



Agenda

Planning Committee

Date:	Wednesday, 7 June 2023 at 10am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Richard Redcliffe (Chairman) Councillor Gavin Harrison (Vice-Chairman)</p> <p>Councillors Tim Armit, Peter Collins, Chris Dixon, Martin Evans, Kelly Farrington, Noreen Griffiths, Jordan Ledger, Jayne Nixon, Sandra Pitman, Vince Settle.</p>

Public Speaking at the Planning Committee

Members of the public may register to speak on individual planning applications: see [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 26 April 2023 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
	DECISION ITEMS:	
4	Reserve Planning Members	3 - 4
5	Planning Matters	5 - 34
	INFORMATION ITEMS:	
6	List of Appeals Decided	35 - 36

Email: democracy@fylde.gov.uk

The code of conduct for members can be found in the council's constitution at

<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	PLANNING COMMITTEE	7 JUNE 2023	4
RESERVE PLANNING MEMBERS			

PUBLIC ITEM

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

SUMMARY

Following the confirmation of committee allocations at the Council AGM, held on 24 May 2023, there are the vacancies to be filled in the pool of reserve planning members.

In accordance with Standing Order 24 of the Rules of Procedure of the Constitution, the Committee is asked to nominate no more than ten members to serve as potential substitutes on the Planning Committee. It must be acknowledged that the members appointed will be required to undertake the necessary planning training.

RECOMMENDATION

Members are invited to name no more than ten reserve planning committee members to act as substitute members at the Planning Committee in accordance with Standing Order 24 of the Rules of Procedure of the Constitution.

SUMMARY OF PREVIOUS DECISIONS

Council AGM – 24 May 2023

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	

REPORT

- Following the confirmation of committee allocations at the Council AGM, held on 24 May 2023, there are the vacancies to be filled in the pool of reserve planning members.
- Standing Order 24 of the Rules of Procedure of the Constitution allows the Committee to name up to ten councillors to serve as Reserve Planning Members.
- Only a Reserve Planning Member can act as a substitute at a meeting of the Planning Committee.
- The Planning Committee can only name as a Reserve Planning Member a member whom they consider

- (i) has a sufficient level of experience or training to enable them to contribute to the work of the committee; and
 - (ii) is willing and available to frequently attend meetings of the committee (whether or not acting as a substitute).
5. If the committee decide to appoint a member who has not had the sufficient level of experience or training, then appropriate arrangements will be put in place to ensure that the elected member concerned is offered a comprehensive training package.
6. The Committee is asked to name up to ten members to serve as Reserve Planning Members.

IMPLICATIONS	
Finance	None directly arising from this report.
Legal	None directly arising from this report.
Community Safety	None directly arising from this report.
Human Rights and Equalities	None directly arising from this report.
Sustainability and Environmental Impact	None directly arising from this report.
Health & Safety and Risk Management	None directly arising from this report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Sharon Wadsworth	democracy@fylde.gov.uk	30/2/23

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Constitution	2023	Fylde Council Website

Planning Committee Agenda

07 June 2023

Item No.	Appn No.	Location and Proposal	Recommendation	Page No
1	23/0038	BONDS OF ELSWICK, BONDS LANE, ELSWICK, PRESTON PR4 3ZE APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 20/0363 TO ALLOW THE SUBSTITUTION OF ALL APPROVED HOUSE TYPES WITH NEW HOUSE TYPES INCLUDING ASSOCIATED MODIFICATIONS TO THE DEVELOPMENT LAYOUT, PARKING ARRANGEMENTS AND LANDSCAPING	Grant	7
2	23/0266	FORMER PUBLIC OFFICES, 292-294 CLIFTON DRIVE SOUTH, LYTHAM ST ANNES FY8 1LH DEMOLITION OF EXISTING STORAGE OUTBUILDING WITHIN REAR YARD AND INSTALLATION OF SOLAR PANELS TO REAR AND SIDE ROOF SLOPES OF BUILDING	Grant	20
3	23/0245	FORMER PUBLIC OFFICES, 292-294 CLIFTON DRIVE SOUTH, LYTHAM ST ANNES, FY8 1LH LISTED BUILDING CONSENT FOR DEMOLITION OF EXISTING STORAGE OUTBUILDING WITHIN REAR YARD AND INSTALLATION OF SOLAR PANELS TO REAR AND SIDE ROOF SLOPES OF BUILDING	Grant	29

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Background Papers

The background papers used in the compilation of reports relating to planning applications are listed below, except for such documents that contain exempt or confidential information defined in Schedule 12A of the Local Government Act 1972:

- Fylde Local Plan to 2032 (incorporating Partial Review) – December 2021
- Joint Lancashire Minerals and Waste Local Plan
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework 2021
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available online at www.fylde.gov.uk/resident/planning

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Item 1

Application No:	23/0038	Case Officer:	Alan Pinder Area Team 2
Applicant:	NEWPARK HOMES LLP HALPERN	Agent:	MCK ASSOCIATES
Location:	BONDS OF ELSWICK BONDS LANE ELSWICK PRESTON PR4 3ZE		
Proposal:	APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 20/0363 TO ALLOW THE SUBSTITUTION OF ALL APPROVED HOUSE TYPES WITH NEW HOUSE TYPES INCLUDING ASSOCIATED MODIFICATIONS TO THE DEVELOPMENT LAYOUT, PARKING ARRANGEMENTS AND LANDSCAPING		
Ward:	Elswick and Little Eccleston	Parish:	Elswick
Statutory Expiry:	23 March 2023	Earliest Decision:	22 February 2023
Reason for any delay:	Need to determine at Committee due to Parish Council comments		Online application file here

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

The application relates to site of the Bonds Ice Cream premises on Bonds Lane in the settlement of Elswick. The site has an extant planning permission for the construction of 8 no. detached two storey dwellings which was granted in April 2022.

This application seeks minor material amendments to alter the design of each dwelling to increase the number of bedroom from 3 No. to 4 No. and provide an appropriate increase in the level of off-street parking.

The changes are proposed are within the scope of a minor material amendment and result in an acceptable form of development that does not lead to any planning harms. The scheme is fully in accordance with the requirements of Policy GD7 and the other relevant Fylde Local Plan to 2032 (incorporating Partial Review) policies, and with the aims of the National Planning Policy Framework. Accordingly the application is recommended for approval subject to appropriate conditions.

Reason for Decision Level

The officer recommendation for approval conflicts with the views of the Town/Parish Council and so it is necessary to present the application to the Planning Committee for a decision.

Site Description and Location

The application site is the Bonds of Elswick premises, located on the northern side of Bonds Lane in the settlement boundary of Elswick. This site is of a rectangular shape orientated in an east/west direction immediately alongside the lane. It comprised of various buildings to the western end with the car park taking up the remainder of the site, although a number of the buildings have recently

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

been demolished in preparation for the commencement of works. The site has hedgerow along its Bonds Lane frontage, and sporadic self-seeded trees along its north and east boundaries.

Surrounding the site there are neighbouring residential properties which are located on the south side of Bonds Lane, on Highbury Gate and on Copp Lane. The site is at the eastern end of the settlement boundary with open countryside further east.

Details of Proposal

The application proposes a minor material amendment to the existing planning permission (ref. 20/0363) by way of substitution of approved house type on all eight plots, including minor modifications to the layout, parking arrangements and landscaping.

Specifically the amendments sought are as follows and apply to all eight plots:

- All integral garages to be replaced by brick built car ports with an increased eaves height (from 2.7 metres to 3.8 metres) to create habitable space above and enable an increase in bedrooms from 3No. to 4No.
- The front facing gables now to be flush with the front elevation of the main body of the dwelling.
- Amended off-street parking arrangement to provide linear parking for three vehicles to the side of each property, rather than side-by-side parking for two vehicles to the front.
- All dwelling elevations to be finished in red facing brick rather than a mix of brick and render.
- Re-positioning of the pedestrian doorway in the front elevation and increase in size of ground and first floor front facing windows.

