



Meeting Agenda

Development Control Committee
United Reformed Church, St Georges Road,
St Annes
Wednesday 23 March 2011, 10:30a.m.

Membership

Development Control Committee

CHAIRMAN - John Bennett
VICE-CHAIRMAN - Ben Aitken

Councillors	Michael Cornah	Councillors	Barbara Pagett
	Fabian Craig-Wilson		Barbara Douglas
	Richard Fulford-Brown		Kevin Eastham
	Trevor Fiddler		Peter Hardy
	Howard Henshaw		Linda Nulty
	Kiran Mulholland		Albert Pounder
	Paul Rigby		Heather Speak

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



Our Vision

Fylde Borough Council will work with partners to provide and maintain a welcoming, inclusive place with flourishing communities.

Our Corporate Objectives

- To Promote the Enhancement of the Natural & Built Environment
 - To Promote Cohesive Communities
 - To Promote a Thriving Economy
- To meet the Expectations of our Customers

The Principles we will adopt in delivering our objectives are:

- To ensure our services provide value for money
- To work in partnership and develop joint 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 meetings held on 16 February 2011 (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
5. LIST OF APPEALS DECIDED (FOR INFORMATION ONLY)	101 - 108
6. EXCLUSION OF THE PUBLIC	109
7. VARIATION OF SECTION 106 AGREEMENT RELATING TO LINKED DEVELOPMENTS AT ORCHARD ROAD (THE GABLES) AND TO THE REAR OF ST ALBANS ROAD (THE FACTORY), ST ANNES	EXEMPT ITEM – NOT FOR PUBLICATION

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.

Development Control Committee Index

23 March 2011

Item No:	Application No:	Location/Proposal	Recomm.	Page No.
1	10/0681	288-290 CLIFTON DRIVE SOUTH, LYTHAM ST ANNES, FY8 1LH DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m2 OF A2 FLOORSPACE, 420m2 OF A2/A3 FLOORSPACE AND 14 RESIDENTIAL UNITS (APARTMENTS)	Approve Subj 106	3
2	10/0682	288-290 CLIFTON DRIVE SOUTH, LYTHAM ST ANNES, FY8 1LH LISTED BUILDING CONSENT FOR DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m2 OF A2 FLOORSPACE, 420m2 OF A2/A3 FLOORSPACE AND 14 RESIDENTIAL UNITS (APARTMENTS)	Refer to Secretary of State	17
3	10/0751	WESTFIELD NURSERIES, WHITEHILL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5LA OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 10 NO. DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Refuse	24
4	10/0752	POND (ADJ. HONDA DEALERSHIP), LYTHAM ST ANNES WAY, WHITEHILLS BUSINESS PARK, WESTBY, FY OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 38 NO. DWELLINGS INCLUDING RELOCATION OF BALANCING POND TO A SITE ON SOUTHERN SIDE OF WHITEHILLS ROAD (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Refuse	37
5	10/0756	LAND ADJACENT 15, SCHOOL LANE, FRECKLETON, PRESTON, PR4 1PJ PROPOSED CONSTRUCTION OF DETACHED TWO STOREY BUILDING	Approve Subj 106	51

		PROVIDING TWO 2 BEDROOM APARTMENTS		
6	10/0766	NINE ACRES NURSERY, HARBOUR LANE, BRYNING WITH WARTON, PRESTON, PR4 1YB OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 67 NO. DWELLINGS INCLUDING 20 NO. AFFORDABLE DWELLINGS. (ALL MATTERS RESERVED)	Refuse	59
7	10/0792	MYTHOP LODGE (FARM) AND GRANARY BUILDINGS, MYTHOP ROAD, WEETON WITH PREESE, PRESTON PROPOSED ERECTION OF EXTENDED AND REPLACEMENT WAREHOUSE BUILDINGS WITH ASSOCIATED LOADING YARD, EXTENDED HARD STANDING AREAS AND EXTENDED CAR PARK. FORMATION OF ROOF OVER SILO AND ERECTION OF COVERED PALLET/FLAMABLE MATERIAL STORE. TEMPORARY RELOCATION OF CARAVAN STORAGE	Grant	74
8	10/0807	WORKSHOP REAR, 42-46 KIRKHAM ROAD, NORTH OF BYPASS, FRECKLETON, PRESTON, PR4 1HT ERECTION OF NEW DETACHED DWELLING TO REPLACE EXISTING WORKSHOP AND CABINS. (RE-SUBMISSION OF 10/0524)	Grant	82
9	11/0023	10 PENDLE PLACE, LYTHAM ST ANNES, FY8 4JB PROPOSED ERECTION OF SINGLE STOREY REAR AND SIDE EXTENSIONS AND TWO STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING REAR / SIDE EXTENSIONS AND GARAGE.	Grant	90
10	11/0052	PEEL HALL FARM, PEEL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5JX TEMPORARY SITING OF HYDRO ELECTRIC TRIAL PLANT UNTIL 30/11/2011	Grant	95

Development Control Committee Schedule 23 March 2011

Item Number: 1 Committee Date: 23 March 2011

Application Reference: 10/0681		Type of Application:	Full Planning Permission
Applicant:	Fylde Borough Council	Agent :	Cassidy and Ashton Partnership
Location:	288-290 CLIFTON DRIVE SOUTH, LYTHAM ST ANNES, FY8 1LH		
Proposal:	DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m ² OF A2 FLOORSPACE, 420m ² OF A2/A3 FLOORSPACE AND 14 RESIDENTIAL UNITS (APARTMENTS)		
Parish:	Central	Area Team:	Area Team 2
Weeks on Hand:	26	Case Officer:	Mr M Evans
Reason for Delay:	Awaiting amended scheme from applicant		

Summary of Recommended Decision: Approve subject to receiving Sn 106 and referral to Secretary of State.

Summary of Officer Recommendation

The proposed mixed use is considered appropriate to this edge of centre site and the impact of the proposal on neighbouring properties is also acceptable. The works within the conservation area are acceptable and, whilst the proposal would result in the loss of the building at 288-290 Clifton Drive South, the setting of the frontage of the Listed Public Offices would be enhanced.

The demolition of the rear wing of the listed public offices has previously been agreed in principle.

As the application proposes the partial demolition of a listed building in the ownership of the Borough Council, it would be necessary for the application to be referred to the Secretary of State for Communities and Local Government for his consideration.

Reason for Reporting to Committee

The application relates to property within the ownership of the Council.

Site Description and Location

The Public Offices and 288 -290 Clifton Drive South are located on the west side of Clifton Drive South, St Annes. The Public Offices are a Grade 2 listed building completed in 1902 with a rear arm that was added in 1907. The building is of built of red Accrington brick with ashlar sandstone

dressings and detailing. 288-290 Clifton Drive South was originally a pair of semi detached properties but was subsequently converted to office use. The building is currently used for storage purposes.

Both buildings are located within the St Annes Town Centre Conservation Area. and are surrounded by car parking with some small lawned areas to the site frontage. Two mature trees are located on the site frontage in front of the public offices building

On the opposite side of Clifton Drive South there is a 3 storey 1960's vintage building with retail uses at ground floor. To the north is a solicitor's office and to the south a former residential home which has planning permission for hotel usage with a restaurant.

Details of Proposal

The application proposes the change of use the existing public offices building to either a financial and professional services office or cafe/restaurant (Use Classes A2 & A3) with the rear wing being demolished and replaced with a 3 storey rear wing that would have the same height as the existing 2 storey public offices building. 288-290 Clifton Drive South would be demolished and a replacement two storey building with a third floor within the roof space would be erected in its place with a three storey rear wing similar to that proposed to the rear of the public offices building. The Ground floor of the new building would be utilised for offices (class A2 and B1) with the upper floor being for residential use. The rear wings of both buildings would also provide residential apartments with the ground floor providing undercroft car parking beneath a raised deck that would provide a roof garden.

In total the proposal would 14 residential apartments, 735 sqm of A2 office space and 1020 sqm of B2 office space. Twenty four parking spaces would be provided for the residential properties and 6 spaces for the commercial units.

The application is supported by a design and access statement, a heritage statement and a bat survey.

Relevant Planning History

Application No.	Development	Decision	Date
09/0672	DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m2 OF A2 FLOORSPEACE, 420m2 OF A2/A3 FLOORSPEACE AND 14 RESIDENTIAL UNITS (APARTMENTS)	Withdrawn by Applicant	30/04/2010
09/0673	LISTED BUILDING CONSENT FOR DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m2 OF A2 FLOORSPEACE, 420m2 OF A2/A3 FLOORSPEACE AND 14 RESIDENTIAL UNITS (APARTMENTS)	Withdrawn by Applicant	30/04/2010
05/0652	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT INCORPORATING THE MAJORITY OF THE DEVELOPMENT FOR AFFORDABLE PURPOSES	Withdrawn by Applicant	05/08/2005
03/0737	CONSERVATION AREA CONSENT TO DEMOLISH PART OF BUILDING	Withdrawn by Applicant	23/01/2007

03/0442

PROPOSED PART REFURBISHMENT OF OFFICES WITH DEMOLITION OF REMAINING BUILDINGS. ERECTION OF 25 NO. 2 BEDROOM FLATS AND 2 NO. 1 BEDROOM FLATS, TOGETHER WITH 30 NO. CAR PARKING SPACES. (4NO DISABLED BAYS), EXTERNAL WORKS AND LANDSCAPE.

Withdrawn by 26/09/2006
Applicant

Relevant Planning Appeals History

None.

Parish Council Observations

St Anne's on the Sea Town Council notified on 06 October 2010

Summary of Response

No objection

Statutory Consultees

County Highway Authority

Comments

Economic Wellbeing and Regeneration

Based on the principles established in the consideration of previous applications at the site, no objections are raised.

Strategic Housing

Comments

Environmental Protection Team

No objection in principle

County Archaeology

The Public Offices by Thomas Muirhead, built 1902, for Lytham St Annes Urban District Council, are a designated heritage asset, a Grade II Listed Building, recorded on the County Historic Environment Record (PRN 16333), and also lie within the limits of the St Annes on the Sea Conservation Area (another designated heritage asset).

PPS5: Planning for the Historic Environment. Policy HE6 is clear in the need for applications that affect heritage assets to include " a description of the significance of the heritage assets affected and the contribution of their setting to that significance... sufficient to understand the potential impact of the proposal on the significance of the heritage asset" and that "As a minimum the relevant historic environment record should have been consulted and the heritage assets themselves should have been assessed using appropriate expertise where necessary given the application's impact".

Such an assessment of the proposals which would be expected to accompany the application is in this instance missing. In fact the accompanying Design and Access Statement dates to 2009 and therefore makes mention to now cancelled planning policy (PPG15, PPG16 and Regional Spatial Strategy) which is no longer relevant. The application as submitted therefore fails to meet the requirements of PPS5 Policy HE6, and

LCAS would therefore recommend deferral of its determination until such a time that the requirements of Policy HE6 have been properly addressed in a Heritage Statement, which should be forwarded to LCAS for comment. Consequently I do not intend to submit any comments at this stage on the suitability or otherwise of the current proposals.

Should the Borough Council consider that the above approach is unreasonable, or that other circumstances make such an approach unfeasible, then I would request that LCAS is contacted in writing outlining the Council's position. At that point the Archaeology Service will then form its own opinion as to how best proceed in addressing the remaining archaeological issues, and in particular those outlined in PPS5 Policy HE12.

If you need any more information or would like to discuss this further please do not hesitate to contact me.

(Officer Note: A Heritage Statement has been obtained from the applicant and forwarded to the County Archaeologist for comment)

British Gas

No comments received

English Heritage

Any comments received will be reported to Committee

United Utilities - Water

No comments received

United Utilities - Electricity Services

No objection on principle

Observations of Other Interested Parties

Lancashire County Council Contributions Team

Further to the consultation with regard to the above proposed development, this consultation response outlines the Planning Contribution request for Lancashire County Council services based upon the Policy Paper, 'Planning Obligations in Lancashire' .

Transport

There may be a request for a contribution towards sustainable transport measures. However, the level of such a transport contribution has not yet been determined. To discuss sustainable transport further, please contact Clive Holt 01524 753338 or Glenn Robinson 01524 753347.

Education

Using the LCC Planning Obligations Policy Paper, a yield of 0.35 primary and 0.25 secondary pupils per house has been used. Therefore, there is a possible yield of 5 primary and 3 secondary aged pupils. .

Primary School Places

Forecasts show that there is going to be a shortfall of primary places in this area in the next 5 years and LCC is already consulting on the expansion of one primary school in Lytham St Annes wider area. Therefore, this development is expected to impact even further on school places and we would be seeking a contribution in respect of the total

potential yield of this development, i.e. 5 pupils.

Using the DCSF cost multiplier (£12,257 x 0.9) x 1.0733 per place = £59,199

Secondary School Places

Whilst forecasts show that there would be secondary places available in 5 years, this does not account for housing developments pending in the area. There are currently a number of other developments which will impact upon places at this school, some of which have generated requests for Section 106 contributions. These developments are at North Promenade, Pontins, Westgate Road, Lytham Quays, Hollywood Nurseries and Aegon site.

Therefore we would be seeking a contribution from this developer in respect of the full potential development, i.e. 3 places.

Using the DCSF cost multiplier (£18,469 x 0.9) x 1.0733 per place = £53,521

Total Education Contribution Request

£112,720

Waste Management

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Also, the necessity to secure the County Council's budget position as a waste disposal authority, through investing in an early switch away from landfilling, has become all the more apparent, since the recent announcement on the rise in landfill tax in the National Budget. Every District in the County is being provided with advanced treatment facilities to treat waste prior to landfilling, either directly or via purpose . designed transfer stations. Since each and every new house, wherever it is in the County, has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in requesting a contribution towards waste management.

Based upon the Policy Paper methodology for Waste Management, the request is £6,720.

By way of summary, the planning contribution request for Lancashire County Council services is as follows: -

Transport - Not yet determined

Education - £112,720

Waste Management - £6,720

Lytham Civic Society

Proposal: Listed building consent for demolition works, the erection of new buildings and a change of use to form 285m² of A2 floorspace, 420m² of A2/A3 floorspace and 14 residential units.

Comment:

1. The Public Offices

The Public Offices, listed, was built 1900 as St Annes' first public building. In the interests of community wellbeing and pride in the town we would like to see this building retained for public/community use. It could be retained by the St Annes parish council and could be a site for a much needed tourist information office. It is a sad day indeed when all that matters is the market value of a building such as this.

A good model to follow would be the Assembly rooms in Lytham operated by Lytham Town Trust on a peppercorn rent from the council. A popular facility has been created there which contributes much to the town and costs the council nothing.

We are pleased however that residential use has not been proposed for this building. If the proposed changes of use do occur we would like to ensure that the listed building is altered as little as possible and that original internal walls are retained. There should be a minimum of signage and preferably none on the building itself.

2. 288 Clifton Drive, formerly council offices.

288 Clifton Drive and its neighbour are a pair of semi detached houses which date from the early days of St Annes, and are older than the Public Offices, probably late 1870s. When the conservation area was laid out, these houses and two more alongside them were included in it, no doubt as good examples of the grand and individual houses of early St Annes. An unthinking application to demolish them does make the setting up of a conservation area fairly pointless. The fact that they are in dire need of maintenance is not an acceptable argument and certainly not one we should expect from a responsible council. There is considerable interest in the design of the houses which have decorative brick and windows.

We have no issues with the proposed change of use, just the loss of a valuable building from the street scene.

If consent is granted we would say that the design of the residential element is well conceived and the terrace over the parking area provides a more pleasant aspect than is usually found in town centre developments. Whilst the use of red brick is indicated in the design statement the elevations themselves appear to be shown in dark brown brick which always looks dull; a more complementary colour should be used. All roof material should match the Public Offices. The use of some decorative banding as in the listed building would help to integrate the new build element.

Neighbour Observations

Neighbours notified: 30 properties notified - 6 October 2010
Amended plans notified: 21 February 2011
No. Of Responses Received: None

Relevant Planning Policy

Regional Spatial Strategy:

- DP1 – Spatial Principles
- DP2 – Promote Sustainable Communities
- DP3 - Promote Sustainable Economic Development
- DP4 – Make The Best Use Of Existing Resources & Infrastructure
- DP5 – Manage Travel Demand
- DP6 - Marrying Opportunity and Need
- DP7- Promote Environmental Quality
- DP9 – Reduce Emissions & Adapt To Climate Change
- RDF1 – Spatial Priorities
- W1 - Strengthening the Regional Economy
- W5 - Retail Development
- W6 - Tourism & the Visitor Economy
- L4 – Regional Housing Provision

- L5 – Affordable Housing
- EM1 – Natural Environment
- EM3 – Green Infrastructure
- EM5 – Integrated Water management
- EM12 - Locational Principles
- EM15 – A Framework For Sustainable Energy In the North West
- EM16 – Energy Conservation & Efficiency
- EM17 – Renewable Energy

Fylde Borough Local Plan:

- SP1 – Development Within Settlements
- HL2 – Development Control Criteria For Housing Proposals
- TREC17 – Public Open Space Within New Housing Developments
- EP3 - Development in Conservation Areas
- EP4 - Alterations to Listed Buildings
- EP5 - Demolition of Listed Buildings
- EP15 – Nature Conservation
- EP19- Protected species

Other Relevant Policy:

IHP	Interim Housing Policy
PPS1:	Delivering Sustainable Development
PPS3:	Housing
PPS5	Conservation
PPG13:	Transport
PPG25:	Development & Flood Risk.

Site Constraints

- Conservation area
- Listed Building
- 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 to be considered in the determination of this application relate to

- the demolition of part of a listed building
- the demolition of a building within a conservation area
- The suitability of the proposed buildings, particularly the potential impact on the setting of a listed building
- The impact of the proposed buildings on neighbouring properties
- The principles of residential and commercial developments in this location

Demolition of rear wing of Listed Building

This application proposes the retention of the main part of the public offices building, but the rear wing would be demolished. According to the listings description, this rear wing was erected at a later date (1907) than the main public offices building. The principle of the demolition of this wing has previously been considered by English Heritage who raised no objection at that time. The rear wing of the building is less ornate than the main building and there are few internal features of any merit

when compared to the main building interior. English Heritage have been reconsulted, but at the time of writing this report no observations had been received. The proposed use of the main building as a commercial property would allow the internal features of the building, particularly the main stairway, the vaulted ceiling Council Chamber, fireplaces and interior joinery to be retained and would, if utilised as a restaurant, allow a degree of public access.

Demolition of 288-290, Clifton Drive South

288 - 290 Clifton Drive are not listed, but they are located within a conservation area. A structural survey has found that the building is suffering from subsidence and the solid brickwork construction has given rise to considerable damp problems. Internally, the building has been much altered. Given the structural condition of the building, it is considered that demolition of the building is appropriate, provided the quality of the replacement structure is of an appropriate quality.

Design of replacement building and impact setting of listed building

The proposed replacement building has been designed in a contemporary style that takes its design queues from the building it is intended to replace. The building is set back on the building line as the existing building which will maintain the building line that is common with all properties on this stretch of Clifton Drive South and will no over power the Public Offices Building. The design proposes a gable feature at either end to reflect the traditional gables found in St Annes, with the upper part of the gable being glazed to provide a contemporary twist and to lessen the visual mass of the structure. Whilst the plans show a brown coloured brick, this is a product of the reproduction of the plans rather than an indication of the proposed materials. The distance between the gables of the proposed building and that of the public Offices will be greater to allow more breathing space and two way access to the rear car park. To the rear the raised garden area will create a covered parking area. The front of the covered garden will be set well back to maintain the visual break between the two buildings.

The frontage of the buildings has been altered so that the car parking area will be in front of the proposed new building. This will allow the area in front of the listed building to be returned to a lawned area which will enhance the setting of the building by removing the large tarmaced area that currently dominates the frontage.

The impact of the proposed buildings on neighbouring properties

The surrounding properties are all in commercial uses, all be it that some have residential and visitor accommodation elements associated with them. To the north side of the site, there is a solicitor's office. The existing two storey arm of the public offices runs along this boundary and the proposed replacement will have a similar impact to the existing structure.

To the rear (north west) is the St Ives Hotel. To the rear of the majority of the hotel is a large flat roofed outbuilding situated on the site boundary. There are some windows facing toward the rear wings of the proposed building, but the closest of these would be 12 metres from the proposed building. As these windows are at first and second floor level, it is considered that the relationships are appropriate.

The greatest impact on neighbouring property would be in relation to the former residential home with planning permission for a hotel use located to the south east. This property has a large two storey annex to the rear which has a blank gable facing onto the application site. However the side of the main building has a number of large windows located approximately 1.4m from the site boundary. Most of these are obscure glazed, but there are some bedroom and kitchen windows that face onto the application site. Accordingly, the original proposal was amended to increase the off set to this boundary to 2 metres, which is in line with the existing building and the eaves height of the building has been lowered in order to reduce the impact. Given that the windows currently rely on light over a

third parties land, it is considered that the proposed eaves height, distance from the boundary and the nature of the existing rooms served by these windows mean that the proposal is acceptable.

There would be no windows in either of the new rear wings that would overlook adjacent property as all the windows to these elevations would be obscure glazed windows serving the access corridors to the apartments.

The principles of residential and commercial developments in this location

The site is outside the St Annes Town Centre as identified on the FBLP Proposals Map, with the boundary running down the centre of Clifton Drive. As such the application is considered to be an edge of centre location. The surrounding properties are in commercial uses and the mix of commercial uses at the front ground floors with residential use above is considered appropriate in principle. As a result of the mixed use, there are only 14 residential apartments proposed which means that, under the terms of the Interim Housing Policy (IHP), a commuted sum is payable in lieu of on site affordable housing based on 5% of the market value of each flat. The IHP states that sites that seek to artificially lower the number of properties by proposing an unusually low density will not be acceptable. In this instance, the mixed use nature is considered to be an appropriate response to the development of the site and it is not considered that the density of development has been lowered simply to avoid on site provision.

Contributions Requests

The County Council has requested payments towards education and waste management with a further transport request expected. The IHP requires payments, subject to viability considerations, towards affordable housing, public open space and public realm works.

The County Council has requested payments towards both primary and secondary school provision. Whilst there is an existing shortfall in primary school places, the secondary school shortfall is not related to existing shortfall. Based on the considerations set out in the Community Infrastructure Regulations relating to the nature of commuted sum payments, it is considered that, whilst the request for primary school funding is appropriate, the funding of secondary school places, which is based on other potential development going ahead, cannot be justified. With regard to waste management payments, these should also be the subject of a Community Infrastructure Levy rather than secured through Section 106 contributions and so are also considered to be unjustified.

The site is adjacent to several identified public realm schemes which could benefit the site directly and the lack of on site public open space requires that off site provision should be provided in accordance with Policy TREC17. A commuted sum in lieu of on site affordable housing is also required by the IHP.

