Development	Decision	Date
08/0968	VARIATION OF CONDITION 2 ON APPLICATION 93/0031 TO ALLOW THE OCCUPATION OF HOLIDAY LETS ON THE SITE ALL YEAR ROUND IN CONJUNCTION WITH OAKLANDS CARAVAN PARK RATHER THAN 250 LYTHAM ROAD, WARTON	Granted	22/01/2009
08/0296	Proposed facility building for the caravan site and incorporation of the redundant office into the existing dwelling	Granted	15/05/2008
07/1186	REMOVAL OF CONDITION 1 ON PLANNING PERMISSION REFERENCE 5/95/0625 TO ALLOW THE OCCUPATION OF TOURING CARAVANS ON THE SITE ALL YEAR ROUND.(RESUBMISSION OF APPLICATION 07/0975)	Granted	20/02/2008
07/0975	REMOVAL OF CONDITION 1 ON PLANNING PERMISSION REFERENCE 5/95/0625 TO ALLOW THE OCCUPATION OF TOURING CARAVANS ON THE SITE ALL YEAR ROUND.	Refused	09/11/2007
05/0174	ADDITIONAL CARAVAN STORAGE, REMOVAL OF MOUND IN STORAGE AREA AND ADDITION OF 22 TOURING PITCHES.	Granted	31/03/2005
05/0176	DEMOLITION OF EXISTING DETACHED GARAGE AND ERECTION OF GARAGE ATTACHED TO THE DWELLING AND DORMER TO EXISTING DWELLING	Granted	31/03/2005
04/1038	10 ADDITIONAL STATIC CARAVANS AND EXTENSION TO SITE OFFICE TO	Granted	19/11/2004

04/0068	FROM WASHING FACILITIES. SINGLE STOREY EXTN TO EXISTING OFFICE TO FORM AMENITY BLOCK & ADDITIONAL AREA FOR CARAVAN STORAGE INCLUDING LANDSCAPING MOUND	Refused	23/03/2004
03/0597	CHANGE OF USE OF PART OF RALLY FIELD TO USE AS ANCILLARY SALES AREA FOR CARAVANS/MOTORHOMES	Granted	20/08/2003
03/0489	SINGLE STOREY EXTENSION TO FORM OFFICE & PITCHED ROOF OVER EXISTING FLAT ROOFED GARAGE	Granted	09/07/2003
03/0167	ERECTION OF WORKSHOP FOR CARAVAN/MOTORHOME MAINTENANCE	Granted	23/04/2003
03/0020	CHANGE OF USE FROM GARAGE TO HOLIDAY COTTAGE	Granted	26/02/2003
02/0856	RESUBMISSION OF APPLICATION 01/379 FOR WARDENS ACCOMMODATION	Refused	13/12/2002
01/0379	PROPOSED ALTERATIONS TO EXISTING BUILDING TO FORM 2 HOLIDAY COTTAGES AND WARDENS ACCOMMODATION	Refused	31/10/2001
01/0291	ERECTION OF 17.2M TELCOMM MAST WITH 3 NO. ANTENNA & 2 NO. DISHES & ASSOCIATED EQUIPMENT CABIN	Withdrawn by Applicant	11/07/2001
00/0894	RE-SUBMISSION OF APP. NO. 5/00/751 TO CHANGE USE OF LAND TO HARDSTANDING TO STORE CARAVANS	Granted	28/03/2001
00/0751	CHANGE OF USE OF LAND TO FORM HARDSTANDING FOR STORAGE OF CARAVANS AS EXTENSION TO EXISTING CARAVAN STORAGE AREA.	Refused	29/11/2000
97/0262	REPOSITIONING OF 3 NO. STATIC CARAVANS	Granted	18/06/1997
96/0466	RENEWAL OF APP. 5/93/0650 FOR STORAGE OF CARAVANS ALSO	Granted	11/09/1996
95/0697	NEW TOILET FACILITIES, EQUIPMENT/MACHINERY STORE AND	Granted	03/01/1996
95/0625	RESUBMISSION OF APPLICATION 5/95/0101 TO ALLOW OCCUPANCY OF CARAVANS BETWEEN 21ST DECEMBER & 9TH NOV. IN ANY FOLLOWING YEAR	Granted	06/12/1995
95/0379	EXTENSION TO CARAVAN PARK FOR ADDITIONAL 40 CARAVANS	Granted	16/08/1995
95/0101	MODIFICATION OF CONDITIONS ON APPS. 5/92/0004 AND	Refused	12/04/1995