Relevant Planning/Appeal History

Ref.	Description	Decision	Date
20/0363	DEMOLITION OF EXISTING RESTAURANT AND ERECTION OF 8 DWELLINGS	Granted	01 April 2022
15/0349	OUTLINE APPLICATION FOR ERECTION OF 8 DWELLINGS FOLLOWING DEMOLITION OF EXISTING BUILDINGS (ALL MATTERS RESERVED)	Granted	12 February 2016

Parish/Town Council Observations

Parish/Town Council	Observations
Elswick Parish Council	<p><u>Comments received on 05 March 2023</u></p> <p><i>Elswick Parish Council objects to this application on the following grounds:</i></p> <p><i>This application is in the centre of the village and is of strategic importance being the location of the former Bonds of Elswick ice cream parlour/café which catered for millions of visitors over the 75 years that it traded.</i></p> <p><i>The parish council considers that the current layout is too regimented and urbanised for a rural village and feels that a variety of designs would be more in keeping with the rest of the village. Rendering and painting some of the houses white would also achieve this as is evidenced by the development of the houses in Orchard Meadows in the village High Street.</i></p>

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Statutory Consultees and Observations of Other Interested Parties

Consultee	Comments
LCC Local Highway Authority	<p>Object to the proposal and recommend refusal on the following grounds</p> <ul style="list-style-type: none">• No provision of a 2 metre wide footway provided on Bonds Lane across the frontage of the development to provide a safe haven and access for pedestrians• The submitted drawings indicate hedging and trees to be planted in the adopted highway where they would obscure sight lines and so this is unacceptable• Due to the narrow width of Bonds Lane vehicles reversing from each property would potentially obstruct the highway and result in conflict with other road users

Neighbour Observations

Neighbours notified:	26 January 2023
Site Notice Date:	1 February 2023
Number of Responses	Total number of comments 1
Summary of Comments	The comments received are opposed to the development and refer to the insufficient and inappropriate off street parking provision for each dwelling. They comment that this will lead to on street parking on surrounding narrow roads causing an obstruction to the free flow of traffic through the village

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD1 - Settlement Boundaries
GD7 - Achieving Good Design in Development
GD8 - Demonstrating Viability
H2 - Density and Mix of New Residential Development
ENV2 - Biodiversity
S1 - The Proposed Settlement Hierarchy
DLF1 - Development Locations for Fylde

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

H1 - Housing Delivery and the Allocation of Housing Land
T5 - Parking Standards
CL2 - Surface Water Run-Off and Sustainable Drainage
HW2 - Community Facilities
CL1 - Flood Alleviation, Water Quality and Water Efficiency

National Policy and Guidance

NPPF – National Planning Policy Framework (July 2021)
NPPG – Planning Practice Guidance

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

Principle of Development

The principle of the construction of the 8 detached two storey dwellings set in a linear fashion along the northern side of Bonds Lane has been established by the existing extant planning permission under reference 20/0363. Whilst the current application proposes a minor amendment to elements of that approval, the level and nature of the development proposed and the site boundary are unchanged and so there can be no dispute with regard to the principle of the development. The comments of the Parish Council regarding the loss of the existing facility must therefore be discounted.

Hence the matters for consideration in this application are whether the proposed changes that are proposed to the dwellings satisfy the requirements of policy GD7 relating to the design of new development, the impacts on neighbour amenity, and the impacts on highway safety. These will be assessed in this report below.

Design & Appearance

It is noted that the parish council have objected to the application on the grounds that the design and layout of the development is too regimented for this rural village, and that a variety of designs would better serve to preserve the character of the area.

This application seeks minor material changes to the residential development approved under planning permission ref. 20/0363. That development comprises of 8 No. dwellings, all of similar design and appearance, set out in a linear fashion along the northern side of this initial section of Bonds Lane. It is noted that design and layout were not issues raised by the parish council at the time of the original application.

The dwellings each have a main element and a lower side element. This side element raises in eaves height under this proposal from that previously approved with bedroom accommodation provided and served with a front dormer and the garage replaced by an open car port. This element remains at a lower eaves and ridge height to the main element and remains set back from the front elevation of the main element. Accordingly, this aspect remains appropriately subservient to the main element and will avoid the properties appearing terraced when viewed collectively in the streetscene.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

This application would retain the scale, general layout and general linear form of the dwellings approved under 20/0363 thus replicating the form of development approved by 20/0363. The Parish Council also commented that the use of white render to some of the proposed dwellings would help to break up the regimented appearance of the dwellings, and four of the dwellings approved under 20/0363 did feature a render finish to the front facing feature gables. However, existing dwellings located directly opposite the site, on the south side of Bonds Lane, are predominantly unrendered with buff brick faced elevations. Hence the omission of the rendered features in the now proposed dwellings is not considered to be unduly harmful or an overriding factor.

Overall the design changes between 20/0363 and the now proposed dwellings are limited in scope and considered to be minor material changes that would not result in a development sufficiently dissimilar to that previously approved as to now justify a refusal of permission.

Accordingly there are no concerns over the design changes which are considered to accord with the requirements of Policy GD7.

Relationship to Neighbours

Policy Background

FLPPR policy GD7 c) requires that development proposals facilitate good design by "ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed". In addition, criterion h) states that developments should be "sympathetic to surrounding land uses and occupiers".

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."

Highbury Gate

The site is neighboured to the rear (north) by five detached dwellings set out in a staggered orientation and building line on the south side of Highbury Gate. Of these dwellings only numbers 2, 3, 4 and 5 have elevations that face towards the shared boundary with the application site and thus are potentially affected.

The rear elevations of No's 2, 3 and 4 are all set greater than 12 metres from the shared boundary with the proposed development, and the rear elevations of the proposed dwellings are all set at a distance of between 10.5 metres and 12 metres from the same shared boundary. Consequently the back-to-back first floor separation between these Highbury Gate dwellings and the proposed dwellings would be in excess of 22 metres. Accordingly these respective separation distances accord with the design guidance set out in the council's adopted SPD on householder development and thus the amenity of No's 2, 3 and 4, and of the proposed dwellings, would not be unduly prejudiced by way of overlooking or overshadowing.

No.5 Highbury Gate differs to No's 2, 3 and 4 in that its separation to the shared boundary is 8.5 metres, and thus the back-to-back first floor separation of this dwelling relative to the proposed dwellings is *circa* 18.5 metres. These distances fall below those generally considered acceptable; however the orientation of No.5 is such that its first floor windows are at an oblique angle relative to the shared boundary and away from the proposed development. This angled orientation is considered sufficient to overcome the slight reduction in boundary and back-to-back separation distances and ensure No.5's amenity is not unduly compromised.

No.1 Bonds Lane

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

This is a detached two storey dwelling sited adjacent to the eastern boundary of the application site with its blank side elevation facing towards the side elevation of the proposed dwelling in the far eastern plot (plot 8) of the development site. The plot 8 dwelling does not feature any windows in its side elevation facing towards No.1 and the separation between these two side elevations would be *circa* 16 metres. This spatial relationship of the two properties is sufficient to ensure that the amenity of No.1 is not compromised by way of overlooking, overshadowing or dominating overbearingness.

Copp Villa

This dwelling is within the same ownership as the application site and includes a ground floor retail premises operating as 'Delivered Desserts' (currently vacant). The side of this Copp Villa features two obscurely glazed windows at first floor that would be *circa* 8.5 metres distant from the side elevation of the proposed plot 1 dwelling. The plot 1 dwelling features no windows in its side elevation facing towards Copp Villa and thus the existing amenity of Copp Villa would not be unduly prejudiced.

No's 4 to 14 Bonds Lane

These comprise six detached dwellings located on the southern side of Bonds Lane, opposite the application site. These opposing dwellings have a slight oblique relationship to the proposed dwellings and separation distances of between 18 and 22 metres. The 18 metre separation would be to No's 8 and 10 Bonds Lane, the front boundaries of which are both populated by a tall line of trees. The resulting spatial relationship of the proposed dwellings with those on the opposite side of Bonds Lane is one that is considered, on balance, not to result in undue overlooking or overshadowing.