As the applicant is Fylde Borough Council and it cannot enter into a legal agreement under Section 106 with itself, it would be necessary to seek a Unilateral Undertaking to secure payment of the commuted sums due.

Conclusions

The proposed mixed use is considered appropriate to this edge of centre site and the impact of the proposal on neighbouring properties is also acceptable. The works within the conservation area are acceptable and, whilst the proposal would result in the loss of the building at 288-290 Clifton Drive South, the setting of the frontage of the Listed Public Offices would be enhanced.

As the application proposes the partial demolition of a listed building in the ownership of the Borough Council, it would be necessary for the application to be referred to the Secretary of State for Communities and Local Government for his consideration.

Recommendation

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

- a financial contribution of up to 5 % of the market value of each proposed housing unit towards securing off site affordable housing,
- a financial contribution of up to 2.5% of the market value of each proposed housing unit towards securing off site public open space,
- a financial contribution of up to 2.5% of the market value of each proposed housing unit towards securing public realm works in the vicinity of the site,
- a financial contribution of £59,199 toward the provision of additional primary school places,
- a financial contribution yet to be determined towards the improvement of public transport and/or sustainable transport initiatives in the vicinity of the site,

The application be referred to the Secretary of State for consideration with a 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 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 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. All window frames on the proposed buildings shall be set in reveal in accordance with details that shall first have been agreed in writing with the local planning authority and thereafter maintained as such to the satisfaction of the Local Planning Authority.

To ensure a satisfactory standard of development in the interests of the overall quality of the built development.

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

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

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

shall be carried out in accordance with the approved details.

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

6. The rooflights shall be of a type that is flush-fitting in the roofspace. Accordingly, technical details shall be submitted to and approved by the Local Planning Authority prior to commencement of works upon the roofspace. Only the approved rooflight shall thereafter be fitted.

By reason of the nature of the development in a conservation project requiring sensitive use of materials.

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

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

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

To secure a satisfactory standard of development.

9. 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.

10. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole

of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current syvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

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

11. 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.

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

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

13. No development [including any demolition works] shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority, in conjunction with the Lancashire County Archaeologist [as applicable]. The timetable of works shall be agreed with the Local Planning Authority which shall be wholly implemented with the Authority in conjunction with an archaeological group, approved by the Lancashire Archaeologist.

The site is of special archaeological importance.

14. A full drainage scheme incorporating details of foul and surface water connections are to be submitted to the Local Planning Authority for approval prior to the commencement of development and subsequently only those works shall be implemented.

To ensure the provision of a satisfactory drainage scheme.

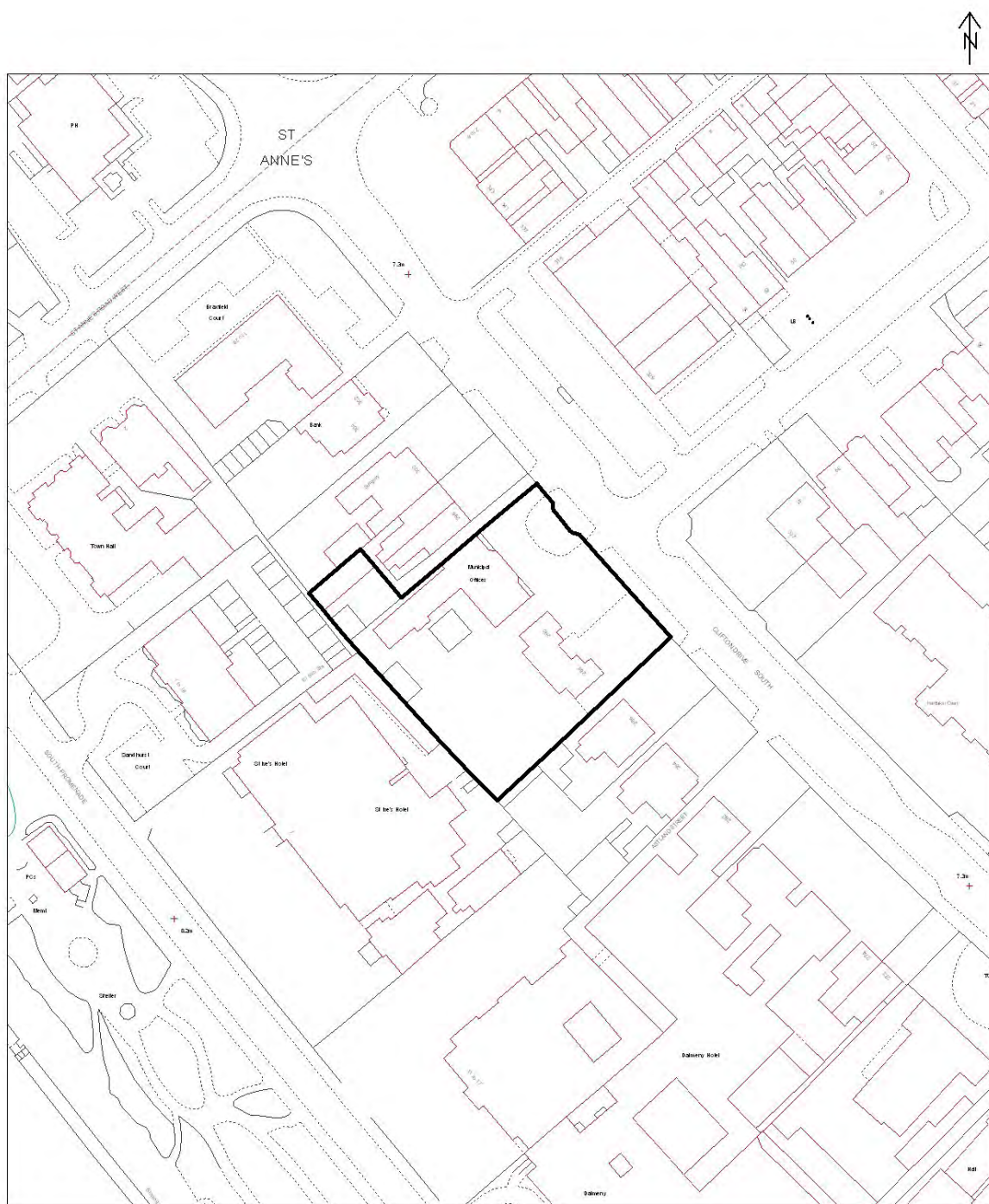
15. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 as amended [or any enactment that replaces that Order] the uses

hereby approved falling within Class B1 of the Town & Country Planning (Use Classes) Order 2007 shall not be used for any purpose falling within Class B1 (c) of that Order.

The use of this location for industrial purposes would not be appropriate in this conservation area location on the edge of St Annes Town Centre.

16. Prior to the commencement of development, details of a replacement disabled access ramp shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the implementation of the change of use of the Public Offices building hereby approved.

In order to improve the setting of this listed building.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/10/0681 & 0682	Address 288-290 Clifton Drive Sth St Anne's	Grid Ref. E.3320 : N.4286	Scale N.T.S.	Item No.

Item Number: 2 Committee Date: 23 March 2011

Application Reference: 10/0682		Type of Application:	Listed Building Consent
Applicant:	Fylde Borough Council	Agent :	Cassidy and Ashton Partnership
Location:	288-290 CLIFTON DRIVE SOUTH, LYTHAM ST ANNES, FY8 1LH		
Proposal:	LISTED BUILDING CONSENT FOR DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m2 OF A2 FLOORSPACE, 420m2 OF A2/A3 FLOORSPACE AND 14 RESIDENTIAL UNITS (APARTMENTS)		
Parish:	Central	Area Team:	Area Team 2
Weeks on Hand:	26	Case Officer:	Mr M Evans
Reason for Delay:	Awaiting amended scheme from applicant		

Summary of Recommended Decision: Refer to Secretary of State

Summary of Officer Recommendation

The demolition of the rear wing of the listed public offices has previously been agreed in principle. The replacement buildings are considered to respect the setting and character of the listed building.

As the application proposes the partial demolition of a listed building in the ownership of the Borough Council, it would be necessary for the application to be referred to the Secretary of State for Communities and Local Government for his consideration.

Reason for Reporting to Committee

The application relates to property within the ownership of the Council.

Site Description and Location

The Public Offices and 288 -290 Clifton Drive South are located on the west side of Clifton Drive South, St Annes. The Public Offices are a Grade 2 listed building completed in 1902 with a rear arm that was added in 1907. The building is of built of red Accrington brick with ashlar sandstone dressings and detailing. 288-290 Clifton Drive South was originally a pair of semi detached properties but was subsequently converted to office use. The building is currently used for storage purposes.

Both buildings are located within the St Annes Town Centre Conservation Area. and are surrounded by car parking with some small lawned areas to the site frontage. Two mature trees are located on the site frontage in front of the public offices building

On the opposite side of Clifton Drive South there is a 3 storey 1960's vintage building with retail uses

at ground floor. To the north is a solicitor's office and to the south a former residential home which has planning permission for hotel usage with a restaurant.

Details of Proposal

The application proposes the demolition of the rear wing of the public offices and alterations to allow the property to be brought into commercial use as a restaurant or offices.

A separate application relating to the building works and the use of the property is also on this agenda for consideration.

Relevant Planning History

Application No.	Development	Decision	Date
09/0672	DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m2 OF A2 FLOORSPEACE, 420m2 OF A2/A3 FLOORSPEACE AND 14 RESIDENTIAL UNITS (APARTMENTS)	Withdrawn by Applicant	30/04/2010
09/0673	LISTED BUILDING CONSENT FOR DEMOLITION WORKS, THE ERECTION OF NEW BUILDINGS AND A CHANGE OF USE TO FORM 285m2 OF A2 FLOORSPEACE, 420m2 OF A2/A3 FLOORSPEACE AND 14 RESIDENTIAL UNITS (APARTMENTS)	Withdrawn by Applicant	30/04/2010
05/0652	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT INCORPORATING THE MAJORITY OF THE DEVELOPMENT FOR AFFORDABLE PURPOSES	Withdrawn by Applicant	05/08/2005
03/0737	CONSERVATION AREA CONSENT TO DEMOLISH PART OF BUILDING	Withdrawn by Applicant	23/01/2007
03/0442	PROPOSED PART REFURBISHMENT OF OFFICES WITH DEMOLITION OF REMAINING BUILDINGS. ERECTION OF 25 NO. 2 BEDROOM FLATS AND 2 NO. 1 BEDROOM FLATS, TOGETHER WITH 30 NO. CAR PARKING SPACES. (4NO DISABLED BAYS), EXTERNAL WORKS AND LANDSCAPE.	Withdrawn by Applicant	26/09/2006

Relevant Planning Appeals History

None.

Parish Council Observations

St Anne's on the Sea Town Council notified on 06 October 2010

Summary of Response

No objection

Statutory Consultees

County Archaeology

The Public Offices by Thomas Muirhead, built 1902, for Lytham St Annes Urban District Council, are a designated heritage asset, a Grade II Listed Building, recorded on the County Historic Environment Record (PRN 16333), and also lie within the limits of the St Annes on the Sea Conservation Area (another designated heritage asset).

PPS5: Planning for the Historic Environment. Policy HE6 is clear in the need for applications that affect heritage assets to include " a description of the significance of the heritage assets affected and the contribution of their setting to that significance... sufficient to understand the potential impact of the proposal on the significance of the heritage asset" and that "As a minimum the relevant historic environment record should have been consulted and the heritage assets themselves should have been assessed using appropriate expertise where necessary given the application's impact".

Such an assessment of the proposals which would be expected to accompany the application is in this instance missing. In fact the accompanying Design and Access Statement dates to 2009 and therefore makes mention to now cancelled planning policy (PPG15, PPG16 and Regional Spatial Strategy) which is no longer relevant. The application as submitted therefore fails to meet the requirements of PPS5 Policy HE6, and LCAS would therefore recommend deferral of its determination until such a time that the requirements of Policy HE6 have been properly addressed in a Heritage Statement, which should be forwarded to LCAS for comment. Consequently I do not intend to submit any comments at this stage on the suitability or otherwise of the current proposals.

Should the Borough Council consider that the above approach is unreasonable, or that other circumstances make such an approach unfeasible, then I would request that LCAS is contacted in writing outlining the Council's position. At that point the Archaeology Service will then form its own opinion as to how best proceed in addressing the remaining archaeological issues, and in particular those outlined in PPS5 Policy HE12.

If you need any more information or would like to discuss this further please do not hesitate to contact me.

(Officer Note: A Heritage Statement has been obtained from the applicant and forwarded to the County Archaeologist for comment)

English Heritage

Any comments received will be reported to Committee

Observations of Other Interested Parties

Lytham Civic Society

Proposal: Listed building consent for demolition works, the erection of new buildings and a change of use to form 285m² of A2 floorspace, 420m² of A2/A3 floorspace and 14 residential units.

Comment:

1. The Public Offices

The Public Offices, listed, was built 1900 as St Annes' first public building. In the interests of community wellbeing and pride in the town we would like to see this building retained for public/community use. It could be retained by the St Annes parish council and

could be a site for a much needed tourist information office. It is a sad day indeed when all that matters is the market value of a building such as this.

A good model to follow would be the Assembly rooms in Lytham operated by Lytham Town Trust on a peppercorn rent from the council. A popular facility has been created there which contributes much to the town and costs the council nothing.

We are pleased however that residential use has not been proposed for this building. If the proposed changes of use do occur we would like to ensure that the listed building is altered as little as possible and that original internal walls are retained. There should be a minimum of signage and preferably none on the building itself.

Relevant Planning Policy

Regional Spatial Strategy:

DP1 – Spatial Principles
DP7- Promote Environmental Quality

Fylde Borough Local Plan:

EP4 - Alterations to Listed Buildings
EP5 - Demolition of Listed Buildings

Other Relevant Policy:

PPS1: Delivering Sustainable Development
PPS5 Conservation

Site Constraints

Conservation area
Listed Building

Comment and Analysis

The key issues to be considered in the determination of this application relate to

the demolition of part of a listed building
the demolition of a building within a conservation area
The suitability of the proposed buildings, particularly the potential impact on the setting of a listed building
The impact of the internal alterations

Demolition of rear wing of Listed Building

This application proposes the retention of the main part of the public offices building, but the rear wing would be demolished. According to the listings description, this rear wing was erected at a later date (1907) than the main public offices building. The principle of the demolition of this wing has previously been considered by English Heritage who raised no objection at that time. The rear wing of the building is less ornate than the main building and there are few internal features of any merit when compared to the main building interior. English Heritage have been reconsulted, but at the time of writing this report no observations had been received. The proposed use of the main building as a commercial property would allow the internal features of the building, particularly the main stairway, the vaulted ceiling Council Chamber, fireplaces and interior joinery to be retained and would, if utilised as a restaurant, allow a degree of public access.

Design of replacement building and impact setting of listed building

The proposed replacement building that would be situated adjacent to the listed building, has been

designed in a contemporary style that takes its design queues from the building it is intended to replace. The building is set back on the building line as the existing building which will maintain the building line that is common with all properties on this stretch of Clifton Drive South and will not over power the Public Offices Building. The design proposes a gable feature at either end to reflect the traditional gables found in St Annes, with the upper part of the gable being glazed to provide a contemporary twist and to lessen the visual mass of the structure. Whilst the plans show a brown coloured brick, this is a product of the reproduction of the plans rather than an indication of the proposed materials. The distance between the gables of the proposed building and that of the public Offices will be greater to allow more breathing space and two way access to the rear car park. To the rear the raised garden area will create a covered parking area. The front of the covered garden will be set well back to maintain the visual break between the two buildings.

The frontage of the buildings has been altered so that the car parking area will be in front of the proposed new building. This will allow the area in front of the listed building to be returned to a lawned area which will enhance the setting of the building by removing the large tarmaced area that currently dominates the frontage.

Internal Alterations

The proposed internal alterations would seek to retain the internal features of the building. There are no structural alterations proposed at this stage, save for the blocking of access points to the existing rear wing. A further consent would be required by any future operator who wished to alter the internal layout of the building.

Conclusions

It is considered that the loss of the rear wing of the listed building would not result in the loss of any significant features, the main features being situated in the original front part of the building. The proposed use would allow these features to be retained and the setting of the frontage of the Listed Public Offices would be enhanced.

As the application proposes the partial demolition of a listed building in the ownership of the Borough Council, it would be necessary for the application to be referred to the Secretary of State for Communities and Local Government for his consideration.

Recommendation

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

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

3. No works for the demolition of the rear wing hereby approved shall be carried out until a contract has been let for the construction of a replacement extension and that contract has been scrutinised and agreed as a valid contract by the local planning authority.

In order to preserve the character of the listed building as consent to demolish the rear wing has been granted having regard to the nature of the replacement building.

4. 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 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 Local Planning Authority.

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

5. No development [including any demolition works] shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority, in conjunction with the Lancashire County Archaeologist [as applicable]. The timetable of works shall be agreed with the Local Planning Authority which shall be wholly implemented with the Authority in conjunction with an archaeological group, approved by the Lancashire Archaeologist.

The site is of special archaeological importance.

Item Number: 3 Committee Date: 23 March 2011

Application Reference: 10/0751		Type of Application:	Outline Planning Permission
Applicant:	Kensington Developments Ltd	Agent :	
Location:	WESTFIELD NURSERIES, WHITEHILL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5LA		
Proposal:	OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 10 NO. DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		
Parish:	Westby with Plumptons	Area Team:	Area Team 1
Weeks on Hand:	15	Case Officer:	Andrew Stell
Reason for Delay:	Delay due to the need to report Committee		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The application site is a rectangular area of land off Whitehills Road that was last in use as a plant nursery. It lies adjacent to the Hollywood Nursery site that has outline planning permission for residential development. The site is designated as Countryside in the Fylde Borough Local Plan and is adjacent to the employment land at the Whitehills Business Park.

The application is an outline application for the erection of 10 dwellings that was initially submitted for 28 dwellings. The site is located within the Countryside area allocated by Policy SP2 of the Fylde Borough Local Plan and so the residential development proposed will conflict with that Policy. However, it is necessary to examine whether there are other material considerations that should outweigh this conflict.

In its favour, the proposal would provide a contribution towards housing supply in the borough, and to affordable housing.

To counter that, the site is in a location that is remote from shops, services, schools, leisure facilities, etc. When the Hollywood Nurseries scheme was allowed, the developers proposed the provision of a bus route passing the site, a convenience store adjacent to the site and cycle lane improvements. This application provides no such measures with the applicant looking to rely on the Hollywood Nursery based improvements to ensure the accessibility of their site. However, there can be no certainty that that permission will be implemented or that the improvements are adequate for the additional dwellings involved here, and it is concluded that the proposal does not address the sustainability concerns of this application site. The application also fails to offer any security of provision of affordable housing or compensation for the shortfall in education places in the area.

As an overall view, the proposal makes a contribution to housing supply in the borough, but is located remote from and outside of any settlement on land that is allocated as Countryside in the Fylde Borough Local Plan. The residential development proposed will conflict with the designation of the land in the Fylde Borough Local Plan as Countryside and the Interim

Housing Policy which supports the Local Plan in assessing residential planning applications. This is the most relevant and local part of the development plan and so the application is recommended for refusal.

Reason for Reporting to Committee

The proposal involves major development.

Site Description and Location

The application site is a roughly rectangular area of land that formerly contained Westfield Nurseries which was a small horticultural nursery but is now derelict and is largely hard standing with various dilapidated and part built structures on site. This part of the site has an access point to Whitehills Road to the south with a dwarf wall along the remainder of that boundary. There is a hedge to the north and east and an open boundary to the adjacent residential dwelling to the west.

The red edge also includes the access to Lytham St Annes Way which runs through the adjacent Hollywood Nurseries site. This is another former plant nursery that has outline planning permission for residential development (08/0282) and is the subject of a full application for residential development that will be presented to committee in due course.

Surrounding land uses are mixed with some residential properties, former nursery sites, and open countryside on the opposite side of Whitehills Road. The employment development at Whitehills Business Park is located to the opposite side of Lytham St Annes Way to the north.

Details of Proposal

The application is an outline proposal for residential development with all matters reserved except for access. The application was initially for 28 dwellings, but the applicant has since reduced this to 10 properties. The red edge indicates the access arrangements which are through the adjacent Hollywood Nurseries site to the existing roundabout on Lytham St Annes Way. The plans for the current full planning application on that site (10/0900) have been amended to indicate the route.

The application is supported with an illustrative layout but as only the access is applied for this has no weight in the determination of the application. The initial scheme for 38 dwellings was shown as a series of linked terraces around the perimeter of the site with a further terrace and pair of semis. This has been revised to a series of 10 detached dwellings of a small cul-de-sac.

The application is supported with a Design Statement, Transport Assessment, Sustainability Assessment and Flood Risk Assessment.

A letter has also been received from the applicant explaining that they will offer 30% of the dwellings as affordable properties and make a contribution of £68,000 to the council to be utilised for public realm works in the area.

Relevant Planning History

Application No.	Development	Decision	Date
01/0436	PROPOSED RESIDENTIAL OCCUPATION OF CARAVAN FROM 1st MARCH-30th SEPTEMBER AND WINTER STORAGE OF CARAVAN 1st OCTOBER - 28/29th FEBRUARY	Refused	28/11/2001

00/0893	MODIFICATION OF CONDITION NO.1 TO 99/233 TO ALLOW RETENTION OF A TOURING CARAVAN ON SITE FOR THE PURPOSES OF STORAGE ONLY BETWEEN 1ST OCTOBER AND 28/29TH FEBRUARY ANNUALLY , AND RESIDENTIAL OCCUPATION ONLY BETWEEN 1ST MARCH AND 30TH SEPTEMBER EACH YEAR .	Refused	23/05/2001
99/0656	ERECTION OF AMENITY BLOCK	Granted	03/11/1999
99/0233	ERECTION OF OCCUPIERS AMENITY BLOCK AND SITING OF SEASONAL CARAVAN	Refused	11/08/1999
98/0368	ADVERTISEMENT CONSENT TO DISPLAY NON ILLUMINATED FREE STANDING SIGN - RETROSPECTIVE	Granted	13/08/1998
98/0326	SITING OF RESIDENTIAL MOBILE HOME	Refused	15/07/1998
98/0309	ERECTION OF POULTRY SHED, EQUIPMENT STORE ,TIMBER SHED & ADDITIONAL 3 BAY POLY TUNNEL	Granted	12/08/1998
94/0712	RETENTION OF KERBS TO ACCESS ROAD (RETROSPECTIVE)	Granted	07/12/1994
94/0606	ERECTION OF 2 NO POLYTUNNELS	Granted	07/12/1994
94/0198	SITING OF A MOBILE HOME FOR A FIVE YEAR PERIOD AND ERECTION OF POLYTUNNELS	Refused	22/06/1994
91/0345	CHANGE OF USE TO TOURING CARAVAN SITE (22NO PITCHES)	Refused	17/07/1991
88/0762	RENEWAL OF CONSENT; SITING OF MOBILE HOME	Granted	25/01/1989
87/0617	RENEWAL OF TEMPORARY CONSENT; SITING OF MOBILE HOME	Granted	02/12/1987
86/0513	TEMPORARY SITING OF MOBILE HOME	Granted	08/10/1986
75/0051	CHANGE OF USE FROM GREENHOUSE TO HORTICULTURAL EQUIPMENT SHOWROOM AND GARDEN CENTRE.	Refused	21/05/1975
80/0862	WIDENING OF EXISTING FIELD ACCESS TO HORTICULTURAL HOLDING.	Granted	10/12/1980
86/0333	SITING OF STATIC CARAVAN (PERMANENT).	Refused	13/08/1986

Relevant Planning Appeals History

None.