95/0054	EXTENSION TO TOURING CARAVAN PARK TO PROVIDE	Refused	26/04/1995
94/0814	RESUBMISSION OF APPLICATION 5/94/0507 OUTLINE 2 DETACHED	Refused	01/02/1995
94/0801	RE-SUBMISSION OF APP. NO. 5/93/0839 FOR CHANGE OF USE	Granted	04/01/1995
94/0507	OUTLINE APPLICATION FOR 2 DETACHED DWELLINGS	Refused	14/09/1994
94/0506	NEW ACCESS TO CARAVAN SITE, NURSERY SCHOOL AND	Granted	25/01/1995
93/0839	CHANGE OF USE TO NURSERY SCHOOL	Granted	27/04/1994
93/0650	EXTENSION TO CARAVAN PARK FOR 20 NO. ADDITIONAL TOURING	Granted	08/12/1993
93/0430	ADVERTISEMENT CONSENT TO DISPLAY FREE-STANDING SIGNBOARD	Granted	11/08/1993
93/0389	ERECTION OF SINGLE STOREY BUILDING TO HOUSE ELECTRICAL	Granted	11/08/1993
93/0040	DOMESTIC GARAGE	Granted	24/02/1993
93/0031	SINGLE-STOREY EXTENSIONS AND ALTS TO REDUNDANT BUILDINGS TO FORM TWO UNITS OF HOLIDAY ACCOMMODATION	Granted	24/03/1993
92/0846	DETAILED MATTERS: CHANGE OF USE TO TOURING CARAVAN	Granted	21/12/1992
92/0004	RESUBMISSION APPLICATION FOR CHANGE OF USE	Refused	26/02/1992
91/0767	CHANGE OF USE OF LAND TO TOURING CARAVAN SITE (20 VANS) AND OWNERS DWELLING(EXISTING)	Refused	02/01/1992
91/0657	EXTENSION TO FORM PITCHED ROOF	Granted	30/10/1991
91/0236	OUTLINE APPLICATION FOR DETACHED BUNGALOW AND GARAGE.	Refused	22/05/1991
90/0718	CHANGE OF USE, EXTENSIONS AND ALTERATIONS FOR REST HOME	Granted	07/11/1990
75/0914	ALTERATIONS AND EXTENSIONS.	Granted	17/12/1975

Relevant Planning Appeals History

None to report.

Parish Council Observations

Bryning with Warton Parish Council notified on 03 September 2009

Summary of Response No response received

Statutory Consultees

Ministry of Defence

Raise no safeguarding objections

BAe Systems

No response received

Consumer Wellbeing and Protection

Do not raise objection subject to the hours of operation being controlled by condition to 8.00 - 18.00 Mon-Fri, 08.00 - 12.00 Sat and not at all on Sundays/Bank Holidays

Observations of Other Interested Parties

None to report

Neighbour Observations

Neighbours notified: 03 September 2009

Amended plans notified:

No. Of Responses Received: One

Nature of comments made:

Letter is from two properties occupied by direct family members of the applicant and supports the proposal. This is on the basis that traffic generation will be limited and that the site is well separated from other dwellings that are not occupied by direct family members.

Relevant Planning Policy

Regional Spatial Strategy:

DP01	Spatial Principles
DP03	Promote Sustainable Economic Development
DP04	Make the best use of existing resources and infrastructure

Fylde Borough Local Plan:

SP02	Development in countryside areas
EMP3	Business & industrial uses outside defined area
EMP4	Buffer Zones and Landscaping on Employment Sites
EP27	Noise pollution

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPS7	Sustainable Development in Rural Areas

Site Constraints

Countryside

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended.

Comment and Analysis

Local Plan Allocation

The site is located in the Countryside as allocated under Policy SP2 of the Fylde Borough Local Plan. This is a restrictive policy that seeks to control development in order to preserve the rural character of the area.

EMP3 relates to the employment uses within settlements but outside defined employment areas. As this site is outside the settlement boundary, the policy cannot be directly relevant, but the criteria are considered to be appropriate in this situation where the application site is surrounded by other development. Policy EMP3 allows commercial development where it will be appropriately related to the highway network, will not detract from neighbouring residential amenities, and will be appropriate

in scale for the character of the surrounding area.