Having regard for the above spatial relationships of the proposal with neighbouring dwellings it is considered the proposal accords with criteria c) and o) of policy GD7 of the FLP and with para 130 of the NPPF.

Access & Parking

Policy Background

Criterion r) of policy GD7 requires development to "*...not prejudice highway safety, pedestrian safety, and the efficient and convenient movement of all highway users...*" and "*...should not reduce the number of on-site parking spaces available, unless there are other material considerations which justify the reduction*". Policy T5 of the FLP requires car parking to be provided on site wherever possible and in a manner that ensures there is no detriment to highway safety.

Assessment of local highway comments

Bonds Lane is a narrow rural lane that reaches a dead end at its eastern point, has no footpath on either side, and is adopted and maintained by Lancashire County Council. LCC Highways have been consulted on the application and have objected to the application for the following reasons:

- There is no provision for a 2 metre wide footway on Bonds Lane across the frontage of the development to provide a safe haven and access for pedestrians.
- Due to the narrow width of Bonds Lane vehicles reversing from each property would potentially obstruct the highway and result in conflict with other road users.
- The submitted drawings indicate hedging and trees to be planted in the adopted highway where they would obscure sight lines and so this is unacceptable.

Highway safety is clearly a key consideration in the assessment of any application, and Lancashire County Council are the local highway authority and a statutory consultee on applications that can have highway implications. Their comments here raise objection, and that was also the case when the earlier application was considered and approved by Fylde Council. It is unusual that the views of the

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

local highway authority are not accepted in the determination of an application, but they are only a consultee and the ultimate decisions for Fylde Council as local planning authority. As such officers have considered the various points raised by the local highway authority below.

Footway - With regard to the requested 2 metre wide footpath across the site frontage it is acknowledged that this would provide benefits for safe pedestrian access along this short stretch of Bonds Lane. However, its provision would cause further issues:

- It would lead to a narrowing of Bonds Lane for vehicular traffic
- It would require removal of roadside hedging and so urbanise the character of this rural lane
- It would require the proposed dwellings to be sited further back into the site. This would reduce the separation available to the Highbury Gate dwellings and so introduce unacceptable amenity impacts to residents of Highbury Gate.

Given these harmful impacts and the low level of pedestrian movements currently on Bonds Lane and the limited increase in them from this development it is considered that the benefits of providing a footway would not outweigh the harm to visual and residential amenity that would inevitably result from its provision.

Reversing Vehicles – It is the case that the linear layout for the off-street parking at each dwelling will potentially result in some vehicles reversing onto Bonds Lane. However this form of parking arrangement is common in urban areas throughout the Fylde Borough, and whilst Bonds Lane is narrow in parts it is also lightly trafficked. Furthermore, the off-street parking arrangements for the existing approval (20/0363) would also potentially require vehicles to reverse into Bonds Lane. As such it is not considered that the new proposed arrangement would result in any appreciable additional harm to highway safety.

Hedging & Trees – Soft landscaping is the subject of a condition attached to 20/0363 and the same condition will be attached to this application, if approved. Accordingly the landscaping scheme to discharge that condition will not feature any hedging or trees within the adopted highway or outside of it at sufficient height to obscure sightlines.

Having regard for the above it is considered that, on balance, the objections of the local highway authority should be set aside in this case.

Assessment of Other Highway Matters

The scheme has another highway impact in that the number of bedrooms has increased from 3 to 4, and the parking arrangements have changed with the replacement of the integral garage with a car port feature. The parking standards adopted by the council are those from the Joint Lancashire Structure Plan and indicate that a 4 bed house should provide 3 parking spaces. The parking arrangements are that a double length drive is provided with one space under the car port and one in front of it. This results in a deficiency of parking against the standards.

Officers have considered whether there is a need to ensure that the third space is provided on each property. This could be achieved through requiring the provision of additional hard surfacing to the property frontage, but as this would reduce the areas available for landscaping and so create harm to the rural character of the lane it has been decided to support the scheme with the 2 spaces previously approved. This reflects the comments of the Parish Council to a degree which highlight the importance of maintaining the rural feel of the area. If future occupiers found that there was an issue with the level of parking they would be able to provide it through surfacing these frontages at a later date. A

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

condition is required to ensure that the car ports remain available for parking though to ensure that at least 2 spaces are provided at each property.

A further issue is the connection from Bonds Lane to the wider highway network. In their comments to the previous application in 2020 the local highway authority requested the provision of a raised table at the junction of Bonds Lane with Ash Road and Beech Road. This would assist with pedestrian accessibility through the village and would serve as a traffic calming feature. This was incorporated into the decision on that application with a condition imposed which required its detailed design to be submitted, and then the table implemented prior to the occupation of any of the dwellings. Notwithstanding the omission of this from the comment of the local highway authority to this application, officers believe it remains appropriate and necessary and so this condition is to be repeated in the recommendation on this application.

Summary

The policy test in this at the scheme is whether the development provides adequate arrangements for access and parking so that its development will not cause a 'severe' impact on highway safety arrangements. Given the commentary provided here the officer view is that the scheme will not meet that level of harm, and is acceptable in its access and parking. It is therefore in accordance with the objectives of policies GD7 and T5, and paragraph 107 of the NPPF.

Conditions

The nature of the application means that if approved it will establish a second planning permission for the development that sits alongside the original planning permission that is being varied, which in this case is 20/0363. As such it is appropriate for the conditions that were attached to that permission to be repeated where they remain relevant. Therefore the decision on this application will include the conditions from 20/0363 that remain relevant, along with minor revisions to them to reflect the changes brought about by this scheme.

Conclusions

The application proposes a minor material amendment to an extant planning permission for the erection of 8 dwellings on the former site of Bonds Ice Cream of Elswick. The changes that are proposed are within the scope of a minor material amendment and result in an acceptable form of development that does not lead to any planning harms. The scheme is fully in accordance with the requirements of Policy GD7 and the other relevant Fylde Local Plan to 2032 (incorporating Partial Review) policies and so is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years from the date of planning permission ref. 20/0363. (ie by 1 April 2025)

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to ensure that the date of expiry of this permission is consistent with the extant planning permission that is to be varied.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

2. This permission relates to the following plans:

- Location Plan - Drawing no. SL01 Rev A
- Proposed Site Layout - Drawing no. PL01 Rev B
- House Type 1 Plot 1 Elevations - Drawing no. 4B-1407 (2) Rev A
- House Type 1 Plot 1 Floor Plans - Drawing no. 4B-1407-P2 Rev A
- House Type 1 Plot 2 Elevations - Drawing no. 4B-1407 (2) Rev A
- House Type 1 Plot 2 Floor Plans - Drawing no. 4B-1407-P2 Rev A
- House Type 2 Plots 3, 5 & 7 Elevations - Drawing no. 4B-1407 (1) Rev B
- House Type 2 Plots 3, 5 & 7 Floor Plans - Drawing no. 4B-1407-P Rev B
- House Type 2 Plots 2 & 6 Elevations - Drawing no. 4B-1407 (1) Rev B
- House Type 2 Plots 2 & 6 Floor Plans - Drawing no. 4B-1407-P Rev B
- House Type 3 Plot 8 Elevations - Drawing no. 4B-1407 (1) Rev B
- House Type 3 Plot 8 Floor Plans - Drawing no. 4B-1407-P Rev B

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 and National Planning Policy Framework.

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

4. No above ground works of development shall take place until details of the finished floor levels for each dwelling and the ground levels for the external areas of the site, above ordnance datum, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the new dwellings and between the development and surrounding buildings before ground works to establish site levels are completed in the interests of ensuring a good standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

5. No above ground works of development shall take place until a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- separate systems for the disposal of foul and surface water;

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

- an investigation of surface water drainage options which follow the hierarchy set out in the Planning Practice Guidance, including evidence of an assessment of ground conditions and the potential for surface water to be disposed of through infiltration;
- details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (including an appropriate allowance for climate change);
- details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- a timetable for implementation, including details of any phased delivery; and
- details of how the drainage system will be maintained and managed after completion.