Parish Council Observations

Westby with Plumpton Parish Council notified on 15 December 2010

Summary of Response

“Parish Council recommends refusal of the application for the following reasons:-

- *Contrary to Fylde Borough Local Plan*
- *Out of character for Westby Parish (a large number of properties in a small area)*
- *Flood area*
- *Extending the urban space from Blackpool to Westby*
- *Highway grounds*
- *No regular/proper transport services*

Should the application be approved Parish Council recommends that improvements are made on Whitehill Road by way of provision of public footpaths, street lighting etc.”

Statutory Consultees

County Highway Authority

At the time of writing this report no comments have been received in respect of this application. However, the highway authority have raised objection to application 10/0900 on the Hollywood Nurseries site on the basis that the sustainability improvements proposed in that application which was a payment of £162,000 to be used for improving the existing bus services in the area and cycle lane improvements were insufficient to address the accessibility concerns that they have with the site. As this application relies on the Hollywood Nurseries scheme to address its accessibility failings and does not make any service improvements then it is assumed that the highway authority will also be opposed to this application.

Policy Section

They refer to the national, regional and local policy framework under which the application should be determined. PPS3 requires that councils are able to demonstrate a housing supply that is at least equivalent to 5 years supply of the targets contained within the RSS. Fylde Borough is well short of that figure and at around 1.6 years supply.

However, the government intends to abolish RSS and so whilst they remain part of the development plan the council has to determine what weight to give them in reaching decisions on planning applications.

The designation of the site in the Fylde Borough Local Plan is as Countryside and so the residential development proposed is contrary to that policy. It is also contrary to Policy HL3 which promotes small scale rural affordable housing as the scheme is not small scale and is not associated with any settlement.

They also refer to the sustainability of the site. Whilst the site is close to the employment opportunities at Whitehills Business Park, it is remote from all other forms of service and does not seem to offer anything to compensate for that and relies on the improvements to bus route, cycle connections and convenience shopping in the outline planning permission at the adjacent Hollywood Nurseries site. They advice that these do not adequately address the sites unsustainable location and so it is also contrary to Policy HL2.

Strategic Housing Unit

The council's Housing Officer refers to the planning history on the adjacent Hollywood Nurseries site which is subject to a condition that 30% of the properties be affordable properties for rent. He notes that this application does not propose any affordable properties and so recommends refusal on that basis. (Note: These comments were received prior to the developer's offer of 30% of the dwellings for shared rent.)

United Utilities – Water Services

Raise no objection to the proposal subject to the drainage being connected to the surface water and foul sewers respectively and the properties all being supplied with a metered supply.

United Utilities - Electricity Services

Refer to the site being adjacent to an operational sub-station and that they have other equipment in the vicinity. As such they highlight the need for the developer to ensure that this facility and its easements are not affected by the works.

LCC Contributions Officer

They have made a series of requests under the 'Planning Obligations in Lancashire' Paper on the basis of the scale of the development and the implications that it will have for service provision.

Primary School – There is no primary school within 2 miles of the development which is likely to incur transport costs for LCC. The nearest school (Heyhouses) has no spare capacity and so the County are seeking a contribution based on the full yield from the development which is 4 spaces and so amounts to £47,360.

Secondary School – The only school within 3 miles is Lytham St Annes Technology and Performing Arts Collage. This currently has places available, but with the developments that are envisaged in the area these spaces will be utilised. The joint yield from this developer's application (10/0751 & 10/0752) is 12 spaces and as there are 5 spaces available this leaves a shortfall of 7 spaces for which the County request a contribution of £124,883 although this is to be paid by application 10/0752 as the existing spare capacity meets the yield from this application.

Waste management – They initially requested a contribution of £13,440 based on the 28 dwelling scheme but have revised this to £4,800 due to the reduced number of dwellings. This money is to be spent on future investment in waste management infrastructure in the County.

Observations of Other Interested Parties

The CPRE do not raise objection to the principle of the development given that it is adjacent to the Hollywood Nurseries site that has planning permission in outline. However, they do raise objection to the fact that none of the properties are affordable. They highlight the need for affordable properties in the borough and suggest that this site should provide its full quota of 30% of the total.

Lancashire Fire and Rescue Service have made standard comments to ensure that the access is suitable for fire service vehicles, that there is an adequate water supply to the site and to recommend that sprinklers are fitted as a precaution.

Neighbour Observations

Neighbours notified: 15 December 2010

No. Of Responses Received: 6

Nature of comments made:

One of the neighbours raises no objection to the principle of residential development but requests that a previous proposal to alter Whitehills Road into a cul-de-sac for the residential dwellings be imposed to direct all commercial traffic to the more suitable Lytham St Annes Way. They also refer to the need for the balancing pond and flood prevention works to be implemented correctly to alleviate existing surface water flooding plans.

Other neighbours have referred to the over-development of the site that the original 28 dwelling scheme would involve. They refer to the very sparse development in the surrounding area and so suggest that the site is only capable of accommodating a handful of dwellings without appearing cramped compared to neighbouring developments.

Relevant Planning Policy

Regional Spatial Strategy:

DP01	Spatial Principles
DP02	Promote Sustainable Communities
DP03	Promote Sustainable Economic Development
DP04	Make the best use of existing resources and infrastructure
DP05	Manage travel demand
DP06	Marry opportunity and need
DP07	Promote environmental quality
DP08	Mainstreaming rural issues
RDF01	Spatial priorities
CLCR01	Central Lancashire city region priorities
CLCR02	Development and investment in central Lancashire city region
CLCR03	Green city
L02	Understanding housing markets
L04	Regional housing provision
L05	Affordable housing
RT02	Managing travel demand
RT09	Walking and cycling
EM01	Enhance and protect the region's environmental assets
EM03	Green infrastructure
EM05	Integrated water management
EM09	Secondary and recycled aggregates
EM11	Waste management principles
EM15	A framework for sustainable energy in the North West
EM16	Energy conservation and efficiency
EM18	Decentralised energy supply

Fylde Borough Local Plan:

HL02	Development control criteria for new housing proposals
SP02	Development in countryside areas
HL06	Design of residential estates
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP12	Conservation trees & woodland
EP14	Landscaping of new developments
EP18	Natural features
EP19	Protected species
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
EP26	Air pollution
TR01	Improving pedestrian facilities
TR03	Increasing provision for cyclists
TR05	Public transport provision for large developments

Other Relevant Policy:

Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

The Development Plan

Section 38 (6) of the Town and Country Planning Act 1990 requires that applications are determined in line with the development plan unless material considerations dictate otherwise. The development plan consists of the Regional Spatial Strategy for the North West (RSS) and the Fylde Borough Local Plan as amended 2005 (FBLP).

Since the Coalition Government came to power in May 2010 there have been a series of changes to the position and weight to be attached to the RSS. The latest position is that it is part of the development plan, but the Secretary of State has indicated his intention to formally remove Regional Strategies from the development plan as part of the Localism Bill that is currently proceeding through parliament. The latest legal position on this is therefore that the RSS remains part of the development plan but the intention to remove the RSS is a material consideration. The decision maker (i.e. the council) must consider what weight is to be attached to the Secretary of State's intention to revoke the RSS when determining planning applications.

Following the original revocation of the RSS in June 2010, Fylde Borough Council considered its position on housing supply in the strategic planning void that was created. It formally resolved that for the short term it will continue with the saved policies of the Fylde Borough Local Plan and to re-endorse the Interim Housing Policy which was to support the principle of residential development only where it fell within a defined settlement boundary. In the longer term the LDF process will identify future housing supply figures and potential settlement extensions or other out-of-settlement allocations.

The weight to be attached to the RSS is important because it is that document that establishes the housing supply targets which PPS3 requires a 5 year supply to be provided for. With the RSS now part of the development plan again then the Cabinet Member for Planning and Development has formally decided that the council's position on housing numbers should remain as before. Therefore the Fylde Borough Local Plan and Interim Housing Policy are the primary policy documents for determining residential planning applications.

Planning History

The planning history of this site relates to the former plant nursery and ancillary uses which appear to have now been abandoned and so are not of any relevance to this application.

The part of the site where the dwellings would be constructed is adjacent to the Hollywood Nurseries site, and the access to this area runs through that site. As such it is important to consider the planning history at that site. Application 08/0282 was an outline application for residential development of the site that was allowed on appeal in 2009 subject to a series of conditions and the requirements of a Unilateral Undertaking that improved the accessibility of the site. This outline planning permission remains extant but has not yet been implemented and no reserved matters have yet been received.

Instead, the new owners of the site have submitted a full application for the erection of 64 dwellings on the site with this to be considered at a future DC meeting.

Local Plan Allocation and Principle of Development

In the Fylde Borough Local Plan the application site is entirely allocated as Countryside on the Proposals Map. Policy SP2 restricts development to that which maintains the rural character of the area. Residential development is clearly not a rural use and so the application conflicts with the Policy SP2 of the Local Plan. However, it is necessary to examine if there are any other material considerations which would outweigh this policy conflict and so justify the supporting of the development at this site.

Having looked at the application submission the only possible such consideration is the contribution that the proposal would make to housing supply. Despite the reduced weight to be afforded the housing supply targets in the RSS, the council is obviously mindful that the level of house building in recent years has been particularly low. This has implications for the economic health of the borough, and for the ability of its residents to have access to a range of housing and to be able to afford that housing. However, the borough's shortfall against the housing supply targets has existed for some years and must have been one of the factors assessed in 2010 when the council re-considered its policy position in the light of the uncertainty surrounding the RSS. The position taken at that time was that in the short term the council would continue to apply the saved policies of the Fylde Borough Local Plan and the Interim Housing Policy. In the longer term the LDF process will identify future housing supply figures, and eventually allocate sites for their provision. This approach is consistent with government advice and its localism agenda which allows each local authority to determine how best to deal with housing supply matters in its own area.

The summary of this as it relates to this proposal is that the council is legally required to assess what weight to give the shortfall in housing supply as identified by PPS3 and the figures in the RSS before determining any residential planning application. The council has considered this shortfall and resolved that, for the meantime, it will continue with the Local Plan allocations and Interim Housing Policy which direct development to sites that lie within settlement boundaries only. In this case this means that the residential development of this greenfield Countryside site should not be granted planning permission as it is in conflict with these long-standing and recently re-endorsed policies.

Sustainability of Site

The application site is located outside of and remote from any settlement. The nearest residential area is the Normoss area on the edge of Blackpool which is across the M55, with the nearest Fylde settlements being St Annes, Weeton and Kirkham but all are over 2 miles from the site. As shops, schools, recreation facilities and other services are generally concentrated in existing residential areas, the applicants of the previous scheme on the adjacent Hollywood Nurseries site proposed various methods to improve the accessibility of these services to the potential occupants of their development. These measures were included in a Unilateral Undertaking that was presented at the appeal and so is binding on that outline planning permission.

The Transport Assessment submitted with this application refers to the Unilateral Undertaking that is associated with the outline planning permission on the Hollywood Nurseries site and relies entirely on that permission being implemented and so providing the improvements to the accessibility of the site to these services. In brief, that document secures the provision of a regular bus route linking the site to St Annes town centre and the Clifton Retail Park in Blackpool, a contribution of £15,000 towards upgrading cycle lanes in the area, and the provision of a convenience store on land opposite the site.

There are three concerns with that approach. Firstly, the Hollywood Nurseries site has since changed ownership and rather than submit a reserved matters application to complete the details for the already approved outline, the new owners have submitted a full application (10/0900) which proposes lesser measures to address the accessibility shortcomings of the site's location. Whilst the existence of that planning permission and associated Unilateral Undertaking are clearly a material consideration to be

borne in mind in the determination of this application, the current owners appear to be reluctant to implement that permission and so there must be doubts as to whether the associated improvements in accessibility will be forthcoming. Secondly, this application involves additional residential development over that on the Hollywood Nurseries site, and so it would be reasonable to expect that it provides additional accessibility benefits to these already secured, yet no such benefits are proposed. Thirdly, the red edge to this application site extends to the existing highway at Lytham St Annes Way and so could be implemented without the Hollywood Nurseries development taking place and so without the accessibility improvements it involves.

Criteria 7 of Policy HL2 of the Fylde Borough Local Plan requires that residential development is located in a sustainable location having regard to local availability of shops, school, employment sources, public transport and other community facilities. It is considered that this proposal fails to meet that requirement.

Access Arrangements

As a plant nursery the application site has an existing access to Whitehills Road. That access is suitable for the plant nursery use, but would not be appropriate for the residential development proposed in this application due to the narrow carriageway width and national speed limit that applies making additional vehicle movements a concern, and the absence of any footways or lighting making it unsuited for safe use by pedestrians.

Instead, the application proposes that a single vehicular access is taken through the Hollywood Nurseries, with ownership notice served on the new owners, to join the highway network via the existing roundabout junction on Lytham St Annes Way. The access road would provide a 5.5m wide carriageway with pedestrian footways on each side along its whole length. Lytham St Annes Way and the surrounding road network is purpose built for the commercial development that is envisaged in the area and so had adequate capacity to accommodate the traffic that would be associated with the development in this application. The junction design to this road and the internal arrangements are all to specification and so there are no concerns with this aspect of the development. Should the scheme be acceptable in other regards it would be appropriate for conditions to be imposed to ensure that the access point to Whitehills Road be permanently closed and all construction traffic be taken via the Lytham St Annes Way access point only on highway safety grounds.

Affordable Housing

As a consequence of the borough's shortfall in general housing supply there is also a shortfall in affordable housing provision. A scheme that provides affordable housing to address this shortfall in supply would therefore generally be welcomed and this provision would weigh in favour of the development. One rider to this is that the affordable housing should be in an area that is well connected to shops, schools and other services given the generally lesser access to private cars amongst those in housing need. The failings of this site in that regard are discussed in detail elsewhere in the report.

The Interim Housing Policy allows for residential development outside of settlements in exceptional circumstances. If it was accepted that this site was able to demonstrate such circumstances then the IHP would look for it to provide 30% of the dwellings as affordable properties. Whilst the application did not make such provision initially, the applicant has since confirmed that they will offer 30% of the dwellings as affordable properties. This level of affordable housing would comply with the requirements of the Interim Housing Policy in this regard but the developer has not provided any information on the tenure of the properties, their type or the number of bedrooms. In addition, there is no mechanism in place to secure this provision and so there can be no certainty of delivery.

Policy HL3 is relevant in this aspect and permits small scale housing projects that are within or adjacent to rural villages subject to certain criteria. This scheme is too large to be 'small scale' and does not provide the necessary 100% affordable dwellings. This application is essentially a residential extension to the Whitehills Park employment site rather than a scheme to which Policy

HL3 would specifically apply. However, it is a site that lies on rural land the proposal must be considered also to be in conflict with this policy.

Public Open Space

As the application is in outline only there is no certainty about the proposed layout on which to comment in detail at this stage. However, from the revised illustrative layout it seems that there is no intention to provide public open space on this site. Such an absence of public open space is a concern to the council given the remoteness of the location from any existing play areas or other meaningful open space facilities. The cumulative number of dwellings proposed by the various applications in this justify the provision of some play provision and passive open space for its residents. It would be appropriate for the developments to provide this collectively and in the absence of this scheme making any contribution towards that provision it is contrary to Policy TREC17 of the Local Plan and justifies a reason for refusal in this case. That policy and the IHP both enable developments to make financial contributions in lieu of on-site provision but this is not an option that is supported in this remote location.

Services

As the application is in outline the drainage details are not provided with any certainty. However, the scale of the development now proposed and the absence of any drainage features within the existing site means that it is unlikely that this will be a significant issue in the development of the site. Any matters are likely to be capable of resolution at reserved matters stage or by appropriate condition.

There is an electricity sub station in the corner of the site and a significant cable running diagonally across it. The electricity service provider has highlighted the need for these to be respected in the development, but as this is an outline application only it is not relevant for the consideration at this stage. The developer has been made aware of this issue.

Other Contributions

The IHP seeks contributions from developments toward public realm improvements at a level of up to 2.5% of the open market value of the dwellings involved. With this being an outline application there is no indication of the end value of the dwellings, and to give some certainty to this aspect the applicant has offered a sum of £68,000 in respect of this contribution. Your officers believe that this is a reasonable figure but in the absence of any legal agreement to secure the payment of this sum then this must also justify a reason for refusal.

The County Council have highlighted that the site is remote from any primary or secondary schools and that there is an actual or projected shortfall of places at the school which are closest. They therefore request contributions from the developer to be utilised to address this shortfall. They also make requests for waste management measures associated with the scale of the development. These contributions are based on their Planning Obligations paper which is intended to provide a mechanism by which funding can be secured from developments to address the increased service demands which the additional residents in an area will place on the County Council. These requests total £52,160 (£47,360 for primary school provision, nothing for secondary school provision due to existing available capacity and £4,800 for waste minimisation) and in the absence of any mechanism to secure these contributions then this must justify a reason for refusal of the application.

Conclusions

The proposal involves residential development on a greenfield plant nursery site that is located within the designated Countryside and remote from any settlement, but is adjacent to the Hollywood Nurseries site that has planning permission in outline for residential development. This application is outline with only access applied for at this stage, with this being through the Hollywood Nurseries site.

Planning applications are to be determined in line with the development plan policies unless material

considerations indicate otherwise. Whilst the development plan currently consists of the Regional Spatial Strategy and the Fylde Borough Local Plan, it is the government's clear intention that the RSS will be revoked as part of the legislation introduced by the Localism Bill currently going through parliament. The legal position on this is that the council should decide what weight to give the RSS and so the housing supply figures that it contains when making its decisions on planning applications. Throughout the various legal positions in respect of the RSS, the council has taken the view that the Fylde Borough Local Plan is the principle development plan document for determining the appropriate locations for development in the short term, as supported by the Interim Housing Policy. The Core Strategy, and its supporting documents, will be the correct method for defining future development levels and locations in the longer term. This proposal conflicts with the local land use allocation as Countryside in the Fylde Borough Local Plan and so should be refused.

The site is remote from any settlement and makes no contribution towards addressing that remoteness. Instead it relies on the developers of the adjacent Hollywood Nurseries site and the bus route, convenience store and cycle route improvements that are included within its Unilateral Undertaking to alleviate these locational concerns. Whilst the outline permission remains extant and so the Unilateral Undertaking is relevant, the site has since changed ownership and the new owners have submitted an application for residential development on the site which proposes significantly less accessibility improvements than would apply if the outline were implemented. As such there must be a doubt that the benefits that this offers will be realised and so available to the current application site (and its neighbouring application 10/0752 which follows on this agenda). Even if the outline permission at Hollywood Nurseries were implemented, the improvements were to deal with the locational concerns of that site and the additional site area proposed here should properly propose its own contributions to the situation. As it does not it must be contrary to Policy HL2 which requires development to be on sustainably located sites.

Whilst the borough undeniably has a current shortage of housing land, to which the residential development of this site would assist in the reduction of and so weighs in favour of its development, it is not considered that this is of a sufficient benefit to compensate for the concerns outlined above and so the application is recommended for refusal. Other reasons for refusal are therefore also justified due to the absence of any certainty towards provision of affordable housing, provision of public open space, public realm improvements and contributions towards education facilities.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposal involves residential development of land that is outside of any settlement boundary and is allocated as Countryside in the Fylde Borough Local Plan. Residential development does not meet any of the categories of development which are acceptable in such areas and so the proposal is contrary to Policy SP2 of the Fylde Borough Local Plan in principle and to Policy HL3 of the Fylde Borough Local Plan which requires such schemes to be small scale and wholly affordable.
2. The proposal involves residential development of land that is outside of any settlement, and in the absence of any material considerations to outweigh the conflict with the Countryside allocation of the Fylde Borough Local Plan in Policy SP2, the residential development of such land does not accord with the requirements of the council's Interim Housing Policy.
3. The site has a low accessibility due to its separation from shops, services and the existing transport connections. In the absence of any agreement being secured with the developer for improvements to these transport connections then the proposal does not offer its future

residents the necessary access to these services and so is contrary to criteria 7 of Policy HL2 of the Fylde Borough Local Plan.

4. In the absence of any legal agreement or other such mechanism being in place to secure the provision and operation of the proposed affordable housing requirements there can be no certainty that the requirements of Fylde Borough Council's Interim Housing Policy will be provided. Accordingly the scheme is contrary to the provisions of the Interim Housing Policy, Policy L5 of Regional Spatial Strategy for the North West and guidance in paragraphs 27-30 of PPS3: Housing in respect of affordable housing provision.
5. That in the absence of any legal agreement or other such mechanism being in place to secure the on site provision and on-going maintenance of an appropriate degree of public open space there can be no certainty that this requirement of Fylde Borough Council's Interim Housing Policy will be provided. On that basis the scheme is contrary to the Interim Housing Policy and Policy TREC 17 of the Fylde Borough Local Plan.
6. That in the absence of any legal agreement or other such mechanism being in place to secure the contributions towards public realm improvements in the area there can be no certainty that this requirement of Fylde Borough Council's Interim Housing Policy will be provided. On that basis the scheme is contrary to the Interim Housing Policy and Policy EP01 of the Fylde Borough Local Plan.
7. That the application does not provide any mechanism to secure contributions towards addressing the shortfall in local primary and secondary education provision to meet the increased demand for education places in the area that the occupants of the dwellings will generate. There is also no mechanism to secure contributions towards additional waste management services. The absence of such mechanisms as are outlined by Lancashire County Council's 'Planning Obligations in Lancashire' paper results in a form of development that is contrary to the requirements of that paper.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/10/0751	Address Westfield Nurseries Whitehill Road, Westby	Grid Ref. E.3349 : N.4325	Scale N.T.S.	Item No.