Principle

Policy SP2 would generally prevent the erection of new commercial buildings in the countryside. One exception to this is criteria 5 of the Policy which enables development to be accepted when it is essential to the continuation of the existing enterprise. Policy SP8 is also appropriate when the development is an expansion of existing commercial operations in the countryside.

When this building was approved in 2003 it was part of the applicant's then caravan operations and so was considered against these policies, with the report concluding that it met the tests of Policy SP8 and so planning permission was granted. A condition was imposed to ensure that its use remained connected to the caravan operation on the building to which it was then associated. This ownership connection has now been broken and so it could be argued that the building is no longer essentially required as it is not connected with any existing enterprise.

Moreover, as there was deemed to be a need for a building to provide a repair facility for the caravan operations on the site when it was built 6 years ago and those caravan activities continue, albeit in a different ownership, there is no reason to conclude that the need for a repair building to support that caravan activity has ended. It is therefore considered appropriate to resist this change of use and so retain the building as being available for the use for which it was originally constructed.

The removal of this building from solely caravan repair should therefore be resisted as being contrary to Policy SP2 of the Fylde Borough Local Plan concerning development in the countryside.

Highway matters

The site has the benefit of an existing access point to Lytham Road that is properly surfaced, allows two way traffic and has adequate visibility at the junction with Lytham Road. The yard area associated with the building provides an appropriate area for parking of staff and customer vehicles without any potential congestion on the highway network. On this basis it is considered that the highway arrangements for the use of the building as a general vehicle repair operation are acceptable.

Neighbouring residential amenity

The building is entirely surrounded by caravan uses. On two sides this is caravan storage and on the other two it is the year round touring caravan site at Oaklands Caravan Park. At officer site visit the caravan park appeared to be fully occupied by touring caravans with many immediately adjacent to the boundary fence between the caravan site and this site. The nearest residential properties are three properties that are occupied by the applicant's family and are within the blue edge of the application (250, 250a and 258 Lytham Road). Beyond that the nearest dwellings are at Riversleigh Farm and 258 Lytham Road which are 100m and 140m from the building respectively.

Policy EMP4 refers to a separation of at least 30m being required to separate sensitive land uses such as residential properties from industrial operations with landscaping areas between. This separation is not achieved to the caravans / holiday cottages. Whilst these are not in permanent residential use, they were largely occupied at site visit in early October so it must be a popular location and their occupants warrant protection in the manner of a residential dwelling.

The repair and testing of vehicles general vehicles creates a greater potential for noise generation and other disturbance than does the repair of caravans, due to the work on engines, welding, panel beating, spraying, etc. This will detract from residential amenity contrary to criteria 2 of Policy EMP3.

Conclusion

The building was constructed relatively recently (2003) to support the activity on the applicant's then caravan operation and was restricted by a condition to be operated as ancillary to that caravan operation. The reason for this condition was to prevent a separate use in the countryside. As the

repair building and the caravan site have been separated by ownership this application is effectively creating that separate use. This would be contrary to Policy SP2 and supports a reason for refusing this application.

In addition, the use has a greater potential to have an adverse impact on the residential amenity of neighbours in the caravans that are immediately adjacent to the building and so is also contrary to Policy EMP3.

Policy SP5 allows the conversion of rural buildings to other uses with employment use preferred. However, the continuation of the caravan activity could allow another building to be required associated with that activity so this application is contrary to criteria 6 of that policy, and the conflict with neighbouring land uses is contrary to criteria 7. Therefore this Policy does not offer support to the proposal.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The reuse of the building to general vehicle repairs and MOT testing as proposed is unrelated to the continuation of any existing enterprise on the site and would harm the character of the surrounding countryside. As such it is contrary to criteria 5 of Policy SP2 of the Fylde Borough Local Plan.
2. That the nature of the proposed use and the proximity of the building to existing residential uses on the adjacent caravan site is likely to lead to an undue level of noise disturbance to be suffered by nearby occupiers to the detriment of their residential amenity. As such the proposal is contrary to criteria 3 of Policy EMP3 of the Fylde Borough Local Plan.



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Application No. 09/0624	Address Oaklands 250 Lytham Road, Warton	Grid Ref. E.3406 : N.4284	Scale N.T.S.	Item No.

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