The duly approved scheme shall be implemented before any of the dwellings hereby approved are first occupied, and shall be managed and maintained as such thereafter.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

6. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before any of the dwellings hereby approved are first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

7. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, none of the dwellings hereby approved shall be occupied until a scheme for the construction of all hard surfaced areas of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the layout, design and construction (including sub layers and surfacing materials) of all hard surfaced areas, and a timetable for their provision. The hard surfaced areas shall thereafter be laid out and made available for use in accordance with the duly approved scheme and the timetable contained therein.

Reason: To ensure satisfactory treatment of hard surfaced areas and an appropriate standard of engineering works in the interests of visual amenity and the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

8. The development shall be carried out in strict accordance with the tree and hedgerow protection measures detailed in section 4 of the Arboricultural Impact Assessment prepared by Karen O'Shea of 'Urban Green' (dated March 2020) and approved under planning permission ref. 20/0363. The identified tree and hedgerow protection measures shall be implemented before any development takes place and maintained as such thereafter for the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7

9. No clearance of any vegetation and/or demolition of buildings (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation and/or buildings to be cleared do not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation and/or buildings shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

10. The development shall be carried out in full accordance with the Construction Method Statement submitted by MCK Associates Ltd on 17 March 2023.

Reason: In order to ensure that appropriate measures are put during the development to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 (incorporating Partial Review) and the National Planning Policy Framework.

11. The private vehicle parking and manoeuvring areas for each dwelling (including areas of driveway and car port) shall be constructed and made available for use in accordance with the details shown on the approved site plan listed in condition 2 before each associated dwelling is first occupied. This shall ensure that not less than 2 in-curtilage parking spaces are available for the use of each property, with these spaces retained as available parking and manoeuvring areas at all times thereafter.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of road safety and to ensure appropriate surface treatment of parking areas in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies T5 and GD7, and the National Planning Policy Framework.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

12. No above ground works of development shall take place until a scheme for the siting, layout, design and construction of the following highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

a) The provision of a junction table at the junction of Beech Road, Ash Road, and Bonds Lane.

The highway improvement works shall be implemented in full accordance with the details in the duly approved scheme and before any of the dwellings hereby approved are first occupied, or within any other timescale that has first been agreed in writing with the Local Planning Authority.

Reason: To secure appropriate and proportionate improvements to surrounding highway infrastructure in order to achieve a safe and suitable means of access to the development for all users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T4, and the National Planning Policy Framework

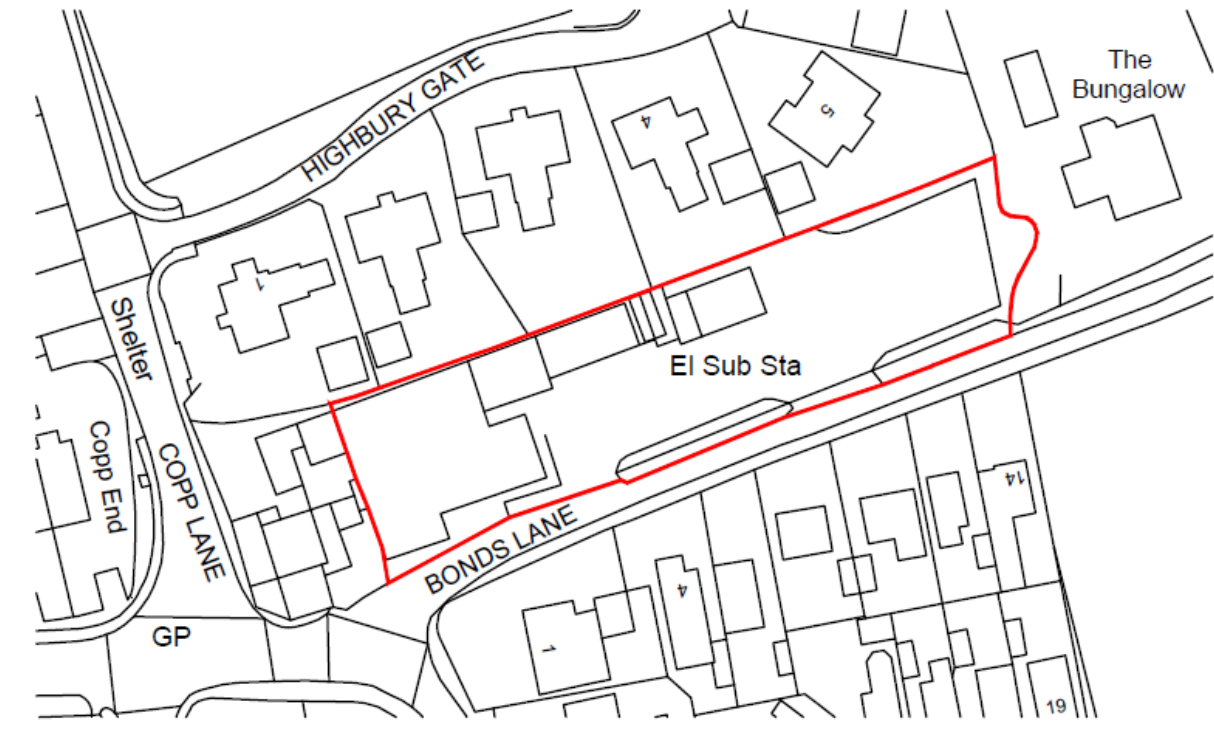
Informative(s)

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Location Plan for 23/0038



AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Item 2

Application No:	23/0266	Case Officer:	Andrew Stell Area Team 2
Applicant:	HOMEBIRD ST ANNES LTD	Agent:	DC & MG ASSOCIATES
Location:	FORMER PUBLIC OFFICES 292-294 CLIFTON DRIVE SOUTH LYTHAM ST ANNES FY8 1LH		
Proposal:	DEMOLITION OF EXISTING STORAGE OUTBUILDING WITHIN REAR YARD AND INSTALLATION OF SOLAR PANELS TO REAR AND SIDE ROOF SLOPES OF BUILDING		
Ward:	Central	Parish:	St Anne's on the Sea
Statutory Expiry:	7 June 2023	Earliest Decision:	26 May 2023
Reason for any delay:	Not applicable as decision will be 'in time'		Online application file here

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

The application site is the former Public Offices building on Clifton Drive in St Annes. The building is Grade II listed and is located within the town centre conservation area. It is currently undergoing substantial renovation and conversion works associated with the change of use from the public office use to a retail operation, specifically for Homebird who are to retail home furnishings from the property.

This application relates to works associated with that conversion and has two unrelated forms of development. An application for listed building consent is also on this agenda for consideration.

The first element of the application relates to the fixing of solar panels to the roof slope on the rear of the building to assist with the energy needs of the premises. These are in two elements: one to the rear of the main public office building, and the other to the side of the rear outrigger element facing to the car park area to the rear of the building. In both cases the panels would be two rows deep, positioned centrally on the roof slope so that they are well away from the edges of the roof.

The second element is the demolition of a detached single storey brick outbuilding located to the rear of the rear outrigger. This was one of three outbuildings in that part of the site, with the larger one removed under the existing planning permission, and the smallest one retained. The building to be removed here was central to those and has been removed in advance of the determination of this application. The removal was to assist with site security, but it was also concluded that the building served no useful purpose in the building as converted and the resultant space would be better utilised for external storage and circulation space.

The solar panels are clearly a modern feature to the listed building, but are subtly sited and are considered to be acceptable having had regard to guidance from Historic England in their publication 'Energy Efficiency and Historic Buildings' which promotes the use of solar panels on heritage buildings, provided they are sensitively sited, and are installed in a manner that would allow their removal without damaging the building.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

The outbuilding had no heritage value and so its removal would not cause any harm to the value of the public offices site as a heritage asset. It also facilitates improved operation of the new retail use and so, in that respect, it brings a public benefit in securing a sustainable use for the main listed building.