Item Number: 4 Committee Date: 23 March 2011

Application Reference: 10/0752		Type of Application:	Outline Planning Permission
Applicant:	Kensington Developments Ltd	Agent :	
Location:	POND (ADJ. HONDA DEALERSHIP), LYTHAM ST ANNES WAY, WHITEHILLS BUSINESS PARK, WESTBY, FY		
Proposal:	OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 38 NO. DWELLINGS INCLUDING RELOCATION OF BALANCING POND TO A SITE ON SOUTHERN SIDE OF WHITEHILLS ROAD (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		
Parish:	Westby with Plumpton	Area Team:	Area Team 1
Weeks on Hand:	15	Case Officer:	Andrew Stell
Reason for Delay:	Delay due to the need to report Committee		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The application relates to two separate parcels of land on either side of Whitehills Road. One of which contains a balancing pond that was constructed as part of the site drainage for the Whitehills Business Park development and the other is a smaller field in agricultural use. The balancing pond is between the Hollywood Nursery site that has outline planning permission for residential development, and the Honda car dealership. The site is designated as Countryside in the Fylde Borough Local Plan and is adjacent to the employment land at the Whitehills Business Park.

The application is an outline application for the erection of 38 dwellings with all matters other than access reserved for later consideration. The site is located within the Countryside area allocated by Policy SP2 of the Fylde Borough Local Plan and so the residential development proposed will conflict with that Policy. However, it is necessary to examine whether there are other material considerations that should outweigh this conflict.

In its favour, the proposal would provide a contribution towards housing supply in the borough, and to affordable housing.

To counter that, the site is in a location that is remote from shops, services, schools, leisure facilities, etc. When the Hollywood Nurseries scheme was allowed, the developers proposed the provision of a bus route passing the site, a convenience store adjacent to the site and cycle lane improvements. This application provides no such measures with the applicant looking to rely on the Hollywood Nursery based improvements to ensure the accessibility of their site. However, there can be no certainty that that permission will be implemented or that the improvements are adequate for the additional dwellings involved here, and it is concluded that the proposal does not address the sustainability concerns of this application site. The application also fails to offer any security of provision of the affordable housing or compensation for the shortfall in education places in the area. It also involves the relocation of

the balancing pond which raises ecological and land drainage concerns that have not been satisfied.

As an overall view, the proposal makes a contribution to housing supply in the borough, but is located remote from and outside of any settlement on land that is allocated as Countryside in the Fylde Borough Local Plan. The residential development proposed will conflict with the designation of the land in the Fylde Borough Local Plan as Countryside and the Interim Housing Policy which supports the Local Plan in assessing residential planning applications. This is the most relevant and local part of the development plan and so the application is recommended for refusal.

Reason for Reporting to Committee

The proposal involves major development.

Site Description and Location

The application site is split into 2 areas of land that are separated by Whitehills Road. The first area is a rectangular parcel that is bounded by Lytham St Annes Way to the north, the Honda dealership to the east, Whitehills Road to the south and the Hollywood Nurseries site to the west, although the red edge extends through the Hollywood Nurseries site to provide access to the highway. The site currently contains a balancing pond that is associated with the drainage of the wider Whitehills Business Park site, and associated landscaping. The main part of this area measures 375m x 100m.

The other area is a rectangular parcel of land that is on the opposite side of Whitehills Road and measures 115m x 85m. This area is currently an agricultural field and was used for grazing of horses at the time of officer site visit.

The red edge also includes the access to Lytham St Annes Way which runs through the adjacent Hollywood Nurseries site. This is another former plant nursery that has outline planning permission for residential development (08/0282) and is the subject of a full application for residential development that will be presented to committee in due course.

Surrounding land uses are mixed with employment uses, some residential properties, former nursery sites, and open countryside on the opposite side of Whitehills Road. The bulk of the employment development at Whitehills Business Park is located to the opposite side of Lytham St Annes Way to the north.

Details of Proposal

The application is an outline proposal for residential development with all matters reserved except for access. The application is for 38 dwellings. The red edge indicates the access arrangements which are through the adjacent Hollywood Nurseries site to the existing roundabout on Lytham St Annes Way. The plans for the current full planning application on that site (10/0900) marry up with the route shown on this plan.

The application is supported with an illustrative layout but as only the access is applied for this has no weight in the determination of the application. The scheme indicates that the 38 dwellings are of a mix of house type off 3 short cul-de-sacs. The plan also indicates a wildlife pond, balancing pond, play area and a kick-about area within this part of the site.

As the area for proposed residential development currently contains a balancing pond that handles the site drainage from parts of the Whitehills Business Park there is a need to relocate this. The proposal is that this be provided in the other part of the application site which is on the opposite side of

Whitehills Road. This is a field that is surrounded by existing ditches within which an irregularly shaped pond is to be excavated with the resultant material mounded around the pond or utilised as fill on the residential area.

The application is supported with a Design Statement, Transport Assessment, Sustainability Assessment and Flood Risk Assessment. An ecological statement has also been submitted as a response to initial concerns over this aspect from the relevant consultees.

A letter has also been received from the applicant explaining that they will offer 30% of the dwellings as affordable properties and make a contribution of £200,000 to the council to be utilised for public realm works in the area.

Relevant Planning History

Application No.	Development	Decision	Date
98/0150	CONSTRUCTION OF ECOLOGY AND CONSERVATION AREA INCORPORATING SURFACE WATER BALANCING POND AND CONSTRUCTION OF FOUL WATER PUMPING STATION TO FACILITATE DEVELOPMENT AT DUGDALE FARM.	Granted	17/06/1998

Relevant Planning Appeals History

None.

Parish Council Observations

Westby with Plumpton Parish Council notified on 15 December 2010

Summary of Response

“Parish Council recommends refusal of the application for the following reasons:

- *Opposed to moving the balancing pond, which is a rural type feature*
- *Contrary to Fylde Borough Local Plan*
- *Out of character for Westby Parish (a large number of properties in a small area)*
- *Flood area*
- *Extending the urban space from Blackpool to Westby*
- *Highway grounds*
- *No regular/proper transport services*

Should the application be approved Parish Council recommends that improvements are made on Whitehill Road by way of provision of public footpaths, street lighting etc.”

Statutory Consultees

County Highway Authority

At the time of writing this report no comments have been received in respect of this application. However, the highway authority have raised objection to application 10/0900 on the Hollywood Nurseries site on the basis that the sustainability improvements proposed in that application, which was a payment of £162,000 to be used for improving

the existing bus services in the area and cycle lane improvements, were insufficient to address the accessibility concerns that they have with the site. As this application relies on the Hollywood Nurseries scheme to address its accessibility failings and does not make any service improvements then it is assumed that the highway authority will also be opposed to this application.

United Utilities - Water

Raise no objection to the proposal subject to the drainage being connected to the surface water and foul sewers respectively and the properties all being supplied with a metered supply.

They highlight that the pond will need to be designed with adequate capacity to ensure that it can accommodate the existing flows and the additional from the proposed development involved in this application. United Utilities will not adopt the pond and so the developer will need to secure long term maintenance of it.

United Utilities - Electricity Services

Refer to the site being adjacent to their operational land and distribution assets. As such they highlight the need for the developer to ensure that this facility and its easements are not affected by the works.

Local Plans Section

They refer to the national, regional and local policy framework under which the application should be determined. PPS3 requires that councils are able to demonstrate a housing supply that is at least equivalent to 5 years supply of the targets contained within the RSS. Fylde Borough is well short of that figure at around 1.6 years supply.

However, the government intends to abolish RSS and so whilst they remain part of the development plan the council has to determine what weight to give them in reaching decisions on planning applications.

The designation of the site in the Fylde Borough Local Plan is as Countryside and so the residential development proposed is contrary to that policy. It is also contrary to Policy HL3 which promotes small scale rural affordable housing as the scheme is not small scale and is not associated with any settlement.

They also refer to the sustainability of the site. Whilst the site is close to the employment opportunities at Whitehills Business Park, it is remote from all other forms of service and does not seem to offer anything to compensate for that and relies on the improvements to bus route, cycle connections and convenience shopping in the outline planning permission at the adjacent Hollywood Nurseries site. They advice that these do not adequately address the sites unsustainable location and so it is also contrary to Policy HL2.

Strategic Housing Team

The council's Housing Officer refers to the planning history on the adjacent Hollywood Nurseries site which is subject to a condition that 30% of the properties be affordable properties for rent. He notes that this application does not propose any affordable properties and so recommends refusal on that basis. (Note: These comments were received prior to the developer's offer of 30% of the dwellings for social rent.)

Environment Agency

Made an initial objection to the application on the basis of the lack of ecological and flood risk information associated with the relocation of the pond.

They have since assessed the ecological information that has been submitted and have

concluded that the details provided are inadequate to allow them to be satisfied that the replacement pond will provide adequate ecological mitigation for the loss of the habitat that the pond currently provides.

They also refer to the lack of any wildlife corridor that would allow species to transfer between the various ponds provided within the main site and the replacement balancing pond across Whitehills Road.

County Ecology Officer

She explains that the site includes a UK Biodiversity Action Plan priority habitat in the balancing pond, which qualifies as such due to a priority species (Common Toad) is known to be present. The proposal involves the removal of this pond and the creation of alternative features within the site and across Whitehills Road. However, there are insufficient details of how these are to be created, how the existing pond is to be drained, how the plants and amphibians are to be translocated and so how this will maintain the overall biodiversity of the site. Without these details being provided the County Ecologist is opposed to the development of the site as there is inadequate certainty over the compensation for the loss of the UK BAP priority habitat.

The submitted ecology report refers to the provision of a barn owl nesting box within the pond site. She welcomes this in principle but suggests a tree mounted box would be more appropriate in wildlife terms and should be secured by condition.

LCC Contributions Officer

They have made a series of requests under the 'Planning Obligations in Lancashire' Paper on the basis of the scale of the development and the implications that it will have for service provision.

Primary School – There is no primary school within 2 miles of the development which is likely to incur transport costs for LCC. The nearest school (Staining) has no spare capacity and so the County are seeking a contribution based on the full yield from the development which is 12 spaces and so amounts to £142,079.

Secondary School – The only school within 3 miles is Lytham St Annes Technology and Performing Arts Collage. This currently has places available, but with the developments that are envisaged in the area these spaces will be utilised. The joint yield from this developer's application (10/0751 & 10/0752) is 12 spaces and as there are 5 spaces available this leaves a shortfall of 7 spaces for which the County request a contribution of £124,883

Waste management – They request a contribution of £18,440 based on the 38 dwelling scheme towards future investments in waste management infrastructure within the County.

Observations of Other Interested Parties

Lytham St Annes Civic Society comment that they see no reason to move the pond and that this is not the place for speculative housing development as there is no public transport or other infrastructure to support it.

The **CPRE** do not raise objection to the principle of the development given that it is adjacent to the Hollywood Nurseries site that has planning permission in outline. However, they do raise objection to the fact that none of the properties are affordable. They highlight the need for affordable properties in the borough and suggest that this site should provide its full quota of 30% of the total.

Lancashire Fire and Rescue Service have made standard comments to ensure that the access is suitable for fire service vehicles, that there is an adequate water supply to the site and to recommend that sprinklers are fitted as a precaution.

Neighbour Observations

Neighbours notified: 15 December 2010

No. Of Responses Received: 2

Nature of comments made:

One of the neighbours raises no objection to the principle of residential development but requests that a previous proposal to alter Whitehills Road into a cul-de-sac for the residential dwellings be imposed to direct all commercial traffic to the more suitable Lytham St Annes Way. They also refer to the need for the balancing pond and flood prevention works to be implemented correctly to alleviate existing surface water flooding problems.

The other letter is from the operators of a nearby Caravan Park. They refer to the proximity of the proposed balancing pond to the caravan park and consider that this creates a potential flood risk to their site. Their concerns are based on the ability of the pond to handle the existing volumes of water and the lack of space around it should expansion be required given the vulnerability of caravan uses to flooding.

Relevant Planning Policy

Regional Spatial Strategy:

DP01	Spatial Principles
DP02	Promote Sustainable Communities
DP03	Promote Sustainable Economic Development
DP04	Make the best use of existing resources and infrastructure
DP05	Manage travel demand
DP06	Marry opportunity and need
DP07	Promote environmental quality
DP08	Mainstreaming rural issues
RDF01	Spatial priorities
CLCR01	Central Lancashire city region priorities
CLCR02	Development and investment in central Lancashire city region
CLCR03	Green city
L02	Understanding housing markets
L04	Regional housing provision
L05	Affordable housing
RT02	Managing travel demand
RT09	Walking and cycling
EM01	Enhance and protect the region's environmental assets
EM03	Green infrastructure
EM05	Integrated water management
EM09	Secondary and recycled aggregates
EM11	Waste management principles
EM15	A framework for sustainable energy in the North West
EM16	Energy conservation and efficiency
EM18	Decentralised energy supply

Fylde Borough Local Plan:

HL02	Development control criteria for new housing proposals
SP02	Development in countryside areas
HL06	Design of residential estates
EP01	Environmental Improvement Schemes

EP10	Protection of important landscape and habitat features
EP12	Conservation trees & woodland
EP14	Landscaping of new developments
EP18	Natural features
EP19	Protected species
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
EP26	Air pollution
TR01	Improving pedestrian facilities
TR03	Increasing provision for cyclists
TR05	Public transport provision for large developments

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

The Development Plan

Section 38 (6) of the Town and Country Planning Act 1990 requires that applications are determined in line with the development plan unless material considerations dictate otherwise. The development plan consists of the Regional Spatial Strategy for the North West (RSS) and the Fylde Borough Local Plan as amended 2005 (FBLP).

Since the Coalition Government came to power in May 2010 there have been a series of changes to the position and weight to be attached to the RSS. The latest position is that it is part of the development plan, but the Secretary of State has indicated his intention to formally remove Regional Strategies from the development plan as part of the Localism Bill that is currently proceeding through parliament. The latest legal position on this is therefore that the RSS remains part of the development plan but the intention to remove the RSS is a material consideration. The decision maker (i.e. the council) must consider what weight is to be attached to the Secretary of State's intention to revoke the RSS when determining planning applications.

Following the original revocation of the RSS in June 2010, Fylde Borough Council considered its position on housing supply in the strategic planning void that was created. It formally resolved that for the short term it will continue with the saved policies of the Fylde Borough Local Plan and to re-endorse the Interim Housing Policy which was to support the principle of residential development only where it fell within a defined settlement boundary. In the longer term the LDF process will identify future housing supply figures and potential settlement extensions or other out-of-settlement allocations.

The weight to be attached to the RSS is important because it is that document that establishes the housing supply targets which PPS3 requires a 5 year supply to be provided for. With the RSS now

part of the development plan again then the Cabinet Member for Planning and Development has formally decided that the council's position on housing numbers should remain as before. Therefore the Fylde Borough Local Plan and Interim Housing Policy are the primary policy documents for determining residential planning applications.

Planning History

The only planning history of this site relates to the formation of the balancing pond as part of the early development of the Whitehills Business Park. Prior to its construction the site was in agricultural use like the surrounding land, and as remains the case at the part of the site that is across Whitehills Road.

The part of the site where the dwellings would be constructed is adjacent to the Hollywood Nurseries site, and the access to this area runs through that site. As such it is important to consider the planning history at that site. Application 08/0282 was an outline application for residential development of the site that was allowed on appeal in 2009 subject to a series of conditions and the requirements of a Unilateral Undertaking that improved the accessibility of the site. This outline planning permission remains extant but has not yet been implemented and no reserved matters have yet been received. Instead, the new owners of the site have submitted a full application for the erection of 64 dwellings on the site with this likely to be considered at a future DC committee meeting.

Local Plan Allocation and Principle of Development

In the Fylde Borough Local Plan the application site is entirely allocated as Countryside on the Proposals Map. Policy SP2 restricts development to that which maintains the rural character of the area. Residential development is clearly not a rural use and so the application conflicts with Policy SP2 of the Local Plan. However, it is necessary to examine if there are any other material considerations which would outweigh this policy conflict and so justify the supporting of the development at this site.

Having looked at the application submission the only possible such consideration is the contribution that the proposal would make to housing supply. Despite the reduced weight to be afforded the housing supply targets in the RSS, the council is obviously mindful that the level of house building in recent years has been particularly low. This has implications for the economic health of the borough, and for the ability of its residents to have access to a range of housing and to be able to afford that housing. However, the borough's shortfall against the housing supply targets has existed for some years and must have been one of the factors assessed in 2010 when the council re-considered its policy position in the light of the uncertainty surrounding the RSS. The position taken at that time was that in the short term the council would continue to apply the saved policies of the Fylde Borough Local Plan and the Interim Housing Policy. In the longer term the LDF process will identify future housing supply figures, and eventually allocate sites for their provision. This approach is consistent with government advice and its localism agenda which allows each local authority to determine how best to deal with housing supply matters in its own area.

The summary of this as it relates to this proposal is that the council is legally required to assess what weight to give the shortfall in housing supply as identified by PPS3 and the figures in the RSS before determining any residential planning application. The council has considered this shortfall and resolved that, for the meantime, it will continue with the Local Plan allocations and Interim Housing Policy which direct development to sites that lie within settlement boundaries only. In this case this means that the residential development of this greenfield Countryside site should not be granted planning permission as it is in conflict with these long-standing and recently re-endorsed policies.

Sustainability of Site

The application site is located outside of and remote from any settlement. The nearest residential area is the Normoss area on the edge of Blackpool which is across the M55, with the nearest Fylde settlements being St Annes, Weeton and Kirkham but all are over 2 miles from the site. As shops, schools, recreation facilities and other services are generally concentrated in existing built up areas, the applicants of the previous scheme on the adjacent Hollywood Nurseries site proposed various

methods to improve the accessibility of these services to the future occupants of their development. These measures were included in a Unilateral Undertaking that was presented at the appeal and so is binding on that outline planning permission.

The Transport Assessment submitted with this application refers to the Unilateral Undertaking that is associated with the outline planning permission on the Hollywood Nurseries site and relies entirely on that permission being implemented and so providing the improvements to the accessibility of the site to these services. In brief, that document secures the provision of a regular bus route linking the site to St Annes town centre and the Clifton Retail Park in Blackpool, a contribution of £15,000 towards upgrading cycle lanes in the area, and the provision of a convenience store on land opposite the site.

There are three concerns with that approach. Firstly, the Hollywood Nurseries site has since changed ownership and rather than submit a reserved matters application to complete the details for the already approved outline, the new owners have submitted a full application (10/0900) which proposes lesser measures to address the accessibility shortcomings of the site's location. Whilst the existence of that planning permission and associated Unilateral Undertaking are clearly a material consideration to be borne in mind in the determination of this application, the current owners appear to be reluctant to implement that permission and so there must be doubts as to whether the associated improvements in accessibility will be forthcoming. Secondly, this application involves additional residential development over that on the Hollywood Nurseries site, and so it would be reasonable to expect that it provides additional accessibility benefits to these already secured, yet no such benefits are proposed. Thirdly, the red edge to this application site extends to the existing highway at Lytham St Annes Way and so could be implemented without the Hollywood Nurseries development taking place and so without the accessibility improvements it involves.

Criteria 7 of Policy HL2 of the Fylde Borough Local Plan requires that residential development is located in a sustainable location having regard to local availability of shops, school, employment sources, public transport and other community facilities. It is considered that this proposal fails to meet that requirement.

Access Arrangements

Neither part of the application site has any access at present. The application proposes that a single vehicular access is taken through the Hollywood Nurseries site, with ownership notice served on the new owners of that land, to join the highway network via the existing roundabout junction on Lytham St Annes Way. The access road would provide a 5.5m wide carriageway with pedestrian footways on each side along its whole length. Lytham St Annes Way and the surrounding road network is purpose built for the commercial development that is envisaged in the area and so has adequate capacity to accommodate the traffic that would be associated with the residential development in this application. The junction design to this road and the internal arrangements are all to the appropriate specification and so there are no concerns with this aspect of the development.

Affordable Housing

As a consequence of the borough's shortfall in general housing supply there is also a shortfall in affordable housing provision. A scheme that provides affordable housing to address this shortfall in supply would therefore generally be welcomed and this provision would weigh in favour of the development. One rider to this is that the affordable housing should be in an area that is well connected to shops, schools and other services given the generally lesser access to private cars amongst those in housing need. The failings of this site in that regard are discussed in detail elsewhere in the report.

The Interim Housing Policy allows for residential development outside of settlements in exceptional circumstances. If it was accepted that this site was able to demonstrate such circumstances then the IHP would look for it to provide 30% of the dwellings as affordable properties. Whilst the application did not make such provision initially, the applicant has since confirmed that they will offer 30% of the dwellings as affordable properties. This level of affordable housing would comply with the

requirements of the Interim Housing Policy in this regard but the developer has not provided any information on the tenure of the properties, their type or number of bedrooms. In addition, there is no mechanism in place to secure this provision and so there can be no certainty of its delivery. Without this certainty the application is deficient in this regard and should be recommended for refusal.

Policy HL3 is relevant in this aspect and permits small scale housing projects that are within or adjacent to rural villages subject to certain criteria. This scheme is too large to be 'small scale' and does not provide the necessary 100% affordable dwellings. This application is essentially a residential extension to the Whitehills Park employment site rather than a scheme to which Policy HL3 would specifically apply. However, it is a site that lies on rural land the proposal must be considered also to be in conflict with this policy.

Public Open Space

As the application is in outline only there is no certainty about the proposed layout on which to comment in detail at this stage. However, from the revised illustrative layout some public open space is proposed and this is likely to be of an appropriate amount for this development. The remoteness of the location from any existing play areas or other meaningful open space facilities means that this is a resource that is essential for the benefit of future occupiers.

Whilst the intention to provide POS is welcomed, there is no mechanism in place to secure its provision at present and so in the absence of this it is necessary to assume that the proposal is contrary to Policy TREC17 of the Local Plan in that regard.

Ecological Impacts

The balancing pond provides a UK Biodiversity Action Plan priority habitat as it provides a habitat for the Common Toad which is a priority species. The proposal involves the removal of this pond and the creation of alternative features within the site and across Whitehills Road. The application was initially submitted without any information about the ecological implications of these works, but the applicant has since submitted an Ecological Assessment and Mitigation Plan which has been assessed by the County Ecologist and Environment Agency on behalf of the council.

They have concluded that further information is still required to demonstrate that the application will provide adequate mitigation for the loss of the UK BAP priority habitat and to demonstrate how the toad population will be maintained during and after construction. Without these details being provided the County Ecologist is opposed to the development of the site as there is inadequate certainty over the compensation for the loss of the UK BAP priority habitat.

Circular 01/2005 imposes three tests that are to be satisfied before planning permission can be granted in cases where protected species are reasonably likely to be present. As this application does not provide sufficient information to satisfy the ecologists of this then the council should take a precautionary position, and so not approve the application at this stage. On this basis it is concluded that the proposal must be contrary to Policy EP19 of the Local Plan and so recommended for refusal.

Drainage

The proposal involves significant changes to surface water drainage in the whole area with the relocation of the balancing pond. The Environment Agency have objected to the proposal as they consider that the Flood Risk Assessment is inadequate in its technical details and that it may create ecological concerns. United Utilities have also raised issue with the on-going maintenance of the replacement pond and SUDS to handle the surface water in the area as neither United Utilities nor Fylde Borough will not be adopting them, and the applicant makes no mention of on-going maintenance.