Neither element of the proposal raises any other issues beyond the design and heritage aspects, and as these are acceptable the application is recommended for approval on the basis of its compliance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the St Annes Neighbourhood Plan, and the NPPF.

Reason for Decision Level

The application site is land that remains in the ownership of Fylde Council and so the Scheme of Officer Delegation requires that the decision on the application is made at the Planning Committee.

Site Description and Location

The application site is a generally rectangular area located within the settlement area of St Annes that currently contains a two-storey building with two storey outrigger that was used by Fylde Council until the relocation of all office activities to the Town Hall around 5 years ago. It was vacant following that although conversion works have recently commenced on the change of use of the building to a retail store that was approved under planning permission 20/0316.

The site is located within the defined town centre area of St Annes, and in the Town Centre Conservation Area. There is a vehicle / pedestrian access point to Clifton Drive South broadly opposite its junction with Wood Street and an exit point to the west.

The application building is known as the 'Public Offices' and is Grade II listed. There is a second building on the site known as the 'Former T&L (Tourism and Leisure) building' which is not listed. This second building is to be demolished this summer in advance of the construction of an apartment building also approved under application 20/0316.

There are a mix of neighbouring land uses. To the western side is a property that serves as office accommodation at the ground floor with residential above and to the rear, to the east is a former nursing home now in use as residential flats, to the rear of the site is the St Ives Hotel which fronts onto South Promenade, and to the opposite side of Clifton Drive South is a 4 storey building provided retail and other commercial uses at ground floor including the Marks and Spencer's Food premises, with a Travelodge occupying its upper floors.

Details of Proposal

Planning permission is sought for the following two elements:

The installation of a series of solar panels to the rear facing roof of the main public office building, and to the side facing roof of the rear outrigger to that building. These panels are intended to assist with meeting the energy needs of the converted building and would be supported by a battery facility which is to be located in the basement of the building. The panels are situated in two rows that are positioned centrally on the roof of each building with space around to the sides and from the eaves and ridge.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

The demolition of a single storey outbuilding to the rear of the rear outrigger element. This has already been demolished, under guidance from the planning officers, to assist with the site security during the conversion works. The resultant area is to be used for storage and circulation space following the completion of the development, with the site boundaries made good.

Relevant Planning/Appeal History

Reference	Description	Decision	Date
23/0245	LISTED BUILDING CONSENT FOR DEMOLITION OF EXISTING STORAGE OUTBUILDING WITHIN REAR YARD AND INSTALLATION OF SOLAR PANELS TO REAR AND SIDE ROOF SLOPES OF BUILDING	On this agenda	
23/0213	APPLICATION TO DISCHARGE CONDITION 4 (WRITTEN SCHEME OF INVESTIGATION FOR HISTORIC BUILDING RECORDING) OF LISTED BUILDING CONSENT 20/0317	Under consideration	
23/0241	APPLICATION TO DISCHARGE CONDITION 14 (WRITTEN SCHEME OF INVESTIGATION) OF PLANNING PERMISSION 20/0316	Under consideration	
23/0250	APPLICATION TO DISCHARGE DETAILS REQUIRED BY CONDITION 2 (PROGRAMME OF WORKS) AND CONDITION 3 (INTERNAL MATERIALS) OF LISTED BUILDING CONSENT 20/0317	Under consideration	
20/0316	MIXED USE DEVELOPMENT INVOLVING: 1) CHANGE OF USE OF THE PUBLIC OFFICES BUILDING (292-294 CLIFTON DRIVE SOUTH) FROM OFFICE USE (CLASS B1) TO RETAIL (CLASS A1) WITH ANCILLARY CAFE (CLASS A3) INCLUDING DECKING AREA TO REAR, ELEVATIONAL CHANGES TO THIS BUILDING, AND DEMOLITION OF OUTBUILDING TO REAR; 2) DEMOLITION OF FORMER COUNCIL OFFICE BUILDING (288-290 CLIFTON DRIVE SOUTH) AND ERECTION OF 4 STOREY BUILDING PROVIDING 23 No. ONE AND TWO BEDROOM APARTMENTS; AND 3) ALTERATIONS TO EXISTING VEHICULAR ACCESS TO THE SITE, CAR PARKING AND LANDSCAPING	Granted	29 September 2022
20/0317	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH CHANGE OF USE OF FORMER PUBLIC OFFICES TO RETAIL INCLUDING REMOVAL OF INTERNAL PARTITION WALLS AND OTHER INTERNAL ALTERATIONS, FORMATION OF DECKING AREA TO REAR, ALTERATIONS TO ACCESS AND CAR PARKING ARRANGEMENTS, AND DEMOLITION OF OUTBUILDING TO REAR	Granted	29 September 2022
21/0589	CHANGE OF USE OF THE PUBLIC OFFICES BUILDING FROM CIVIC OFFICE USE TO RETAIL (CLASS E (a)) WITH ANCILLARY CAFE (CLASS E (b)), INCLUDING ERECTION OF DECKING AREA TO REAR, ELEVATIONAL CHANGES TO FACILITATE THE	Granted	29 September 2022

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

	CHANGE OF USE, DEMOLITION OF OUTBUILDING TO REAR, AND ALTERATIONS TO EXISTING VEHICULAR/PEDESTRIAN ACCESS, CAR PARKING AND LANDSCAPING		
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Parish/Town Council Observations

Parish/Town Council	Observations
St Annes Town Council	Confirm that they "support the ongoing environmental benefit of a large Solar Panel array", and comment that it will have "minimal impact on Listed Building roof scape at rear of car park, in line with our objectives of sustainability."

Statutory Consultees and Observations of Other Interested Parties

There are no consultee comments to report.

Neighbour Observations

Neighbours notified: 14 April 2023
Site Notice Date: 5 May 2023
Press Notice Date: 14 April 2023
Number of Responses: Total number of comments 0

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD7 - Achieving Good Design in Development

GD1 - Settlement Boundaries Lytham St Annes)

EC1E - Existing Employment Sites Public Offices, Clifton Drive South, Lytham St Annes)

EC5LS - Local Centres

ENV5 – Historic Environment

Other Guidance

NPPF – National Planning Policy Framework (July 2021)

NPPG – Planning Practice Guidance

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

Policy Background

With the site being in the settlement area of St Annes and the defined town centre it is one where development that is related to the commercial use would generally be supported in principle. This is guided by the policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the St Annes Neighbourhood Plan, both of which have policies that support settlement development, that are supportive of development which enhances the vitality and viability of the town centre, and which respects the value of listed buildings and other heritage assets.

Solar Panels

There are permitted development rights that allow for the addition of solar panels to domestic and non-domestic locations without the need for planning permission. These rights do contain some restrictions, and one of those is where the panels are to be located on a listed building. As a result planning permission is required for this proposal. They would also impact on the fabric of the public office as a listed building and so require listed building consent, considered in a separate report on the agenda.

The key assessment is whether the panels would have an appearance that adversely affects the architectural or historical importance of the building, particularly from a visual perspective. In this regard there is helpful guidance in a Historic England publication called 'Energy Efficiency and Historic Buildings – Solar Electric (Photovoltaics)'. This was published in 2018 and sets out the legal background to such works and how they can be designed to allow the best possible balance to be struck between saving energy and reducing carbon emissions, sustaining heritage significance, and maintaining a healthy building.

The guidance refers to ensuring that solar panels are located in areas where they are not visually prominent and using structures on the roof such as parapets and chimneys to integrate them better into the design of the roof in a coordinated way. The advice is that panels should not be installed on elevations that face the public realm, from where the building is most commonly viewed.

In this case the panels are on two of the roof slopes to the rear. The roof of the main part of the public office building features chimneys to each end, a two-storey outrigger to one side, a rearward projecting gable to the other side, and a flat roofed section to the centre. The proposed panels would be sited centrally on the main roof where they are well away from the ridge and eaves and would be sited between the two rearward projecting roofs. This ensures that views of them from ground level would be minimal and only available from parts of the car parking area of the site itself.

The panels to the outrigger element would be situated on the side facing roof that runs alongside that car parking area. This is a plainer roof and so the panels would be much more visible on this element of roof than that of the main building. However, that visibility would largely be limited to aspects from within the site itself due to the position of this roof and the screening offered by the main part of the public office building and the development that is to occur on the former T&L building part of the site where a four-storey apartment block is to be constructed. This

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

outrigger elements is considered to be of a lesser importance than the main building being a secondary addition to it, albeit one that was constructed shortly after the main building.

Whilst the panels would, therefore, be visible in some views these are considered to be so limited that the harm that is caused from the visual impact of these on the building would be outweighed by the benefits in reducing carbon emissions and the economic benefits to the occupier that would therefore assist in supporting the continued productive use, and so maintenance, of the building itself.

This harm caused by the development is, therefore, considered to be of a 'less than substantial' level as set out in Policy ENV5 and para 202 of the National Planning Policy Framework (NPPF). Where such harm is identified the decision to be made is whether there are any public benefits that outweigh this harm. In this case it is considered that there are with this arising from the economic value that the energy provided would bring to the operation of the business at the premises and so its viability, and from the wider environmental benefits of providing carbon neutral energy.

The works are also reversible in that the panels can be demounted relatively easily if required and so restore the original appearance of the roof which remains unaffected by their fixing above the existing roof slates. The final details of this method of fixing are not available at present given that the exact panel product and installer have yet to be finalised. Accordingly, it is appropriate that a planning condition shall be imposed to require that these details are submitted for approval in advance of their use.

With this condition in place the proposal would satisfy the requirements of Policy ENV5 of the FLPPR relating to development of listed buildings and other heritage assets, Policy GD7 of the FLPPR relating to design, and Policy DH1 of the St Annes Neighbourhood Plan relating to both of these aspects.

Demolition of Outbuilding

The second aspect of this application is a proposal to demolish one of three outbuildings that were located to the rear of the site. In recent years of the council's occupation of the site the larger building was used as a gardeners' store and the other two were used as general maintenance stores, being limited in size and functional in their design and fittings. The gardeners' store building was authorised for demolition as part of the original planning permission for the retail use on the site, with the other buildings shown as being retained under that scheme. This application now proposes that a further building be demolished, with that demolition already having been undertaken.

The building in question was a simple brick structure with a width of 6.6m and a depth of 5.6m. It was constructed in brick under a slate roof with a timber door to each front, leading to a single internal storage space. There were no windows or other detailing other than an outside toilet that was in a 'cubicle' building to one side.

This demolition was undertaken following an exchange of correspondence between the developer's architect and planning officers as the building was found to be facilitating trespass to the site which was leading to damage to the main building. The removal of the building has allowed more effective site security arrangements to be put in place. Setting that aside, the officer view provided to the architect was that the store building has very limited heritage value as it was simply a functional store for the public office building that was located in a discrete location to the very rear of the site alongside as part of a collection of ancillary outbuildings that supported the historic use of the building, but have no individual value.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

The loss of this building is also considered to be harm of a 'less than substantial' scale as set out in Policy ENV5 and para 202 of the NPPF, with the public benefit of enabling more effective site security clearly outweighing its loss. Accordingly, this element also satisfies the requirements of Policy ENV5 and para 202.

Other Matters

The works do not bring any other planning issues into question, there being no changes to the drainage arrangements, impact on neighbouring amenity, alteration to the parking or access, etc.

Conclusions

The application site is the former Public Offices building on Clifton Drive in St Annes, a Grade II listed building, located within the town centre conservation area. It is currently undergoing substantial renovation and conversion works associated with the change of use from the public office use to a retail operation, specifically for Homebird who are to retail home furnishings from the property.

This application relates to works associated with that conversion and has two unrelated forms of development, being the addition of solar panels to the rear roof slope and the demolition of an outbuilding to the rear of the site.

Neither element of the proposal raises any other issues beyond the design and heritage aspects, and as these are acceptable the application is recommended for approval on the basis of its compliance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the St Annes Neighbourhood Plan, and the NPPF

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. This permission relates to the following plans:
 - Location Plan – DCMG Drawing 21 1179 P001 Rev A
 - Proposed Site Plan – DCMG Drawing 21 1179 P011 Rev A
 - Existing and Proposed Roof Plan – DCMG Drawing 21 1179 P012
 - Proposed Elevations – DCMG Drawing 21 1179 P005 Rev A
 - Outbuilding Floor Plans and Elevations – DCMG Drawing 21 1179 P013

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

2. Prior to the installation of the solar panels hereby approved the following details shall be submitted to and approved in writing by the local planning authority:

Details of the design, manufacturer, model, colour and frame arrangements of the solar panels

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Details of the method of attaching the panels to the roof of the building, including a methodology for the implementation of that.

The development shall thereafter be implemented in accordance with these approved details.

Reason: To provide the necessary clarity over the appearance of the panels and the method of their attachment to the roof of the building. These details are essential to ensure that the approved development has an appropriate appearance to reflect the listed status of the building and its location in the conservation area, and that the works will not harm the historic fabric of the building. These details will ensure compliance with the requirements of Policy ENV5 and Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

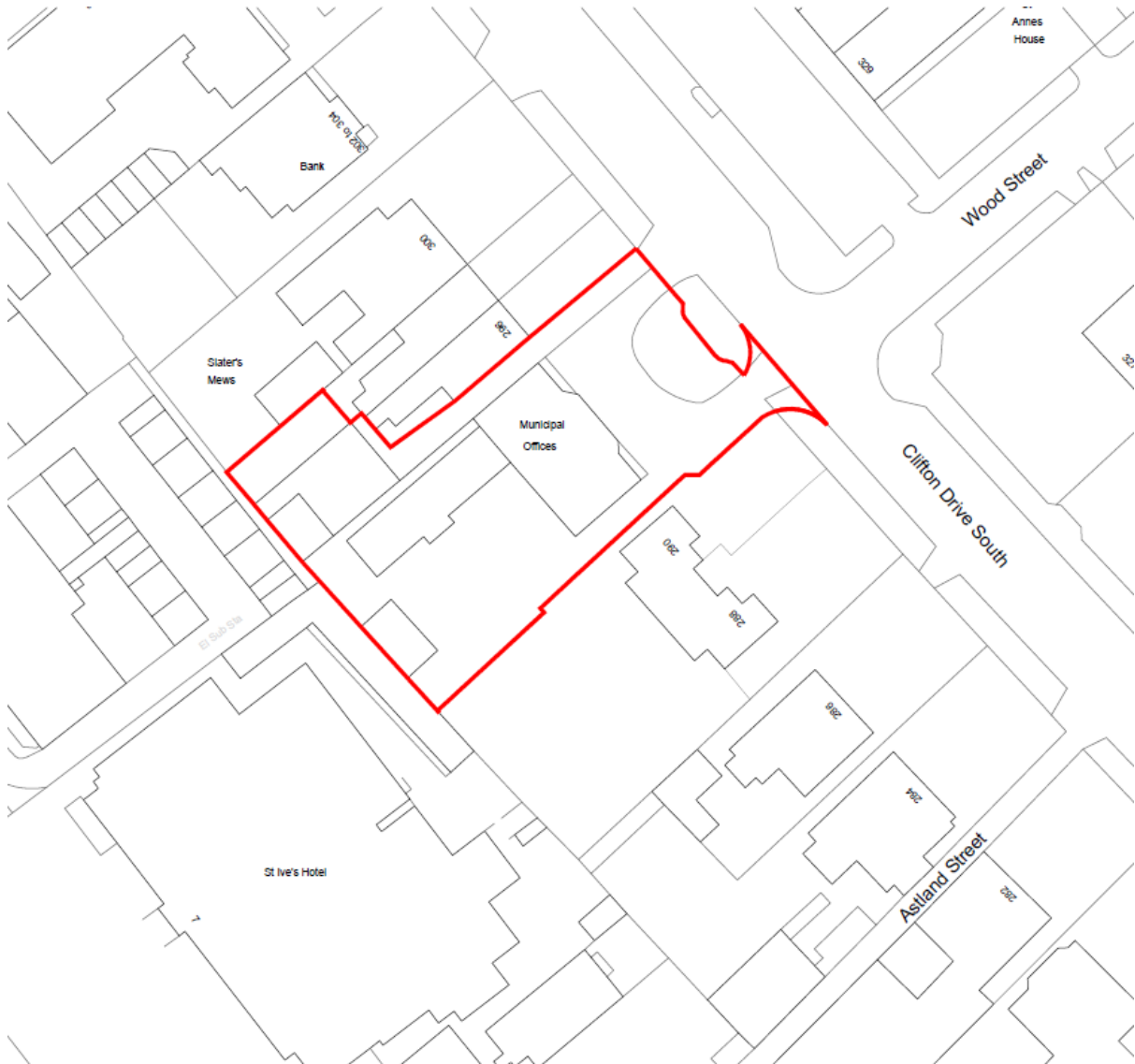
Informative(s)