Whilst the site is well outside of Flood Zones 2 and 3 where flooding is more likely to occur, the drainage details are considered to be critical due to the scale of the pond that is currently on the application site and the levels of uncertainty about the revisions to the drainage of the area involved in

the application.

Policy EP25 of the Fylde Borough Local Plan and government guidance in PPS25 refer to the need for waste water and surface water drainage issues to be considered at the planning stage and to ensure that adequate arrangements are put in place. At the time of writing this report the absence of any certainty over the capacity and on going maintenance of the revised drainage features must result in a reason for refusal of the application on this basis.

Other Contributions

The IHP also seeks contributions from developments toward public realm improvements at a level of up to 2.5% of the open market value of the dwellings involved. With this being an outline application there is no indication of the end value of the dwellings, and to give some certainty to this aspect the applicant has offered a sum of £200,000 in respect of this contribution. Your officers believe that this is a reasonable figure but in the absence of any legal agreement to secure the payment of this sum then this must also justify a reason for refusal.

The County Council have highlighted that the site is remote from any primary or secondary schools and that there is an actual or projected shortfall of places at the school which are closest. They therefore request contributions from the developer to be utilised to address this shortfall. They also make requests for waste management measures associated with the scale of the development. These contributions are based on their Planning Obligations paper which is intended to provide a mechanism by which funding can be secured from developments to address the increased service demands which the additional residents in an area will place on the County Council. These requests total £285,402 (£142,079 for primary school provision, £124,883 for secondary school provision and £18,440 for waste minimisation) and in the absence of any mechanism to secure these contributions then this must justify a reason for refusal of the application.

Conclusions

The proposal involves residential development on the site of an existing balancing pond that is located within the designated Countryside and remote from any settlement, but is adjacent to the Hollywood Nurseries site that has planning permission in outline for residential development. This application is outline with only access applied for at this stage, with this being through the Hollywood Nurseries site.

Planning applications are to be determined in line with the development plan policies unless material considerations indicate otherwise. Whilst the development plan currently consists of the Regional Spatial Strategy and the Fylde Borough Local Plan, it is the government's clear intention that the RSS will be revoked as part of the legislation introduced by the Localism Bill currently going through parliament. The legal position on this is that the council should decide what weight to give the RSS and so the housing supply figures that it contains when making its decisions on planning applications. Throughout the various legal positions in respect of the RSS, the council has taken the view that the Fylde Borough Local Plan is the principle development plan document for determining the appropriate locations for development in the short term, as supported by the Interim Housing Policy. The Core Strategy, and its supporting documents, will be the correct method for defining future development levels and locations in the longer term. This proposal conflicts with the local land use allocation as Countryside in the Fylde Borough Local Plan and so should be refused.

The site is remote from any settlement and makes no contribution towards addressing that remoteness. Instead it relies on the developers of the adjacent Hollywood Nurseries site and the bus route, convenience store and cycle route improvements that are included within its Unilateral Undertaking to alleviate these locational concerns. Whilst the outline permission remains extant and so the Unilateral Undertaking is relevant, the site has since changed ownership and the new owners have submitted an application for residential development on the site which proposes significantly less accessibility improvements than would apply if the outline were implemented. As such there must be a doubt that

the benefits that this offers will be realised and so available to the current application site (and its neighbouring application 10/0751 which precedes it on this agenda). Even if the outline permission at Hollywood Nurseries were implemented, the improvements were to deal with the locational concerns of that site and the additional site area proposed here should properly propose its own contributions to the situation. As it does not it must be contrary to Policy HL2 which requires development to be on sustainably located sites.

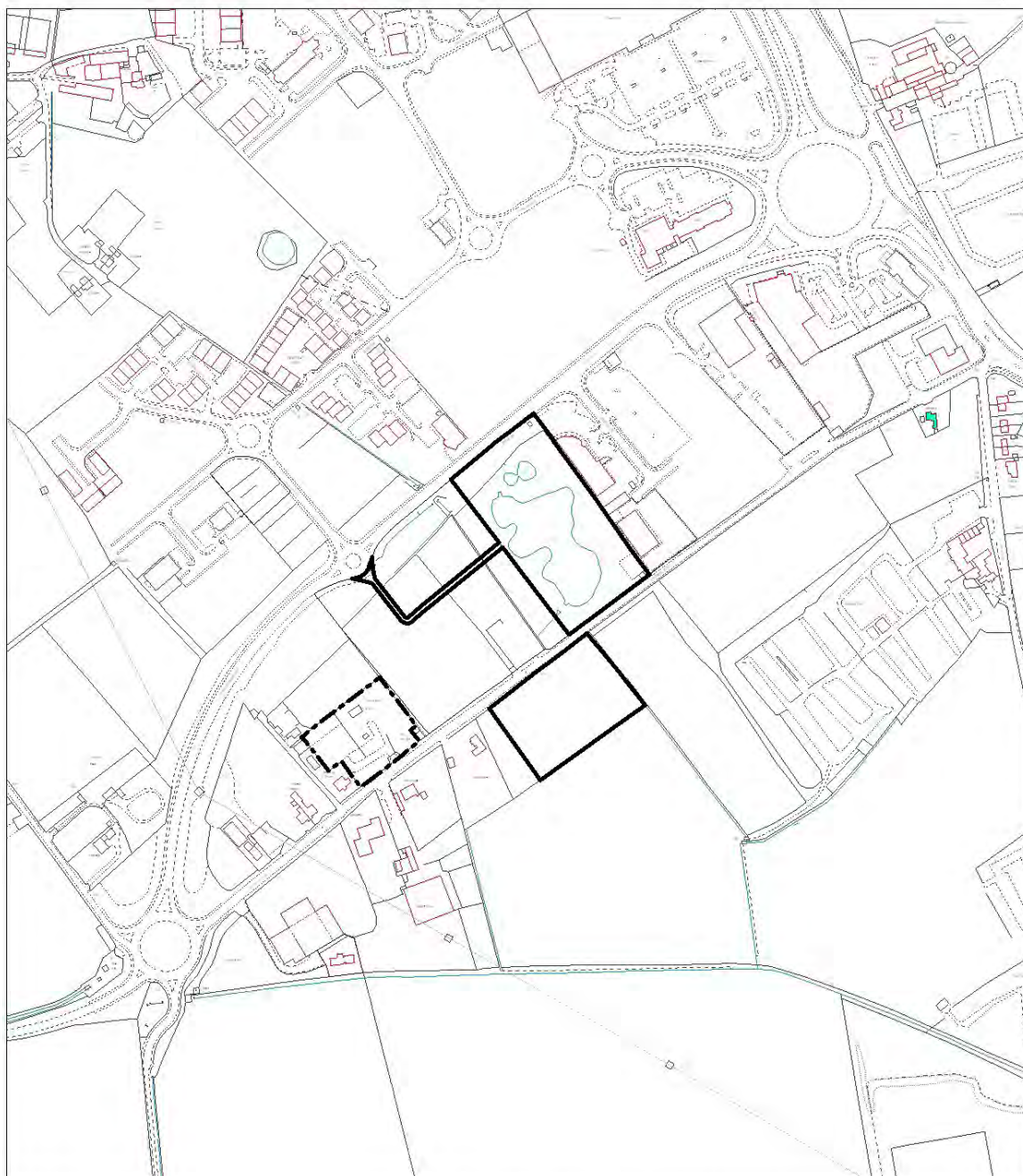
Whilst the borough undeniably has a current shortage of housing land, to which the residential development of this site would assist in the reduction of and so weighs in favour of its development, it is not considered that this is of a sufficient benefit to compensate for the concerns outlined above and so the application is recommended for refusal. Other reasons for refusal are therefore also justified due to the absence of any certainty on provision of affordable housing, education provision, ecological matters, land drainage and security over the indicated public open space and public realm improvements.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposal involves residential development of land that is outside of any settlement boundary and is allocated as Countryside in the Fylde Borough Local Plan. Residential development does not meet any of the categories of development which are acceptable in such areas and so the proposal is contrary to Policy SP2 of the Fylde Borough Local Plan in principle and to Policy HL3 of the Fylde Borough Local Plan which requires such schemes to be small scale and wholly affordable.
2. The proposal involves residential development of land that is outside of any settlement, and in the absence of any material considerations to outweigh the conflict with the Countryside allocation of the Fylde Borough Local Plan in Policy SP2, the residential development of such land does not accord with the requirements of the council's Interim Housing Policy.
3. The site has a low accessibility due to its separation from shops, services and the existing transport connections. In the absence of any agreement being secured with the developer for improvements to these transport connections then the proposal does not offer its future residents the necessary access to these services and so is contrary to criteria 7 of Policy HL2 of the Fylde Borough Local Plan.
4. In the absence of any legal agreement or other such mechanism being in place to secure the provision and operation of the proposed affordable housing requirements there can be no certainty that the requirements of Fylde Borough Council's Interim Housing Policy will be provided. Accordingly the scheme is contrary to the provisions of the Interim Housing Policy, Policy L5 of Regional Spatial Strategy for the North West and guidance in paragraphs 27-30 of PPS3: Housing in respect of affordable housing provision.
5. That in the absence of any legal agreement or other such mechanism being in place to secure the on site provision and on-going maintenance of an appropriate degree of public open space there can be no certainty that this requirement of Fylde Borough Council's Interim Housing Policy will be provided. On that basis the scheme is contrary to the Interim Housing Policy and Policy TREC 17 of the Fylde Borough Local Plan.

6. That in the absence of any legal agreement or other such mechanism being in place to secure the contributions towards public realm improvements in the area there can be no certainty that this requirement of Fylde Borough Council's Interim Housing Policy will be provided. On that basis the scheme is contrary to the Interim Housing Policy and Policy EP01 of the Fylde Borough Local Plan.
7. That the application does not provide any mechanism to secure contributions towards addressing the shortfall in local primary and secondary education provision to meet the increased demand for education places in the area that the occupants of the dwellings will generate. There is also no mechanism to secure contributions towards additional waste management services. The absence of such mechanisms as are outlined by Lancashire County Council's 'Planning Obligations in Lancashire' paper results in a form of development that is contrary to the requirements of that paper.
8. The proposed development of the site results in the loss of a UK BAP protected habitat. The mitigation that has been proposed to compensate for this loss, and the details of the translocation of the protected species themselves is insufficient and so the council cannot be satisfied that there will not be a detrimental impact on the population of the protected species and its habitat. As such the proposal is contrary to Policy EP19 of the Fylde Borough Local Plan and to guidance in PPS9. The potentially detrimental impact on the ponds and other nature conservation features within the site will also be contrary to Policies EP10 and EP18 of the Fylde Borough Local Plan.
9. The proposed development fails to provide adequate certainty that the design and capacity of the replacement surface water balancing pond and other SUDS features will be able to address the surface water drainage issues that arise as a consequence of the relocation of the balancing pond. There is also uncertainty about the arrangements for the on-going maintenance of these replacement features. The lack of agreement on these issues results in a development that is contrary to the requirements of Policy EP25 of the Fylde Borough Local Plan and guidance in PPS25: Development and Flood Risk.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/10/0752	Address Balancing Pond, Lytham St Annes Way, Westby	Grid Ref. E.3351 : N.4327	Scale N.T.S.	Item No.

Item Number: 5 Committee Date: 23 March 2011

Application Reference: 10/0756		Type of Application:	Full Planning Permission
Applicant:	Genesis Property Solutions Ltd	Agent :	Smith
Location:	LAND ADJACENT 15, SCHOOL LANE, FRECKLETON, PRESTON, PR4 1PJ		
Proposal:	PROPOSED CONSTRUCTION OF DETACHED TWO STOREY BUILDING PROVIDING TWO 2 BEDROOM APARTMENTS		
Parish:	Freckleton	Area Team:	Area Team 1
Weeks on Hand:	20	Case Officer:	Mrs C Kitching
Reason for Delay:	Delays in consultation replies		

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The main issues for consideration in this application are contained within Policy HL2 of the Fylde Borough Local Plan. It is considered that the proposal would not have a detrimental impact upon the amenities of nearby residential properties, will not have a harmful impact on visual amenity and will meet the criteria in the policy. Members are recommended to grant planning permission subject to conditions and the completion of a Section 106 agreement to secure payments towards affordable housing and public open space.

Reason for Reporting to Committee

Following a request by the ward Councillor (Cllr Mulholland)

Site Description and Location

The site is between Lytham Road and School Lane, Freckleton adjacent the residential property of 15 School Lane and the village hall (former library) at the western end of School Lane. The site is fenced off from the pedestrian path that connects School Lane with Lytham Road and is currently vacant but was last the garden area to the residential property at no. 15. The site is within designated settlement.

Details of Proposal

This planning application seeks full planning permission for a detached, two storey building to create two apartments, one at ground floor, one at first floor, both containing two bedrooms. The building would be situated 4.2 m from the end terrace house at 15 School Lane and would be 1 metre further into the site and away from School Lane compared to the end of the terrace. The land at the rear would be a garden for both sets of occupiers to share.

The building would be 4.7 metres eaves height, 6.8m ridge height, 6.9 m width. The main depth of the

building would be 9 metres and, including the front porches, the depth would be 10.7 metres. The materials would be facing brick with concrete roof tile and upvc windows and doors.

Relevant Planning History

Application No.	Development	Decision	Date
08/0268	OUTLINE APPLICATION FOR TWO NEW DWELLINGS	No decision	committee resolved to grant (subject to S106) on 22/10/2008

Relevant Planning Appeals History

None

Parish Council Observations

Freckleton Parish Council notified on 05 November 2010

Response

The Parish Council objects as the massing is in excess including the height of the build. The building would be out of character and detrimental to the streetscene.

Statutory Consultees

County Highway Authority

No objection, a secure lockable shed for cycle storage should be provided

Ministry of Defence

No safeguarding objections

United Utilities - Electricity Services

No impact on our Electricity Distribution System infrastructure or other ENW assets

Observations of Other Interested Parties

LCC Archaeology:

The proposed development lies on the outer limits of the settlement of Freckleton as shown on the 1st Edition OS (Lancashire Sheet 60) surveyed in 1844-5. It is possible that plot boundaries at this time reflect earlier medieval and/or post-medieval plots. Long strip fields which can be seen on the south side of Preston Old Road, as well as the presence of medieval pottery from an excavation (Lancashire Historic Environment Record PRN 12824) at Foldside in 1990, attest to activity of this date in or around Freckleton. There is therefore a potential for archaeological deposits associated with settlement of the medieval and/or post-medieval periods to be disturbed by the proposals.

Lancashire County Archaeology Service would therefore recommended that, should the Planning Authority be minded to grant planning permission to this or any other scheme to develop the site, an archaeological watching brief be undertaken, and that such works be secured by means a condition.

Neighbour Observations

Neighbours notified:	11 November 2010
Amended plans notified:	10 January 2011
No. Of Responses Received:	three
Nature of comments made:	objection

The row of 1881 cottages has a certain character with lovely sized gardens. Communal Open Space does not sound like a garden and presumably will not be kept as one, particularly if the

cycle storage is erected.

To have apartments on School Lane is a completely alien factor and the proposed building itself is certainly not in keeping with other properties on School Lane. It will certainly not add to the vibrant street scene.

It is difficult for existing residents to park their own vehicle, it is not always possible to utilise public transport or use cycles, particularly with young children.

The amended height is still not in line with the other residential cottage style dwellings and the entrances are not at street level as are the existing cottage properties.

The configuration of the gardens is unusual and I do not understand why this should be deemed acceptable when a once lovely cottage (no. 15) with a beautiful garden. It should not accommodate apartments - the original house pushed out with potentially three families living / renting there.

Concern regarding the daylight and sunshine that neighbouring properties will be deprived of.

A two storey building adjacent back gardens is not acceptable.

Planning has a duty to take into account the views of the local community.

No need for the development as there is an extensive number of properties for sale or rent on School Lane.

Relevant Planning Policy

Regional Spatial Strategy:

DP07	Promote environmental quality
------	-------------------------------

Fylde Borough Local Plan:

HL02	Development control criteria for new housing proposals
------	--

Other Relevant Policy:

PPS1	Delivering Sustainable Development
IHP	Interim Housing Policy

Site Constraints

within settlement

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

The Interim Housing Policy allows residential development on suitable sites within the settlement that are not allocated for alternative uses in the Local Plan Proposals Map. Accordingly, the proposal is acceptable in principle, subject to the applicant entering into a Section 106 Agreement to secure the required financial contribution to the facilitation of affordable housing and public open space. Policy HL2 provides further criteria for assessing the detail of the proposal.

Siting

The original siting was for the building to be set further back into the site which would have been an overly dominant building for the occupiers of 15 School Lane. Revised plans were requested to bring the building forward. The revised scheme avoids the building appearing large in relation to the adjacent terraced houses from the long range views from Lytham Road, whilst not appearing so close to the building line established by the terraced houses so that it appears a dominant building.

Relationship with neighbours

The only windows on the side facing 15 School Lane serve the bathroom so there would be no prejudicial overlooking.

A 45 degree line projected vertically from the lounge window on the side of 15 School Lane would breach the proposed building at a point half way up the first floor window, so there would be a reduction in daylight to that window. However that line is 5 metres distance which will not give an overly dominant effect and the orientation in relation to the sun means there would not also be a reduction in sunlight in the afternoon and evening when direct sunlight is most appreciated. It is considered the development does not unduly prejudice the amenities of the occupiers of the house at 15 School Lane.

The building has been set further forward so that it is not a dominant development in relation to the house at 13 School Lane.

Appearance of building and impact in the street scene

The ridge has been lowered, by revised plans, so that it is comparable to the ridge of the terrace adjacent. The amount of solar panels on the front roof slope has been reduced (revised plans) and will no longer dominate the roof slope to an extent that the amount of panels now appropriately respects the proportions of the building. The use of brick and concrete tiles suits the style of the building; a materials condition is included to ensure that the brick is a suitable red brick similar to that used for the nearest two terraced houses.

Although a detached building set between the front of the row of existing houses and the village hall is different to the style of the other houses in the street, which are generally terraced, it would result in a pattern of development that would not jar in the street scene and would create a link between the residential terrace and the adjacent community hall.

The adjacent community hall building was rebuilt in the 1980s as a modern building that is a significantly different style and design than the previous hall and has a tri-staggered frontage with three 'wings' presenting to the street. The proposed building is higher than both the terrace to the left and the hall building, however the first floor window sills are the same height as the terrace sills and the roof eaves are the same height as the terrace. Also the proposed building is situated half way between the two buildings. The width of the proposed building is less than the width of two of the terraced houses and only 40cm less than the width of the nearest part of the hall's forward most wing. The size and proportions of the proposed building fits into the space well.

The hall, as previously discussed, is a bold design and the terraced houses further along the road are not part of the traditional style of the village. The terrace at 1-15 School Lane is where the historic part of the village ends and a contemporary building in the space will not confuse the street layout. There is no sense of uniform character from the buildings in the street and the proposed building does not harm the pleasant street scene.

Parking

No parking is provided within the proposal however there are no parking restrictions on School Lane and there is a free car park opposite. The occupiers of the dwellings can use the car park and any

increase in parking is not expected to prejudice highway safety.

Matters arising

The Parish Council object to the development as the members consider the massing including the height is excessive and it would be out of character of the streetscene to a detrimental extent. The amended plans now line the eaves, windows and doors with those of the terrace. Although the building does not appear as a modern version of the terrace houses adjacent, the street does not have a distinct character that should be preserved and the building will fit into the plot without being unduly conspicuous.

A Condition and a Supplementary Informative regarding archaeology are included as requested by the Archaeology officer.

Conclusions

The development would not be overly large or dominating and is not overly massed in the street scene. The proposal is considered acceptable subject to a legal agreement to secure commuted sums in accordance with the Interim Housing Policy. Accordingly Members are recommended to grant outline planning permission.

Recommendation

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

- a financial contribution of up to 5 % of the market value of each proposed housing unit towards securing off site affordable housing,
- a financial contribution of up to 2.5% of the market value of each proposed housing unit towards securing off site public open space,

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], roof treatment, window sills and headers including colour, shall be submitted to and approved in writing by the Local Planning Authority no later than 21days 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 7/1/11 and dated same.

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

4. Notwithstanding the provision of Classes A, B, 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[s] or curtilage(s) 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[s] which may adversely affect the character and appearance of the dwelling[s] and the surrounding area.

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

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

6. No development [including any demolition works] shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Planning Authority.

The site is of special archaeological importance.

7. Details for cycle storage shall be agreed in writing with the Local Planning Authority and the approved cycle store shall be provided for use before the occupation of the first floor flat and then retained for that purpose thereafter.

To encourage alternative transport uses to the private car in the interest of sustainable development.

8. Prior to installation of the solar panels details shall be submitted to the Local Planning Authority showing the design of the panels to be used and approved in writing. Upon the approval of the Local Planning Authority only the agreed solar panels shall be used in the development.

To ensure the appearance of the solar panels does not harm the appearance of the building in the interest of visual amenity.

9. 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 in writing 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.

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

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

11. A full drainage scheme incorporating details of foul and surface water connections are to be submitted to the Local Planning Authority for written approval prior to the commencement of development and subsequently only those works shall be implemented.

To ensure the provision of a satisfactory drainage scheme.

12. Prior to completion details (including elevation drawing) of the boundary treatment for all four site boundaries shall be submitted to the Local Planning Authority and approved in writing. Upon approval only the agreed treatment shall be used in the development unless otherwise agreed in writing.

Such detail is missing and to secure a satisfactory development in the interest of visual amenity.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/10/0756	Address Land adj. 15 School Lane Freckleton	Grid Ref. E.3431 : N.4291	Scale N.T.S.	Item No.

Application Reference: 10/0766		Type of Application:	Outline Planning Permission
Applicant:	Warton LLP	Agent :	
Location:	NINE ACRES NURSERY, HARBOUR LANE, BRYNING WITH WARTON, PRESTON, PR4 1YB		
Proposal:	OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 67 NO. DWELLINGS INCLUDING 20 NO. AFFORDABLE DWELLINGS. (ALL MATTERS RESERVED)		
Parish:	Bryning with Warton	Area Team:	Area Team 1
Weeks on Hand:	17	Case Officer:	Andrew Stell
Reason for Delay:	Delay due to the need to report Committee		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

The application is for outline planning permission for 67 dwellings on a plant nursery site that is located within the Countryside to the immediate north of the settlement boundary of Warton.

The site is located within the Countryside area allocated by Policy SP2 of the Fylde Borough Local Plan and so the residential development proposed will conflict with that Policy. However, it is necessary to examine whether there are other material considerations that should outweigh this conflict.

In its favour, the scheme provides an opportunity for residential development on a site that is within reasonable proximity to the centre of the settlement and would offer a contribution towards the borough's shortfall in overall housing and affordable housing supply. It has also received support from the Parish Council and from New Fylde Housing and the council's Strategic Housing team.

However, the residential development of the site would conflict with its allocation in the Fylde Borough Local Plan and with the Interim Housing Policy, which both seek to locate new residential development within the settlement boundaries. The council has resolved that these parts of the development plan will override the housing targets of the RSS which are to be given little weight in the determination of housing applications due to the likely removal of the RSS from the development plan with the progression of the Localism Bill through parliament.

To balance these elements up, it is considered that the benefits in terms of housing supply do not outweigh the conflict with the objectives of the Local Plan and so the application is recommended for refusal.

The scheme is also unacceptable with respect to the absence of details to secure the provision of the affordable housing, public open space and highway works that would be required and so

these also form reasons for refusal.

Reason for Reporting to Committee

The proposal involves major development.

Site Description and Location

The application site is a rectangular area of land located on the western side of Harbour Lane, Warton. It has a frontage width of 120m to that road and a depth of 230m. The site is immediately adjacent to, but outside, of the settlement boundary and is used as part of a plant nursery. The site is largely an open grass field but also contains a large greenhouse and hard standing area associated with the nursery use. This appears to extend onto other land to the north of the application site although its only access is within the application site. The site is allocated as Countryside in the Fylde Borough Local Plan.

Surrounding land uses are mixed with residential properties to the south and east, and open agricultural land to the west and to the north beyond the remainder of the nursery. The site has a hedge boundary to the road and to the fields to the west and a modern close boarded fence to the residential gardens to the south. The northern boundary is undefined.

Details of Proposal

The application proposes residential development of the site for 67 dwellings. It is in outline with all matters reserved for future consideration.

Whilst the application is in outline, the applicant has submitted an indicative layout that shows a series of 3, 4 and 5 bedroomed properties from a single access point to Harbour Lane located centrally on the frontage. Areas of public open space are indicated on site and an area of 'community open space' is proposed for an area of land on the opposite side of Harbour Lane, although this is outside of the application site so can form no part of this application. A further indicative plan of the access is provided which is a simple priority junction with 5.5m carriageway and 4.5m x 90m visibility splays in each direction.

In addition to the indicative plans the application is supported by a survey of the Great Crested Newt population within the vicinity of the site, a transport assessment, a geology / hydrology / contamination assessment, a flood risk assessment, a design and access statement and a supporting planning statement.

The planning statement highlights the council's shortage of housing and particularly affordable housing, argues that the coalition government's actions to remove the RSS should make no difference to the way that Fylde Borough Council deals with suitable applications for residential development to help address its acknowledged housing supply shortage, and concludes that the application site is appropriate in scale and location for development and will make an early contribution to meeting the local housing needs.

A further statement has been submitted by the applicant during the determination of the application that explains their views on the implications of the various court cases concerning the revocation of the RSS and the weight to be attached to it in determining planning applications. They also expand on what they see as the material planning considerations in support of the development such as the views of the Parish Council, housing need, and the New Homes Bonus.

Relevant Planning History

Application No.	Development	Decision	Date
10/0514	OUTLINE APPLICATION FOR ERECTION OF 67 DWELLINGS (ACCESS ONLY)	Withdrawn - Invalid	17/09/2010
04/0261	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT	Withdrawn Called In: Secretary of State	17/03/2005
99/0475	RE-SUBMISSION OF APPLICATION NO. 5/98/648 FOR OUTLINE PERMISSION FOR RESIDENTIAL DEVELOPMENT. APPLICATION RE-ACTIVATED JANUARY 2003.	Withdrawn by Applicant	16/12/2003
98/0648	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT	Withdrawn by Applicant	11/02/1999
92/0476	EXTENSION TO EXISTING GLASSHOUSES	Granted	12/08/1992
91/0900	ERECTION OF GLASSHOUSES	Granted	26/02/1992
87/0181	DETACHED DWELLING WITH GARAGE	Granted	17/06/1987
84/0605	FORMATION OF HORTICULTURAL HOLDING AND SITING OF MOBILE HOME.	Granted	07/11/1984

Relevant Planning Appeals History

Application 04/0261 was considered by the Secretary of State following a Call in Inquiry. His decision was to refuse planning permission on the basis of the policy considerations that existed at the time and sought to tightly constrain the level of residential development in the borough. The Inspector and Secretary of State agreed that the provision of 50% of the dwellings as affordable dwellings in that scheme was of benefit, but that this did not outweigh the conflict with other planning policies to a degree that allowed the application to be approved.

Parish Council Observations

Bryning with Warton Parish Council notified on 03 December 2010

Summary of Response

“Specifically support the proposal as the development would have an enhanced effect on the village by encouraging some new families into the area. It would also provide some desperately needed additional affordable housing to existing members of the local community”.

Statutory Consultees

County Highway Authority

They have reviewed the application and submitted Transport Assessment and comment as follows:

- They agree that there is adequate capacity in the junction with Harbour Lane and at its junctions with the road network at Hillock lane and Lytham Road
- They disagree with the applicant’s accessibility score of the site, as LCC argue that it is a low accessibility site. To address this they request improvements are made to the accessibility in the form of a) upgrading the westbound stop on Lytham Road in the

centre of Warton to Quality Bus standard, b) providing £10,000 per year for 5 years funding towards the No. 78 bus service that connects Warton to Lytham and Kirkham, c) providing £40,000 funding towards a dial-a-bus service to connect to the site.

- To provide adequate pedestrian facilities the provision of a footway across the site frontage is essential and should also link to the proposed community open space (if that is to be developed). The site is largely within the 30mph zone, but pedestrian safety would be improved with the provision of improved road markings to highlight its commencement to drivers.
- The visibility splay proposed at 4.5m x 90m will remove a significant length of hedge on the frontage and a 2m set back may be preferable as it would provide adequate visibility but not impact on the hedge to the same degree.
- The access point is directly opposite a wide private drive and so should be relocated to avoid this position
- The reference to 1.5 parking spaces in the application is no longer required due to revisions made to PPG13 that remove this requirement
- Whilst an improvement to the pedestrian crossing at the Lytham Road / Church Road junction would be desirable it is not essential as public transport improvements are a priority.
- They confirm that a ghost island is not required
- The arrangements for access to the existing dwelling at the Nursery are to be clarified as the current access is lost under this proposal
- Consideration should be given to requiring the layout to facilitate potential future development to the west
- They suggest a series of standard conditions that would be appropriate should the scheme be recommended for approval.

County Ecology Officer

The County Ecologist initially raised objection to the proposal as they require further information on the mitigation for potential impacts on great crested newts, common toads and the loss of the pond. She also objected on the lack of an ecological assessment of other biodiversity interest within the application site along with mitigation should any damaging impacts be identified.

She notes the submission of a Great Crested Newt survey but comment that it does not provide the necessary information to fully assess the potential impacts on this protected species. The application also fails to provide adequate assessment on the impact of the development on the general biodiversity of the wider area, which would assess the impact on bats, nesting birds, the potential impact on the common toad which has been recorded in the pond adjacent to the site, and to demonstrate how the pond will be protected from development.

Following the submission of further ecological information by the applicant the County Ecologist has confirmed that she no longer objects to the application subject to conditions being imposed to secure the implementation of the submitted Great Crested Newt Method Statement and measures to minimise the potential impact on breeding birds during the construction of the dwellings.

Environment Agency

They initially raised objection to the proposal on the basis that the application provides inadequate information on the risks posed by the development to Great Crested Newts and their habitat, and the lack of information regarding suitable mitigation. The submitted survey identifies a small population of Great Crested Newts within 50m of the site and suitable habitat within it but was also constrained and so may well underestimate the population size. As such they require either a more thorough survey be undertaken to

accurately identify the likely population, or a suitable mitigation strategy be submitted based on a precautionary approach to the population size. In the absence of these they conclude that the development will have a detrimental impact on the population and habitat of a statutorily protected species.

Having assessed the further information supplied by the applicant's ecology consultant they initially confirmed that their objection is maintained but re-considered this position and have now withdrawn their objection on ecological grounds. They maintain that the applicant has not strictly complied with the requirements of Circular 01/2005 regarding the need to survey all ponds around a development site, but consider that the mitigation proposals proposed are likely to be adequate to compensate for any adverse impact on this protected species. They highlight the need for conditions to be imposed on any approval to require the implementation of this mitigation and to encourage effective and sustainable drainage of the development site.

United Utilities – Water

Raise no objection to the proposals subject to conditions that relate to the satisfactory supply of water to the properties and the drainage of the site.

Electricity North West

They report that the site could impact on their infrastructure and so they have advised the applicant to ensure that this is protected in any development of the site.

Strategic Housing Team

They note that the application proposes to provide 20 of the 67 units for social rent. They report that the most recent housing need information from 2008 identified a need for an additional 48 affordable properties in the Freckleton / Warton area and that this has not been met and will have grown over the time since then.

They note that the site is outside of the settlement, but comment that if it is approved it would make a significant contribution to the housing needs of Warton and so they support the proposal subject to the appropriate provision of the affordable units it offers.

Lancashire County Council

They confirm that there is no need for additional funding for school places due to the available capacity in the area.

Financial requests are made in respect of highway improvements (£134,000) and waste management (£32,160)

Environmental Protection

Raise no objection to the application subject to a condition to require a contaminated land risk assessment to be undertaken.

BAe Systems

No comments have been received to the statutory consultation that is undertaken on safety grounds. They have commented as landowner and this is reported below.

Ministry of Defence

Raise no safeguarding objections to the development providing none of the properties exceed 15.2m above ground level.

Observations of Other Interested Parties

CPRE raise objection to the proposal based on the site being outside of the settlement boundary and

so designated for agricultural purposes. They specifically argue that the scheme fails to comply with Policy SP2 as it does not meet any of the policy exceptions in that policy, fails to comply with Policy SP10 which requires all rural housing to be associated with agriculture and fails to comply with Policy HL3 which requires any rural exceptions to be 100% affordable, and this is not. They also refer to national planning guidance and policies in the RSS to support their position that the site should not be developed as proposed. They also refer in detail to a lack of need for housing in the borough as they believe that other sites within the urban area will be able to contribute any additional housing that is required to meet a 5 year supply of housing, with any growth more properly planned for through the core strategy process.

Sustrans (a charity that promotes the use of foot, cycle and public transport for journeys) have made comment on the scheme. They have requested that internal roads are designed to 20mph, that the properties provide appropriate storage areas for cycles and buggies, that traffic speeds outside the site on Harbour Lane are calmed and that the developer be encouraged to make contributions for off site improvements to the local cycle networks.

Consultants acting for **BAe Systems Properties Ltd** have objected to the application. They highlight the recent government announcements and legal challenges with respect to the development plan, and that the application site is allocated as Countryside in the Fylde Borough Local Plan. They refer to the site's greenfield nature and explain how they feel that it fails to satisfy each of the relevant criteria for development to be acceptable under the council's Interim Housing Policy. They conclude that the proposal does not comply with the statutory development plan, and that there are no material considerations that outweigh the conflict with the development plan, the application should be refused.

Neighbour Observations

Neighbours notified: 03 December 2010

No. Of Responses Received: 13

Nature of comments made:

All the letters have been from Warton residents and raise objection to the proposal on the following grounds:

- That previous applications on this site have been refused over many years and so this one should also be refused for consistency
- That the development involves a greenfield site that is designated as Countryside in the Local Plan and is outside of the village boundary. The village boundary in this area was specifically discussed at the Local Plan Inquiry and this site was excluded from it.
- Even if development was needed, there are brownfield sites within the settlement that should be used in preference to this site
- The scale of the development is excessive for the services that are available in Warton which is a small village
- The development will bring additional traffic which will be detrimental to highway and pedestrian safety on Harbour Lane
- The traffic associated with BAe causes existing congestion on Church Road and Harbour Lane and this development will compound those problems.
- That there is a lack of demand for new houses with many newly built properties in the area remaining empty or even incomplete
- Any additional residential development would be promoted alongside additional employment development to provide a balanced community
- BAe is a large employer, but only a tiny minority of its workforce are from Warton and so the argument that this housing is needed for their staff is not valid, and in any event they are contracting in employment with 600 job cuts recently announced

- Should BAe reduce in scale then it is likely that land at this site will be presented for development and this will place great pressure on the village which means that sites outside of the village such as this should be protected.
- There is no need for the local affordable housing as the arguments for it are based on flawed data
- The development will affect views across the countryside from neighbouring dwellings and cause a potential loss of privacy and light
- The site is home to various bird species (including a Barn Owl) and other wildlife which will be lost as a consequence of its development
- The pond on the site is likely to support Great Crested Newts which are a protected species
- That the local sewer connections and other utilities may not be able to cope with the development
- That the village is lacking in a doctors, dentist, chemist, bank, solicitor, library, clothes shops or other facilities and so it is inappropriate to build more houses
- The land is good quality agricultural land which should be protected from development
- The scheme is no different to application 10/0340 at Tennyson Avenue which was recently been refused by the council and so this one should be also
- The nearby secondary school is unable to accept children from Warton and primary schools have also had capacity problems
- Query over extent of publicity and delays in time for letters to be received

Relevant Planning Policy

Regional Spatial Strategy:

DP01	Spatial Principles
DP02	Promote Sustainable Communities
DP03	Promote Sustainable Economic Development
DP04	Make the best use of existing resources and infrastructure
DP05	Manage travel demand
DP06	Marry opportunity and need
DP07	Promote environmental quality
DP08	Mainstreaming rural issues
RDF01	Spatial priorities
CLCR01	Central Lancashire city region priorities
CLCR02	Development and investment in central Lancashire city region
CLCR03	Green city
L02	Understanding housing markets
L04	Regional housing provision
L05	Affordable housing
RT02	Managing travel demand
RT09	Walking and cycling
EM01	Enhance and protect the region's environmental assets
EM03	Green infrastructure
EM05	Integrated water management
EM09	Secondary and recycled aggregates
EM11	Waste management principles
EM15	A framework for sustainable energy in the North West
EM16	Energy conservation and efficiency
EM18	Decentralised energy supply

Fylde Borough Local Plan:

HL02	Development control criteria for new housing proposals
SP02	Development in countryside areas

HL06	Design of residential estates
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP12	Conservation trees & woodland
EP14	Landscaping of new developments
EP18	Natural features
EP19	Protected species
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
EP26	Air pollution
TR01	Improving pedestrian facilities
TR03	Increasing provision for cyclists
TR05	Public transport provision for large developments

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

The Development Plan

Section 38 (6) of the Town and Country Planning Act 1990 requires that applications are determined in line with the development plan unless material considerations dictate otherwise. The development plan consists of the Regional Spatial Strategy for the North West (RSS) and the Fylde Borough Local Plan as amended 2005 (FBLP).

Since the Coalition Government came to power in May 2010 there have been a series of changes to the position and weight to be attached to the RSS. The latest position is that it is part of the development plan, but the Secretary of State has indicated his intention to formally remove Regional Strategies from the development plan as part of the Localism Bill that is currently proceeding through parliament. The latest legal position on this is that the RSS remains part of the development plan but the intention to remove the RSS is a material consideration. The decision maker (i.e. the council) must consider what weight is to be attached to the Secretary of State's intention to revoke the RSS when determining planning applications.

Following the original revocation of the RSS in June 2010, Fylde Borough Council formally considered its position on housing supply in the strategic planning void that was created. It resolved that for the short term it will continue with the saved policies of the Fylde Borough Local Plan and to re-endorse the principle of the Interim Housing Policy which was to support the principle of residential development only where it fell within a defined settlement boundary. In the longer term the LDF process will identify future housing supply figures and potential settlement extensions or other out-of-settlement allocations.

The weight to be attached to the RSS is important because it is that document which establishes the

housing supply targets which PPS3 requires a 5 year supply to be provided for. The RSS is part of the development plan but this is likely to be a short term position as the Localism Bill introduces legislation to remove it. The council's Cabinet Member for Planning and Development has formally confirmed that in the short term the council's position on such matters is that greatest weight be given to the FBLP and IHP in the determination of residential planning applications .

Previous Planning History

The site has been allocated for residential development in a previous Fylde Borough Local Plan and the application from 2004 was submitted on the basis of this allocation. However, the adoption of the Joint Lancashire Structure Plan changed the policy position in respect of housing supply numbers and so by the time that the application came to be determined at the call-in appeal these allocations had been removed and the land given its current Countryside allocation. The Secretary of State determined the application on the basis of that allocation (which remains the current allocation) and so refused planning permission. This change in the council's position throughout the determination of their earlier application clearly caused frustration to the applicant and their agent but cannot influence a decision on the planning merits of the current application.

Principle of Development

In the Fylde Borough Local Plan the application site is entirely allocated as Countryside on the Proposals Map. Policy SP2 applies and restricts development to that which maintains the rural character of the area. Residential development is clearly not a rural use and so the application conflicts with Policy SP2 of the Local Plan. However, it is necessary to examine if there are any other material considerations which would outweigh this policy conflict and so justify the supporting of the residential development at this site.

In their supporting documentation the applicant explains their view on the material considerations which they see would support the application: the council's shortfall of housing supply and particularly affordable housing, the previous allocation of this site for residential development, the support for the proposal from the Parish Council and New Fylde Housing, the government's commitment to housing growth and removal of the RSS in the Localism Bill, and the New Homes Bonus.

Despite the reduced weight to be afforded the housing supply targets in the RSS, the council is obviously mindful that the level of house building in recent years has been particularly low. This has implications for the economic health of the borough, and for the ability of its residents to have access to a range of housing and to be able to afford that housing. However, the borough's shortfall against the housing supply targets has existed for some years and must have been part of the considerations in 2010 when the council re-considered its policy position in the light of the uncertainty surrounding the RSS. The position taken at that time was that in the short term the council would continue to apply the saved policies of the Fylde Borough Local Plan and the Interim Housing Policy. In the longer term the LDF process will identify future housing supply figures, and eventually allocate sites for their provision. This approach is consistent with government advice and its localism agenda which allows each local authority to determine how best to deal with housing supply matters in its own area.

The summary of this as it relates to this proposal is that the council is legally required to assess what weight to give the shortfall in housing supply as identified by PPS3 and the figures in the RSS before determining any residential planning application. The council has considered this shortfall and resolved that, for the meantime, it will continue with the Local Plan allocations and Interim Housing Policy which direct development to sites that lie within settlement boundaries only. In this case this means that the residential development of this greenfield Countryside site should not be granted planning permission as it is in conflict with these long-standing and recently re-endorsed policies.

Need for Affordable Housing

The application proposes 20 socially rented houses from the 67 dwelling total which amounts to 30% of the total number. The provision of affordable housing is a key priority of the council and the

Interim Housing Policy. Para 12. 1 of the IHP refers to circumstances where the development of sites outside of a settlement boundary is being considered, such as this one, and confirms that affordable housing should be provided on site. The council's Strategic Housing team confirm that there is a significant shortage of affordable housing in the borough. They acknowledge the location of the site being outside of the settlement, but believe that the distance involved from services is not too great and so conclude that this application would make a significant contribution to the affordable housing needs in Warton. As such they support the application.

The provision of affordable housing is clearly a benefit from the scheme and weighs in its favour. The applicant argues that the shortfall in this is such an exceptional circumstance that paragraph 12.1 of the IHP should apply to the application and support its approval. During the determination of the scheme the applicant has submitted details from New Fylde Housing Association's waiting list for properties in Warton and Freckleton which indicates a waiting list of 92 applicants at Gold and Silver standards.

The application proposes providing 30% of the dwellings as affordable properties on site, and this is clearly a significant benefit given the widely acknowledged shortage of such housing in the borough. The support given to the scheme by the council Strategic Housing team and New Fylde Housing is noted in this respect. However, a need for affordable housing in an area cannot outweigh its Countryside allocation in the development plan, otherwise any Countryside allocation could potentially be developed in this way. The shortage has long existed and was known by the council when considering its reaction to the revocation of the RSS in 2010 and so must also have been weighed up when the decision was made to re-endorse the Local Plan policies and IHP. The shortage of affordable housing is an issue that is not considered to outweigh the clear political steer given in the recent re-endorsement of the IHP to concentrate all residential development into the settlements.

Whilst the application contains a clear offer in terms of affordable housing provision which would comply with the council's requirements in terms of amount and location, at the time of writing this report there is no mechanism in place to secure the provision of this affordable housing or to control its occupation and long term retention. Without such agreement being concluded there can be no certainty of provision and so this must justify a reason for refusal of the application.

Objectors have referred to Policy HL3 as being relevant to the application. This permits small scale housing projects that are within or adjacent to rural villages subject to certain criteria. The objectors argue that the scheme conflicts with this policy on the basis that it is excessive in scale and does not provide the necessary 100% affordable dwellings. This application is presented as an urban extension to Warton (a designated urban settlement in IHP terms) rather than a rural scheme to which Policy HL3 would specifically apply. However, it is a site that lies on rural land the proposal must be considered also to be in conflict with Policy HL3 as it requires 100% of the houses to be provided as affordable housing.

Access Arrangements

Whilst the application is in outline with all matters reserved, it is necessary to consider whether the traffic generated by the development can be accommodated on the surrounding road network. A Transport Assessment has been submitted with the application which has been considered by Lancashire County Council as highway authority. They conclude that there is adequate capacity on the existing highway network and within the crucial junctions to safely accommodate the traffic that will be associated with the proposal.

They disagree with the views expressed in the Transport Assessment concerning the accessibility of the site for non-car users as they believe this to be over-estimated. County Highways give the site a low accessibility score and whilst not raising an objection to the application outright they require a series of improvements be made to mitigate this. These improvements are:

- Upgrade the westbound bus stop near to the site on Lytham Road (cost £4,000)

- Contribute towards the operation of the No. 78 (Lytham – Warton – Kirkham) bus route for 5 years (cost £50,000)
- Fund a dial-a-bus service to ensure a bus is available to the site (cost £40,000)
- Implement improved traffic calming measures at the approach to the 30mph speed limit entering the village to highlight to drivers that pedestrians may be crossing the road in this area associated with the new properties. These could be secured by a condition and paid for by the developer through a s278 agreement.

These matters have been discussed with the developer who dispute that the scheme should make these contributions. They refer to funds that were collected by Lancashire County Council from developers of sites in the area to contribute towards the construction of the Warton Bypass which they believe are still available given that that road has not been constructed. Lancashire County Council advise that money was collected, but has since been spent on extending the 30mph zone along Harbour Lane to a point that is just beyond the application site frontage. This is essentially a saving for the developer of this application site as they would have been required to finance these works to ensure a safe access to their site had they not been already provided by others. The remaining money was returned to the contributing developer in line with the terms of the s106 agreement under which it was first collected.