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Location Plan for 23/0266



AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Item 3

Application No:	23/0245	Case Officer:	Andrew Stell Area Team 2
Applicant:	HOMEBIRD ST ANNES LTD	Agent:	DC AND MG ASSOCIATES
Location:	FORMER PUBLIC OFFICES 292-294 CLIFTON DRIVE SOUTH LYTHAM ST ANNES FY8 1LH		
Proposal:	LISTED BUILDING CONSENT FOR DEMOLITION OF EXISTING STORAGE OUTBUILDING WITHIN REAR YARD AND INSTALLATION OF SOLAR PANELS TO REAR AND SIDE ROOF SLOPES OF BUILDING		
Ward:	Central	Parish:	St Anne's on the Sea
Statutory Expiry:	6 June 2023	Earliest Decision:	12 May 2023
Reason for any delay:	Need to determine at Committee due to scale or nature of application		Online application file here

Summary of Officer Recommendation: Grant

Summary of Officer Assessment

The application site is the former Public Offices building on Clifton Drive in St Annes. The building is Grade II listed and is located within the town centre conservation area. It is currently undergoing substantial renovation and conversion works associated with the change of use from the public office use to a retail operation, specifically for Homebird who are to retail home furnishings from the property.

This application relates to works associated with that conversion and has two unrelated forms of development. An application for planning permission is also on this agenda for consideration.

The first element of the application relates to the fixing of solar panels to the roof slope on the rear of the building to assist with the energy needs of the premises. These are in two elements: one to the rear of the main public office building, and the other to the side of the rear outrigger element facing to the car park area to the rear of the building. In both cases the panels would be two rows deep, positioned centrally on the roof slope so that they are well away from the edges of the roof.

The second element is the demolition of a detached single storey brick outbuilding located to the rear of the rear outrigger. This was one of three outbuildings in that part of the site, with the larger one removed under the existing planning permission, and the smallest one retained. The building to be removed here was central to those and has been removed in advance of the determination of this application. The removal was to assist with site security, but it was also concluded that the building served no useful purpose in the building as converted and the resultant space would be better utilised for external storage and circulation space.

The solar panels are clearly a modern feature to the listed building, but are subtly sited and are considered to be acceptable having had regard to guidance from Historic England in their publication 'Energy Efficiency and Historic Buildings' which promotes the use of solar panels on heritage buildings, provided they are sensitively sited, and are installed in a manner that would allow their removal without damaging the building.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

The outbuilding had no heritage value and so its removal would not cause any harm to the value of the public offices site as a heritage asset. It also facilitates improved operation of the new retail use and so, in that respect, it brings a public benefit in securing a sustainable use for the main listed building.

Neither element of the proposal raises any other issues beyond the design and heritage aspects, and as these are acceptable the application is recommended for approval on the basis of its compliance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the St Annes Neighbourhood Plan, and the NPPF.

Reason for Decision Level

The application site is land that remains in the ownership of Fylde Council and so the Scheme of Officer Delegation requires that the decision on the application is made at the Planning Committee.

Site Description and Location

As set out in the report for application 23/0266.

Details of Proposal

The proposal under consideration here relates to the installation of solar panels to the roof slope of the building, and the demolition of an outbuilding. These are as set out in more detail in the report for application 23/0266 as on this agenda.

Relevant Planning/Appeal History

Reference	Description	Decision	Date
23/0266	DEMOLITION OF EXISTING STORAGE OUTBUILDING WITHIN REAR YARD AND INSTALLATION OF SOLAR PANELS TO REAR AND SIDE ROOF SLOPES OF BUILDING	On this agenda	
23/0213	APPLICATION TO DISCHARGE CONDITION 4 (WRITTEN SCHEME OF INVESTIGATION FOR HISTORIC BUILDING RECORDING) OF LISTED BUILDING CONSENT 20/0317	Under consideration	
23/0241	APPLICATION TO DISCHARGE CONDITION 14 (WRITTEN SCHEME OF INVESTIGATION) OF PLANNING PERMISSION 20/0316	Under consideration	
23/0250	APPLICATION TO DISCHARGE DETAILS REQUIRED BY CONDITION 2 (PROGRAMME OF WORKS) AND CONDITION 3 (INTERNAL MATERIALS) OF LISTED BUILDING CONSENT 20/0317	Under consideration	
20/0316	MIXED USE DEVELOPMENT INVOLVING: 1) CHANGE OF USE OF THE PUBLIC OFFICES BUILDING (292-294 CLIFTON DRIVE SOUTH) FROM OFFICE USE (CLASS B1) TO RETAIL (CLASS A1) WITH ANCILLARY CAFE (CLASS A3) INCLUDING DECKING AREA TO REAR, ELEVATIONAL CHANGES TO THIS BUILDING,	Granted	29 September 2022

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

	AND DEMOLITION OF OUTBUILDING TO REAR; 2) DEMOLITION OF FORMER COUNCIL OFFICE BUILDING (288-290 CLIFTON DRIVE SOUTH) AND ERECTION OF 4 STOREY BUILDING PROVIDING 23 No. ONE AND TWO BEDROOM APARTMENTS; AND 3) ALTERATIONS TO EXISTING VEHICULAR ACCESS TO THE SITE, CAR PARKING AND LANDSCAPING		
20/0317	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH CHANGE OF USE OF FORMER PUBLIC OFFICES TO RETAIL INCLUDING REMOVAL OF INTERNAL PARTITION WALLS AND OTHER INTERNAL ALTERATIONS, FORMATION OF DECKING AREA TO REAR, ALTERATIONS TO ACCESS AND CAR PARKING ARRANGEMENTS, AND DEMOLITION OF OUTBUILDING TO REAR	Granted	29 September 2022
21/0589	CHANGE OF USE OF THE PUBLIC OFFICES BUILDING FROM CIVIC OFFICE USE TO RETAIL (CLASS E (a)) WITH ANCILLARY CAFE (CLASS E (b)), INCLUDING ERECTION OF DECKING AREA TO REAR, ELEVATIONAL CHANGES TO FACILITATE THE CHANGE OF USE, DEMOLITION OF OUTBUILDING TO REAR, AND ALTERATIONS TO EXISTING VEHICULAR/PEDESTRIAN ACCESS, CAR PARKING AND LANDSCAPING	Granted	29 September 2022

Parish/Town Council Observations

Parish/Town Council	Observations
St Annes Town Council	<i>Minimal impact on Listed Building roof scape at rear of car park. Acceptable visual impact located at side and rear of building. We support the ongoing environmental benefit of a large Solar Panel array.</i>

Statutory Consultees and Observations of Other Interested Parties

There are no consultee comments to report.

Neighbour Observations

Neighbours notified: 12 April 2023
 Site Notice Date: 14 April 2023
 Press Notice Date: 12 April 2023
 Number of Responses: Total number of comments 0

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD1 - Settlement Boundaries Lytham St Annes)
EC1 - Overall Provision of Employment Land and Existing Employment Sites
ENV5 - Historic Environment
GD7 - Achieving Good Design in Development
STANP - St Annes on the Sea Neighbourhood Plan

Other Policy Guidance

NPPF – National Planning Policy Framework (July 2021)
NPPG – Planning Practice Guidance

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

The application site is the Public Offices in St Annes, which is a Grade II listed building.