As a summary to this, the highway authority have requested reasonable improvements from the developer to improve the connectivity of their site to the services available to its residents in Warton and beyond. At the time of writing this report there is no mechanism in place to secure these necessary improvements and so the application is contrary to the requirements of criteria 7 of Policy HL2 relating to its location and the accessibility of future occupiers to services.

The Highway Authority have made other comments about the position of the access point on the site frontage, the visibility splays that are required and the design of the access. Without access forming part of the application these matters are not crucial at this stage but have been raised with the applicant's agent for his information.

One of these relates to the visibility that is necessary at the site entrance. The access point will need to be located at a vaguely central point on the frontage which will require a length of hedge to be removed for the access point and visibility as this currently runs almost at the carriageway edge. The application proposes excessive visibility splays and so requires the removal of an unnecessarily large length of hedge and consequent detriment to the ecological habitat it provides and the character of the area in general.

The red edge includes the existing access to the Nursery site which also serves the dwelling to the north which is to be retained. It is not clear how that property would be accessed should this scheme be developed as the indicative layout does not provide any access for it. As access is a reserved matter there is no certainty to this at this stage. A condition would be appropriate to ensure that this is resolved in any reserved matters application as this proposal has not been assessed on the basis that a further access to Harbour Lane will be required to serve that property.

Public Open Space

The Local Plan requires that open space be provided on site in residential developments of this scale in line with the amount per plot detailed in Policy TREC17 with appropriate provision made for the on-going maintenance of this. The illustrative plan indicates that areas of open space are provided within the site. However, the outline nature of the application means that this cannot be secured at this stage although a condition to secure this would be appropriate should the development be acceptable in principle. Whilst there is unlikely to be any difficulty in the applicant meeting the requirements in terms of the on site of provision of open space in line with the amounts specified in TREC17, the absence of any agreement on this at present should form a reason for refusal at this stage.

The application makes reference to the provision of an area of communal open space on the opposite side of Harbour Lane. This seems to have caused a little confusion to some local residents, but is not part of the application and the land does not have planning permission for any non-agricultural use and so this element cannot be given any weight in the determination of this application.

Ecological Issues

The application was initially supported with a Great Crested Newt population size survey. This includes an investigation of 5 ponds around the application site for their potential to support a Great Crested Newt colony, and the size of any colony that is found. The assessment found smooth newts, frogs, tadpoles and fish in several ponds and great crested newts in one of the ponds, albeit only a limited number were found and they were not the pond that is immediately adjacent to the site. The study concluded that the population could be described as 'small' and has declined from historic records dating back to 2001.

The statutory consultees with an interest in ecological matters (Environment Agency and County Ecologist) have both referred to the known historical presence of Great Crested Newts in the area and the suitable foraging habitat of the application site. They both initially objected to the application on the basis that this habitat is to be lost and that no mitigation for this is proposed in the application.

The applicant has submitted further information which satisfied the County Ecologist and now the Environment Agency. Subject to the submitted mitigation strategy being imposed by condition to any approval it is therefore considered that there will be no adverse impact on protected species or their habitats from the development. As such the application will comply with the requirements of Policy EP18, EP10 and EP19 in respect of the impact on ecological interests.

The consultees have highlighted other concerns relating to the potential impact on breeding birds and foraging sites for bats, but given that these impacts are less direct than those described earlier it is not considered that they justify a reason for refusing the scheme, although the concerns have been highlighted to the agent.

Other Planning Considerations

The application is supported with a flood risk assessment and the Environment Agency have raised no issues with its content or the impact on surface water drainage. Similarly, United Utilities have no concerns over drainage and it is considered that conditions on any approval would provide adequate security on this matter.

The applicant has highlighted the New Homes Bonus and suggests that it is a material consideration in the determination of the application, and would support its approval. The New Homes Bonus is a proposed payment from central government to local authorities whereby they would receive funding each year that is equivalent to the national average council tax payment for a Band D property every year for 6 years from its occupation. The district council would receive 80% of this sum and the County Council 20%. This would clearly amount to a substantial potential sum of income to the council, however, it cannot outweigh the normal planning criteria that are applied when assessing planning applications. Central government have confirmed that the New Homes Bonus is not intended to be a material consideration in the determination of individual planning applications.

The Localism Bill which is passing through parliament introduces the government's well stated intentions with regard to giving power to local communities. Part of this is the removal of Regional Strategies, but the applicant also refers to the role of local communities in influencing decisions on development in their area. In that regard, the support given to this proposal from Warton Parish Council is to be noted, albeit countered by the objections from neighbouring residents. However officers do not believe that this should outweigh the material planning considerations of the application as described in this report.

Lancashire County Council has confirmed that there is adequate capacity in the local primary and

secondary schools and so they do not make any requests for additional funding to support these under the 'Planning Obligations in Lancashire' Paper. They have made a request in respect of highway improvements which is detailed in the access section of this report, with the lack of their provision justifying a reason for refusal. They request a financial contribution towards funding waste management measures in the area which is based on the scale of the site, however, such contributions are not generally supported by this council and it is not considered that a reason for refusal on this basis alone is therefore justified.

Conclusions

The proposal involves residential development on a greenfield plant nursery site that is immediately outside of the village boundary of Warton and is allocated as Countryside in the Fylde Borough Local Plan.

Planning applications are to be determined in line with the development plan policies unless material considerations indicate otherwise. Due to the likely removal of the RSS from the development plan the council should give less weight to its policies, including the housing supply figures that it contains. As such the Fylde Borough Local Plan is the most relevant part of the development plan.

There are clear material considerations in favour of the development in that the borough has a shortage of housing land whatever housing figure is adopted, that the borough has an acute shortage of affordable housing, and that the Parish Council support the development. However, the council's most recent position in respect of residential development was made when the Interim Housing Policy was re-endorsed in 2010 following the revocation of the RSS. This position was to only support residential development where it was on sites that are within a settlement. Given that this is the council's latest view and the application site is outside of any settlement it is not considered that the benefits described above are sufficient to overrule the conflict with the requirements of Policy SP2 of the Fylde Borough Local Plan and so the application is recommended for refusal. The release of greenfield land for residential development would also prejudice the emerging LDF process.

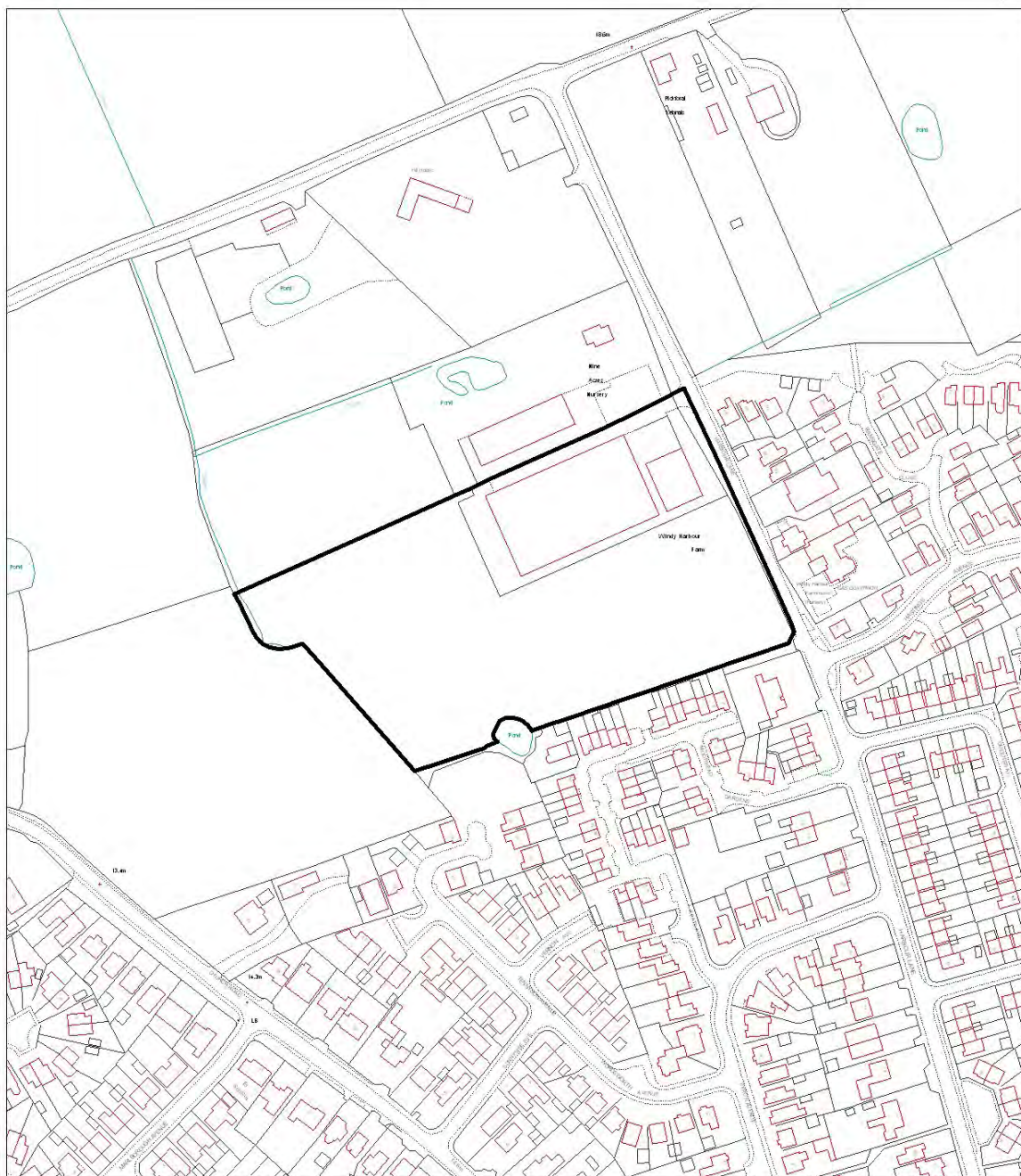
The application also raises other concerns related to the lack of security on accessibility improvements, affordable housing and open space provision. Whilst it may be that these could be addressed by the submission of revised details or the completion of legal agreements, at the time of determination they remain unresolved and so must also justify reasons for refusing the application.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposal involves residential development of land that is outside of any settlement boundary and is allocated as Countryside in the Fylde Borough Local Plan. Residential development does not meet any of the categories of development which are acceptable in such areas and so the proposal is contrary to Policy SP2 of the Fylde Borough Local Plan in principle and to Policy HL3 of the Fylde Borough Local Plan which requires such schemes to be small scale and wholly affordable.
2. The proposal involves residential development of land that is outside of any settlement, and in the absence of any material considerations to outweigh the conflict with the Countryside allocation of the Fylde Borough Local Plan in Policy SP2, the residential development of such land does not accord with the requirements of the council's Interim Housing Policy.

3. In the absence of any legal agreement or other such mechanism being in place to secure the provision and operation of the proposed affordable housing requirements there can be no certainty that the requirements of Fylde Borough Council's Interim Housing Policy will be provided. Accordingly the scheme is contrary to the provisions of the Interim Housing Policy, Policy L5 of Regional Spatial Strategy for the North West and guidance in paragraphs 27-30 of PPS3: Housing in respect of affordable housing provision.
4. The site has a low accessibility due to its separation from shops, services and the existing transport connections. In the absence of any agreement being secured with the developer for improvements to these transport connections then the proposal does not offer its future residents the necessary access to these services and so is contrary to criteria 7 of Policy HL2 of the Fylde Borough Local Plan.
5. That in the absence of any legal agreement or other such mechanism being in place to secure the on site provision and on-going maintenance of an appropriate degree of public open space there can be no certainty that this requirement of Fylde Borough Council's Interim Housing Policy will be provided. On that basis the scheme is contrary to the Interim Housing Policy and Policy TREC 17 of the Fylde Borough Local Plan.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/10/0766	Address Nine Acres Nursery Harbour Lane, Warton	Grid Ref. E.3410 : N.4291	Scale N.T.S.	Item No.

Item Number: 7 Committee Date: 23 March 2011

Application Reference: 10/0792		Type of Application:	Full Planning Permission
Applicant:	GAP Convenience Distribution	Agent :	JMP Architects
Location:	MYTHOP LODGE (FARM) AND GRANARY BUILDINGS, MYTHOP ROAD, WEETON WITH PREESE, PRESTON		
Proposal:	PROPOSED ERECTION OF EXTENDED AND REPLACEMENT WAREHOUSE BUILDINGS WITH ASSOCIATED LOADING YARD, EXTENDED HARD STANDING AREAS AND EXTENDED CAR PARK. FORMATION OF ROOF OVER SILO AND ERECTION OF COVERED PALLET/FLAMABLE MATERIAL STORE. TEMPORARY RELOCATION OF CARAVAN STORAGE .		
Parish:	Weeton with Preese	Area Team:	Area Team 1
Weeks on Hand:	19	Case Officer:	Alan Pinder
Reason for Delay:	Delay due to the need to report Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is a well established distribution depot that serves as a delivery base sending convenience goods throughout the north west. It is located on the site of a former farm that is within the defined Countryside area in the Fylde Borough Local Plan.

This application seeks planning permission for the erection of purpose built warehousing to replace existing converted buildings which are in poor condition, an increase in the area of hardstanding to provide adequate car parking and vehicle turning, the roofing of an existing silage clamp, the construction of a single storey building adjoining the silage clamp, and the temporary relocation of caravan storage to an area of agricultural field to the eastern boundary of the site.

The proposed development is considered to accord with the relevant policies of the Fylde Borough Local Plan, and neither the Parish Council or any neighbouring residences have raised any objections to the application. As such members are recommended to approve the application.

Reason for Reporting to Committee

This is a major development that falls outside the scheme of delegation.

Site Description and Location

The site is part of the former buildings and yard areas of Mythop Lodge Farm on the north side of Mythop Road near its junction with Chain Lane. While the farm still retains the original house and some buildings, the remaining collection of traditional and modern buildings and associated yard

areas have been converted for use as offices/light industry and warehousing/distribution (Use Classes B1 and B8 respectively), with areas to the rear and east of the site used for caravan storage.

Details of Proposal

This application seeks planning permission for:

1. The replacement of an existing former cattle storage building (referred to as 'Building 1' in the application) with a purpose built dual pitched storage building. The replacement building would be approximately 0.6 metres lower than the existing building but retain the existing footprint dimensions, i.e. length and width. A canopy would be constructed to the northern end of the building to allow unloading of delivery wagons under cover.
2. The demolition of existing derelict brick outbuildings which enclose a yard area to the rear of the existing buildings. A purpose built storage building to be then constructed to replace the demolished buildings and yard area. This building would be located to the rear of the existing warehousing which fronts onto Mythop Road and be approximately 0.65 metres higher than these existing buildings.
3. The existing silage clamp to the rear of the site to be roofed to provide additional covered storage and the erection of a single storey building adjoining the silage clamp for use as a covered pallet storage area and flammable material store.
4. The extension of the service yard area to the rear of the site (and east of the silage clamp) by approximately 17 metres into an area of agricultural field to create an HGV turning area. The surface finish would be concrete. The northern boundary to this area is proposed to be landscaped and fenced.
5. The extension of the existing staff / visitor car park to increase available parking from 16 spaces to 28. The surface finish would be tarmac. The western boundary to the car park is proposed to be landscaped.
6. The temporary displacement of some caravan storage into an area of agricultural field during the construction works.

The proposed materials of finished construction for the two new purpose built buildings are red facing bricks to a height of 1.2 metres with dark red profiled cladding above and grey profiled roof sheet cladding (all to match the existing warehouse). The single storey building adjoining the silage clamp would be similarly finished, and the clamp itself would be timber boarded with a dark grey flat roof.

Relevant Planning History

Application No.	Development	Decision	Date
06/0972	CHANGE OF USE OF EXTERNAL HARD STANDING FOR STORAGE OF CARAVANS	Granted	01/02/2007
01/0919	CHANGE OF USE OF LAND & CREATION OF CAR PARK IN ASSOCIATION WITH PREVIOUSLY APPROVED BUSINESS USE.	Granted	24/04/2002
00/0665	CONVERSION OF REDUNDANT FARM BUILDINGS TO INDUSTRIAL CLASS B1 AND B8 USE.	Granted	03/01/2001
00/0525	EXTENSION TO EXISTING	Granted	06/09/2000

99/0651	WAREHOUSE AND REFURBISHMENT OF REDUNDANT FARM BUILDINGS ERECTION OF NEW WAREHOUSE BUILDING IN CONNECTION WITH EXISTING USE	Granted	13/01/2000
95/0513	EXCAVATION OF FARM LAND TO FORM POND TO RELIEVE BAD DRAINAGE	Granted	13/09/1995
93/0783	MODIFICATION OF APPLICATION NO 5/91/0764 TO FORM NEW WAREHOUSING	Granted	02/02/1994
91/0764	ERECTION OF WAREHOUSE EXTENSION, CHANGE OF USE OF EXISTING BARN TO WAREHOUSE, OFFICES AND FORM 6	Granted	26/02/1992
80/0386	ADDITIONAL CAR PARKING SPACES. AGRICULTURAL BUILDING AND SLURRY TANK AND CONVERSION OF SHIPPON.	Granted	20/08/1980

Relevant Planning Appeals History

None.

Parish Council Observations

Weeton with Preese Parish Council notified on 26 November 2010

Summary of Response: No objections to the proposal

Staining Parish Council notified on 19 November 2010

Summary of Response

No response received

Statutory Consultees

County Highway Authority

There are no highway objections to granting planning permission for the development. The County Surveyor does note that there is a gap of approximately 150 metres in the existing footway from Chain Lane and Mythop Grange and considers it desirable that the developer funds the continuation of the existing footway towards Mythop Lodge Farm. This can be secured by a condition.

County Ecology Officer

As of the time of writing comments are still awaited from the County Ecologist. This delay is due to a peak in workload at their office, but comments will be received to be reported as part of the Late Observation schedule at the Committee meeting.

Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 19 November 2010
No. Of Responses Received: None

Relevant Planning Policy

Regional Spatial Strategy:

DP03 - Promote Sustainable Economic Development

Fylde Borough Local Plan:

SP02	Development in Countryside Areas
SP08	Expansion of Existing Businesses and Commercial Operations

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Site Constraints

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 policies SP2 and SP8 of the Fylde Borough Local Plan.

Principle of the Proposal

SP2 permits development in the countryside where that development is essentially required for the continuation of an existing enterprise. In this instance the applicant. Policy SP8 provides further guidance on this with a series of criteria with which an application must comply to be acceptable.

'GAP Convenience Distribution', has been operating successfully from the site for almost 20 years. Over this time the business has gradually expanded within the site, making use of existing vacant agricultural buildings and the erection of a purpose built warehouse in 2000 (permission ref. 99/0651 refers). This application now proposes the demolition of an old converted cattle shed, which is currently being used for warehousing, and the demolition of brick built outbuildings that have become dangerous due to their poor condition. The replacement buildings would provide additional storage to support the expanding business, allow the applicant to rationalise working methods of delivery and storage, and provide improved health, safety and welfare standards to the site.

The question has been asked as to the need for the operations to remain at the current site and not relocate to an industrial / business park. The applicant states that the business is well established in its current location with all the land and buildings owned by the business, has good access to major routes, and provides much needed employment for local people. They argue that relocating the business would be financially prohibitive, particularly in the current economic climate, and could lead to the loss of valued, experienced staff.

Impact on Character of the Countryside

Criteria 2 of Policy SP8 requires that development does not represent a major increase in the developed portion of the site. In this case there is an extension of the HGV turning area into a field to

the rear of the site and the temporary relocation of some caravan storage alongside that. However, the bulk of the proposed development would be located well within the confines of the existing developed site and so it is considered to comply with this requirement.

Criteria 3 of Policy SP8 requires that any new buildings do not exceed the height of the existing structures. The proposed warehouse to replace 'Building 1' would be approximately 0.6 metres lower in height, and the warehouse proposed to be built on the site of the existing enclosed yard area to the rear of the existing warehouse would be approximately 0.65 metres higher than that warehouse. Although one of the proposed buildings does represent a slight increase in height over the existing buildings it is not considered that this level of increase is sufficient to adversely effect the existing character of the area when viewed within the context of the current site. The finished appearance of the buildings would reflect the materials of the existing warehouse.

With regard to the proposed HGV turning area this would require the extension of an existing hardstanding area by approximately 20 metres into an agricultural field to the rear of the site. The area of field lost would be approximately 920 square metres (or 0.2 acres) which is not considered to be too intrusive or excessive given the discreet location of the buildings, the improvements to the operation of the business and site safety that would result. With respect to the temporary relocation of some caravan storage, this would be to an area of agricultural field to the east of the site and would only last for the duration of the construction works. It is not intended that any surfacing work be carried out to the field to assist storage. The field would remain grassed and a suitable condition would be imposed to any permission granted to ensure the storage was only temporary and the area reinstated following construction works.

Neighbour Amenity

The properties most likely to be effected by the proposal are Mythop Lodge and No's 1 and 2 Mythop Lodge Cottages, all of which are located between the site and Mythop Road. In terms of overlooking, overshadowing and overbearing appearance the proposed development is not considered to have any greater impact on these properties than already exists from the existing structures which the development would replace. The operating times of the site are already controlled under an existing permission (00/0665 refers) hence it is not considered that there will be any detrimental impact on these neighbours, none of whom have objected to the proposal.

Highways

The County Surveyor has been consulted on the application and raises no objections to the proposal. Although the rate of trip generation is likely to rise as a result of the proposed increase in capacity at the site, he is of the opinion that the existing access / egress onto the site is suitable with good visibility and capacity. The increase in parking spaces and provision of the HGV turning area are also considered agreeable and an improvement over the existing facilities at the site. They have requested a condition be imposed to extend the footway from the site to the junction of Chain Lane / Mythop Road. This is not considered to be justified as that footway does not connect to any settlement and there are no bus routes passing so it will be of no benefit to accessibility.

Ecology

The submitted application includes an Amphibian Ecology Survey Report and a further Ecological Survey Report (Excluding amphibians). Neither report has identified the presence of Great Crested Newts, Bats or other protected species in and around the site. Copies of the reports have been submitted to the County Ecologist for assessment and at the time of writing their comments are still awaited but are expected prior to the application going before the Development Control Committee.

Conclusions

The proposal allows a well established local business to expand in a manner that will not be detrimental to its neighbours, the character of the area, highway aspects, or any other planning interests. As such it is fully in compliance with the requirements of Policy SP8 of the Fylde Borough

Local Plan relating to the expansion of existing businesses in the Countryside and so is recommended for approval.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of five 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 91 of the Town and Country Planning Act 1990, while compliance with approved plans is required to ensure the approved standard of development is achieved.

2. The external materials to be used in the development hereby approved shall accord entirely with those indicated on the approved plans; any modification shall thereafter be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

In the interests of visual amenity.

3. The use of the buildings hereby approved shall only for the purposes within Use Class B8 [Storage or Distribution] as defined in the Town and Country Planning (Use Classes) Order 1987 (or any other Order superseding or revoking it).