Where there is a proposal to undertake development on a listed building, and that development is not ‘permitted development’, it will require planning permission. That is the case with the demolition of the outbuilding and the fitting for the solar panels that form the two parts of this project. Application 23/0266 provides the assessment of those proposals as required under planning legislation.

Where the proposal involves works to a listed building, then Listed Building Consent is often also required. This is required when a proposal involves works of demolition, alteration or extension to a listed building that affect its character as a building of special architectural or historic interest. Unlike an application for planning permission this can include works to the interior of a listed building.

In this case the main works are external only, and so the consideration of their merits under the listed building legislation (s9 of the Planning (Listed Building and Conservation Areas) Act 1990) involves an identical assessment to that required under the planning legislation. This assessment is provided in the report to application 23/0266 on this agenda, and so is not repeated here.

The cabling, control panels and batteries associated with the proposed solar panels would largely be located within the building. It is important that these are installed in a manner that respects, and does not cause damage to, any internal features of the building that are considered to be of heritage value, such as any decorative plasterwork or interior fixtures.

The details of the precise cable routing are still to be determined and so it is considered appropriate to impose a condition that requires these details to be agreed before work commences.

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Conclusions

The application relates to two elements of work to the Public Office building in St Annes which is currently under conversion to a retail use.

Neither element of the proposal raises any other issues beyond the design and heritage aspects, and as these are acceptable the application is recommended for approval on the basis of its compliance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the St Annes Neighbourhood Plan, and the NPPF.

Recommendation

That listed building consent be GRANTED for the works shown on the plans below:

1. Prior to the installation of the solar panels hereby approved details of the internal routing of the power connection cables, control panel, and any battery storage arrangements shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with these approved details.

Reason: To provide the necessary clarity over these details to ensure that the architectural and historic importance of the building is maintained. These details will ensure compliance with the requirements of Policy ENV5 of the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

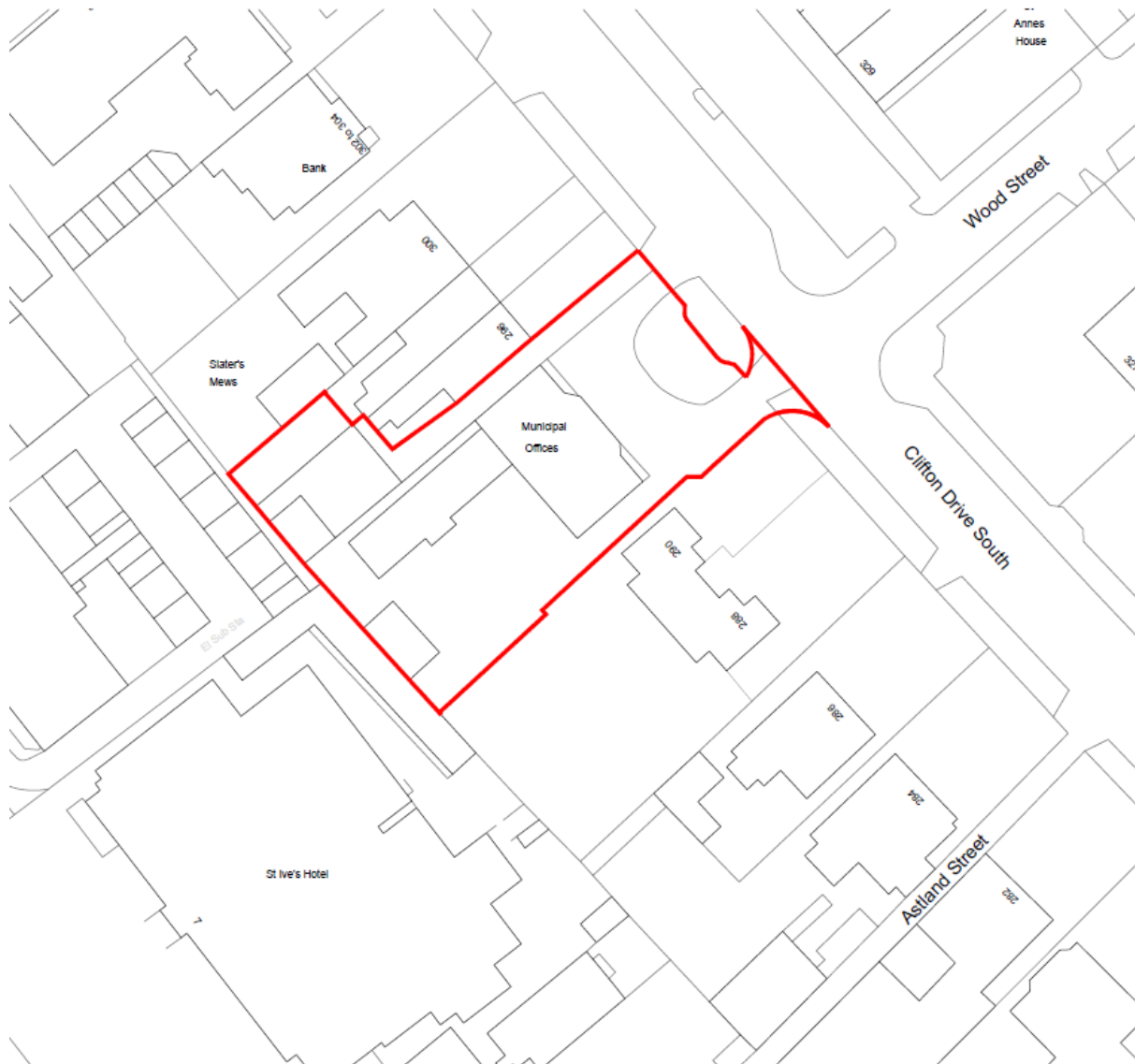
Informative(s)

1. For the avoidance of doubt, this consent relates to the following plans:

Location Plan – DCMG Drawing 21 1179 P001 Rev A
Proposed Site Plan – DCMG Drawing 21 1179 P011 Rev A
Existing and Proposed Roof Plan – DCMG Drawing 21 1179 P012
Proposed Elevations – DCMG Drawing 21 1179 P005 Rev A
Outbuilding Floor Plans and Elevations – DCMG Drawing 21 1179 P013

AGENDA FOR 7 JUNE 2023 PLANNING COMMITTEE

Location Plan for 23/0245



INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	PLANNING COMMITTEE	7 JUNE 2023	6
LIST OF APPEALS DECIDED			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The council received the following attached appeal decisions between 15 April and 26 May 2023.

For a copy of the decision letter click on the decision in the tables included in the appendix and follow the link to the Appeal where you will find the decision letter and other appeal documents.

SOURCE OF INFORMATION

Development Services

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform the Committee on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

Index of Appeal Decisions

Appeal decisions received between 15 April 2023 and 26 May 2023.

For a copy of the decision letter click on the decision in the tables below and follow the link to the Appeal where you will find the decision letter and other appeal documents.

App. No.	21/0786	FBC Decision:	Refusal	Level:	Delegated
Location:	SECOND FLOOR FLAT, 11 EAST BEACH, LYTHAM ST ANNES, FY8 5ET				
Description:	EXTENSION ABOVE EXISTING TWO STOREY REAR OUTRIGGER TO PROVIDE ADDITIONAL ACCOMMODATION FOR EXISTING SECOND FLOOR APARTMENT				
PINS Decision	Dismissed	Date:	23 May 2023	Costs:	Refused

App. No.	21/0787	FBC Decision:	Refusal	Level:	Delegated
Location:	SECOND FLOOR FLAT, 11 EAST BEACH, LYTHAM ST ANNES, FY8 5ET				
Description:	EXTENSION ABOVE EXISTING TWO STOREY REAR OUTRIGGER TO PROVIDE ADDITIONAL ACCOMMODATION FOR EXISTING SECOND FLOOR APARTMENT				
PINS Decision	Allowed	Date:	23 May 2023	Costs:	N/A