No separate use should commence without the prior approval of the Local Planning Authority in order to ensure that use of the premises does not prejudice the amenity of the area and conforms with Council's policies.

4. 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.

5. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance

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

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent Order superseding it) no development of the type described in Schedule 2, Part 8 shall be undertaken without the prior express permission of the Local Planning Authority.

To ensure that the Local Planning Authority retains control over the development of the site in accordance with the provisions of Policy SP6 of the Fylde Borough Local Plan.

7. None of the units shall, at any time, be used for any purpose relating to the processing, treatment, storage, sorting, transfer or disposal of waste.

In the interests of the amenity of the occupiers of nearby residential properties.

8. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before any replacement building hereby permitted becomes operative.

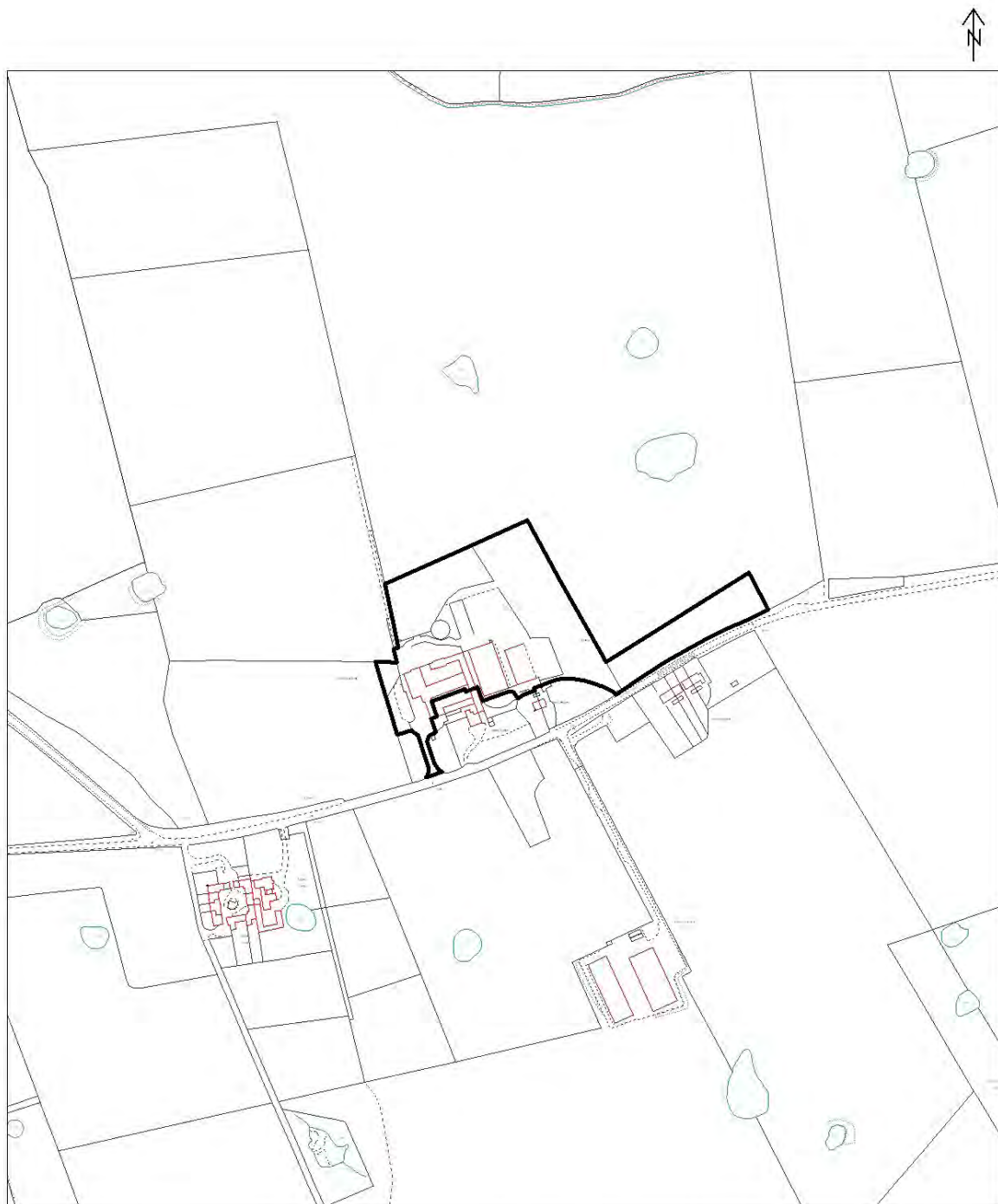
To allow for the effective use of the parking areas.

9. The car park area, HGV hard standing and HGV turning area shall be used only for the purposes of vehicle parking and manoeuvring in association with and incidental to the lawful uses of the site and not at any time for any other purpose including the storage of goods, products or waste.

In the interests of visual amenity and to preserve the character of the area.

10. The temporary use of the area of agricultural land along the eastern site boundary for the storage of displaced caravans (as indicated on Drawing No. L2420 344) shall only begin at the commencement of the development hereby approved. This use shall cease within 12 months of the commencement of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority, and the land reinstated to agricultural grassland.

Unlimited use of this land for the storage of caravans would be injurious to the visual amenity and character of this countryside area.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/10/0792	Address Mythop Lodge (Farm) Mythop Road, Weeton	Grid Ref. E.3361 : N.4349	Scale N.T.S.	Item No.

Item Number: 8 Committee Date: 23 March 2011

Application Reference: 10/0807		Type of Application: Full Planning Permission	
Applicant:	Mr & Mrs Shaw	Agent :	Mr Shaw
Location:	WORKSHOP REAR, 42-46 KIRKHAM ROAD, NORTH OF BYPASS, FRECKLETON, PRESTON, PR4 1HT		
Proposal:	ERECTION OF NEW DETACHED DWELLING TO REPLACE EXISTING WORKSHOP AND CABINS. (RE-SUBMISSION OF 10/0524)		
Parish:	Freckleton	Area Team:	Area Team 1
Weeks on Hand:	18	Case Officer:	Alan Pinder
Reason for Delay:	Delay due to the need to report Committee and deferral for site visit		

Summary of Recommended Decision: Grant

Summary of Recommended Decision: Approve Subj 106

This application was deferred at the last meeting of the Development Control Committee in order to allow Committee to visit the site. The report and the recommendation remain unchanged.

Summary of Officer Recommendation

This application seeks planning permission for the erection of a new dwelling on land to the rear of No's 42, 44 and 46 Kirkham Road. Although the proposal is 'backland development' within the settlement boundary of Freckleton but on the edge of Green Belt the location is considered appropriate for a dwelling of this scale, design and appearance. The proposal accords with the relevant policies of the Fylde Borough Local Plan and members are recommended to approve the development.

Reason for Reporting to Committee

The Parish Councils objection to the proposal is in opposition to the Officer's recommendation for approval.

Site Description and Location

The application site encompasses the rear curtilage area of No's 42-46 Kirkham Road and a further area of land to the rear of this curtilage. No 42 is a dwelling house and No's 42 and 44 are retail premises, one of which (No.44) is currently vacant. Within the application site are 3 outbuildings: a large pitched roof building to the northern boundary with No.50 Kirkham Road, which was formerly a joiners workshop but has since fallen into disrepair, and two smaller timber pitched roof cabins which are also in a poor state of repair. The site lies immediately adjacent to the Kirkham/Freckleton Green Belt on its eastern boundary but is situated entirely within the settlement.

The submitted Design and Access Statement indicates that it is the applicant's intention to cultivate the land to the east of the site (outside of the site boundary and within green belt) and create a wildflower meadow and orchard. As this doesn't fall within the definition of development, planning permission would not be required and hence this aspect does not form part of this application.

Details of Proposal

This application seeks full planning permission for the construction of a new 3 bedroomed dwelling to the rear of 42-46 Kirkham Road. The building would be of a modern, asymmetric design comprising of a dual pitched single storey element (adjacent to the boundary with No.50 Kirkham Road) linked to a dual pitched two storey structure via a single storey flat roofed (sedum covered) section. The total area covered by the proposed dwelling would be 99 square metres.

The Single storey dual pitched element would be located approximately on the same footprint as the existing joiner's workshop, which is to be demolished. It would be of the same height as the joiner's workshop (4.4 metres to ridge) but pulled back 1 metre from the boundary with No.50 Kirkham Road. Its elevations and roof would be clad in quartz grey coloured zinc cladding, and the south facing roof slope would have a centrally located area of solar panels and rooflights measuring 4.1 metres by 1.5 metres.

The Two storey dual pitched element would have a ridge height of approximately 6.2 metres. The first floor elevations and roof would be clad in quartz grey zinc cladding and on the ground floor the eastern elevation would be timber clad and the remaining elevations would be a mix of facing brick and glazed panels.

The Single storey flat roofed linking element would have a sedum roof covering and a maximum height of 2.5 metres. The eastern elevation (facing toward the green belt) would be of facing brick, with one small window and a glazed single door. The western elevation would be fully glazed with 500mm high timber cladding at ground level.

Access to the new dwelling would be via an existing vehicular access from Kirkham Road down the side of No.42, and which previously served the joinery workshop to the rear of the properties. Existing parking arrangements have been revised to incorporate new designated spaces within part of the existing curtilage.

Relevant Planning History

Application No.	Development	Decision	Date
10/0524	ERECTION OF NEW DETACHED DWELLING TO REPLACE EXISTING WORKSHOP AND CABINS.	Withdrawn by Applicant	16/09/2010

Relevant Planning Appeals History

None.

Parish Council Observations

Freckleton Parish Council notified on 19 November 2010

Summary of Response

The Parish Council objects to the proposal as it would result in substantial backland development.

Statutory Consultees

BAe Systems

No comments received

Ministry of Defence

No safeguarding objections

County Highway Authority

No objection to the proposal subject to the following condition:

No part of the development hereby approved shall be occupied until the car parking spaces shown on the approved plans have been provided in full and available for use. The car parking spaces shall thereafter be kept available for the parking of cars at all times.

Reason: In the interest of highway safety and convenience.

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 19 November 2010

No. Of Responses Received: Four

Nature of comments made:

Three letters in support of the application stating that the proposed development would be an improvement over that which currently exists on the site.

One letter of objection from the neighbours at No.50 Kirkham Road. Object on the following grounds:

- Will result in an unacceptable loss of light to their small enclosed rear garden.
- Will introduce an unacceptable feeling of enclosure in their rear garden.
- Loss of privacy
- Devalue their property
- The close proximity of the vehicle access to Kirkham Road traffic lights will result in a bigger build up of traffic and could be detrimental to the safety of passing school children.

Relevant Planning Policy

Regional Spatial Strategy:

DP02 - Promote Sustainable Communities

DP01 - Spatial Principles

RDF04 - Green belts

Fylde Borough Local Plan:

SP01	Development within Settlements
SP03	Green Belt
HL02	Development Control Criteria for Housing Proposals
IHP	Interim Housing Policy

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 issues to consider in the determination of this application are policies SP1, SP3 and HL2 of the Fylde Borough Local Plan. The Council's adopted Interim Housing Policy is also applicable.

Local Plan Allocation

The application site is located within the settlement boundary of Freckleton & Warton as identified by Policy SP1 of the Fylde Borough Local Plan. This Policy generally permits development subject to normal planning criteria and the requirements of the Interim Housing Policy. The application site also immediately abuts, but does not intrude into, the Freckleton/Kirkham Green Belt and as such would not encroach on the openness of this green belt. A 1.2 metre high 'post and wire' fence is proposed along this boundary to delineate the curtilage of the proposed dwelling from the green belt. In terms of any visual impact on the green belt the appropriateness of the design of the dwelling is discussed further in the report but in principle, the proposal is considered acceptable in this location and not to have an unacceptable visual impact.

Interim Housing Policy

The Urban Option of the Interim Housing Policy (IHP) lists Freckleton as a settlement where residential development is appropriate in principle. As the development is for a single dwelling, the IHP requires that financial contributions are made in lieu of on-site provision of affordable housing and public open space, with these secured by a s106 agreement to be signed before any planning permission is issued.

Design and Appearance

The proposed dwelling is a mixture of contemporary and traditional features incorporating both urban and rural elements in its design. The dwelling is formed from two dual pitched, gabled elements linked together by a flat roofed section. The mixture of zinc cladding, timber cladding and facing brickwork for the finished appearance combines the visual characteristics of both urban and agricultural buildings and as such are considered appropriate within this location immediately adjacent to the green belt and to the rear of the other residential properties along Kirkham Road. The proposed sedum roof to the single storey flat roofed linking element would also help to soften the appearance of the building when viewed against the backdrop of the open countryside to the rear.

With regard to external amenity space, the proposal would result in the loss of some garden area to the applicant's properties at the rear of 42-46 Kirkham Road, however approximately 290 square metres would remain and given that only No.46 is in residential use (No's 42 and 44 being commercial units) this is sufficient to serve the occupiers needs. The new dwelling would have approximately 200 square metres of external amenity area, which is considered adequate for this size of dwelling. This space has been amended from the earlier application and is now better arranged and more useable for the occupier(s) of the proposed dwelling.

Neighbour Amenity

The properties most likely to be effected by this development are No's 42, 44, 46 and 50 of Kirkham Road. The occupiers of the latter property have expressed concerns regarding loss of light to the rear garden, loss of privacy, and the creation of a feeling of enclosure. The current situation is that an existing 4.4 metre high outbuilding within the application site is located directly against the boundary with No.50. The single storey element of the proposed dwelling would replace this outbuilding and

be of the same height but relocated 1 metre off the boundary with No.50. The two storey element of the new dwelling is linked to the single storey element via a 2.5 metre high flat roofed section and would be located approximately 8.6 metres from the boundary with No.50. Hence in terms of loss of light and feeling of enclosure it is not considered that the proposed dwelling would have any greater impact than already exists from the existing outbuilding located along No.50's boundary. With regard to loss of privacy, no windows of the new dwelling will face directly onto No.50 or its rear garden hence it is not considered that any loss of privacy would result.

In respect of No's 42, 44 and 46 the proposed dwelling is sufficiently distant so as to have no detrimental impact in terms of loss of light and overbearing appearance. Furthermore, there are no first floor windows on the proposed elevations facing these properties and hence overlooking is not considered an issue.

Access and Car Parking

The proposed dwelling would use the existing vehicle access road adjacent to the southern side of No.42 Kirkham Road and which leads to the rear of this terrace of properties. This access appears to be substandard with inadequate visibility splays along Kirkham Road. However given that this is an existing vehicle access (used by neighbouring properties for car parking and previously by the joinery workshop on the application site) and the existence of 'KEEP CLEAR' markings at its entrance (which should ensure the access is not blocked by queuing traffic), The County Highway Authority does not oppose the use of this existing access to serve one additional dwelling to the rear.

With regard to car parking the proposal provides for four designated parking spaces to serve the new dwelling and the existing dwelling at No.46. Additional space is also available to park a fifth car on the access road adjacent to the shop (No.42) whilst still allowing sufficient width for vehicles to pass and access to be maintained to the rear of No.40. The County Highway Authority agrees that this level of parking is acceptable in this instance.

Other Matters

The Parish Council has objected to the proposal on the grounds that it would result in substantial backland development. The principle of backland development is not prohibited by policy and such development can be acceptable under suitable circumstances. In this instance the proposed development forms part of a large area to the rear of No.46, and is atypical of the rear gardens of nearby residential properties in terms of size (width) and the previous commercial usage (in respect of the joinery). The proposed dwelling would visually improve this area of land which is immediately adjacent to the green belt and result in a use that is more compatible with the adjacent residential properties. Furthermore the development would not require the formation of any additional vehicle access point from Kirkham Road and the relationship of the proposed dwelling with neighbouring properties is such that there would be no unacceptable amenity issues. For these reasons it is considered that the level of proposed development in this location is acceptable on this occasion.

Conclusions

The proposed dwelling is considered to accord with the relevant policies of the Fylde Borough Local Plan and an acceptable form of development on this edge of green belt location. As such members are recommended to approve the application.

Recommendation

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

- a financial contribution of 5 % of the market value of each proposed housing unit towards securing off site affordable housing,
- a financial contribution of 2.5% of the market value of each proposed housing unit towards securing off site public open space,

(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. That prior to the commencement of the development hereby approved full details of the type, size, texture and colour of materials to be used on the external elevations and roof shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only those approved materials shall be used for the development unless otherwise agreed in writing with the Authority.

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

3. That prior to the commencement of the development hereby approved, full details of the surface water and foul water drainage including any sewerage treatment plant and any connections to existing watercourses / ditches shall be submitted to and approved in writing by the Local Planning Authority. These details shall be implemented during construction with no dwelling occupied until the details are fully operational to the satisfaction of the Local Planning Authority.

To ensure that the surface and foul water drainage details for the dwellings are appropriately provided without causing flooding or pollution of the water environment.

4. No part of the development hereby approved shall be occupied until the car parking spaces indicated on the approved drawings have been provided in full and available for use. Thereafter these spaces shall be retained at all times.

In the interest of highway safety

5. That prior to the commencement of any development hereby approved, details of the proposed materials of construction and heights of any fences, walls, railings or other such means of enclosure for all the boundaries of the site shall be submitted to and approved by the Local Planning Authority. Any such works shall only be erected in accordance with this approved detail.

To ensure that the boundaries are appropriately designed to complement the rural character of the area.

6. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Class A, B, C, D, E, F, and 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.

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 dwellings and the surrounding area.

7. 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.

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.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/10/0807	Address Rear 42-46 Kirkham Road Freckleton	Grid Ref. E.3429 : N.4292	Scale N.T.S.	Item No.

Item Number: 9 Committee Date: 23 March 2011

Application Reference: 11/0023		Type of Application:	
Applicant:	Mr T Ashton	Agent :	Mr Ashton
Location:	10 PENDLE PLACE, LYTHAM ST ANNES, FY8 4JB		
Proposal:	PROPOSED ERECTION OF SINGLE STOREY REAR AND SIDE EXTENSIONS AND TWO STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING REAR / SIDE EXTENSIONS AND GARAGE.		
Parish:	St Johns	Area Team:	Area Team 1
Weeks on Hand:	10	Case Officer:	Alan Pinder
Reason for Delay:	Delay due to the need to report Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks planning permission for a combination of single and two storey extensions to the side and rear of the existing property. In order to facilitate these extensions an existing detached garage and two existing single storey extensions would be demolished. The proposed extensions accord with the aims of policy HL5 of the Fylde Borough Local Plan and the design guidance contained in the Council's adopted SPD, "Extending your Home". As such members are recommended to approve the application.

Reason for Reporting to Committee

The applicant is a Councillor for Fylde Borough Council.

Site Description and Location

The application site is a detached two storey dwelling situated in an end of cul-de-sac location, in the south eastern corner of Pendle Place. The site is within a residential area of the settlement of Lytham St Annes.

Details of Proposal

This application seeks planning permission for the following:

- The demolition of an existing flat roofed single storey side extension and its replacement with a hipped dual pitched, two storey extension which would project a further 4 metres rearwards. Its ridge height would be approximately 0.8 metres lower than the main ridge of the existing property.
- The demolition of an existing detached garage to the rear curtilage and its replacement with hipped, single storey attached garage which would link in to the proposed two storey extension.

- The garage would have a maximum height of 3.9 metres and an eaves height of 2.3 metres.
- The demolition of an existing flat roofed single storey rear extension and its replacement with a single storey flat roofed extension approximately 0.7 metres higher and 2.5 metres wider but with no additional projection from the main rear wall of the property.

The extensions would provide a replacement and extended kitchen, drying room, and garage at ground floor level, and an additional ensuite bedroom at first floor. The proposed materials of finished construction are brick, render and tiles to match the existing property.

Relevant Planning History

Application No.	Development	Decision	Date
99/0599	CAR PORT TO SIDE ELEVATION	Granted	06/10/1999
96/0335	SINGLE STOREY REAR EXTENSION	Granted	19/06/1996

Relevant Planning Appeals History

None.

Parish Council Observations

N/A

Statutory Consultees

N/A

Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 17 January 2011

Amended plans notified:

No. Of Responses Received: One

Nature of comments made:

- The proposed two storey rear extension would be instantly visible from the side door of No.8 Pendle Place and will lead to some loss of light in the morning as well as have a large visual impact from No.8's rear garden.
- Disagree that it will enhance the amenity of No.8 for the above reasons.
- Will adversely affect the value of No.8
- Parking space for one car will be lost by constructing the new garage 4 metres forward of the existing garage location.
- Will result in an increase in volume of almost 95%

Relevant Planning Policy

Regional Spatial Strategy:

DP02 Promote Sustainable Communities

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 of policy HL5 of the Fylde Borough Local Plan. The guidance provided by the Council's adopted Supplementary Planning Document (SPD) on house extensions is also a material consideration.

Design, Scale and Appearance

In terms of the design, scale and appearance of the proposed extensions all aspects are considered to be appropriate additions to the application property subject to the use of finished materials to match. The neighbour has raised a concern that the proposals would result in an increase of 95% in volume over that of the existing house. Although this figure has not been confirmed by the Case Officer it is considered that even if this is the case the size of the plot, the character of the existing property, and its end of cul-de-sac location are such that the proposed enlargements would not result in a property of unacceptable appearance.

Neighbour Amenity

The relative position of the application property in respect to its neighbours (No's 8 and 12 Pendle Place) is such that the spatial relationship of all aspects of the proposal accord with the design guidance provided by the Council's SPD. The two storey side extension may lead to a minimal reduction in midday light to the side of No.12 Pendle Place however given that this aspect is south facing (the point where the sun would be at its highest) it would not be of such a level as to justify a refusal. In respect of No.8 the occupier has raised a concern that the two storey extension would lead to a loss of morning light and have an adverse impact on the visual amenity when viewed from their rear garden. However, given the separation distances involved (7 metres from the curtilage boundary with No.8 and 11.5 metres from the oblique side of No.8) it is not considered that any impact would be of sufficient detriment as to justify a refusal.

No other neighbouring properties are likely to be affected by the proposal.

Off Street Parking

The occupier of No.8 has raised a concern that the construction of the new garage would result in the loss of one off street car parking space. County parking standards require dwellings of 4 or more bedrooms to have 3 available off street car parking spaces. In this instance, and bearing in mind the minimum sizes set out for parking spaces, sufficient provision would remain for 4 off street parking spaces. As such the available off street spaces would exceed the minimum required.

Garden Area and Vehicle Access

None of the remaining criteria of policy HL5 would be prejudiced by the proposal.

Conclusions

The proposed development is considered to accord with the aims of policy HL5 of the Fylde Borough Local Plan and with the design guidance provided by the Council's adopted Supplementary Planning

Document, "Extending your Home". As such members are recommended to approve the application.

Recommendation

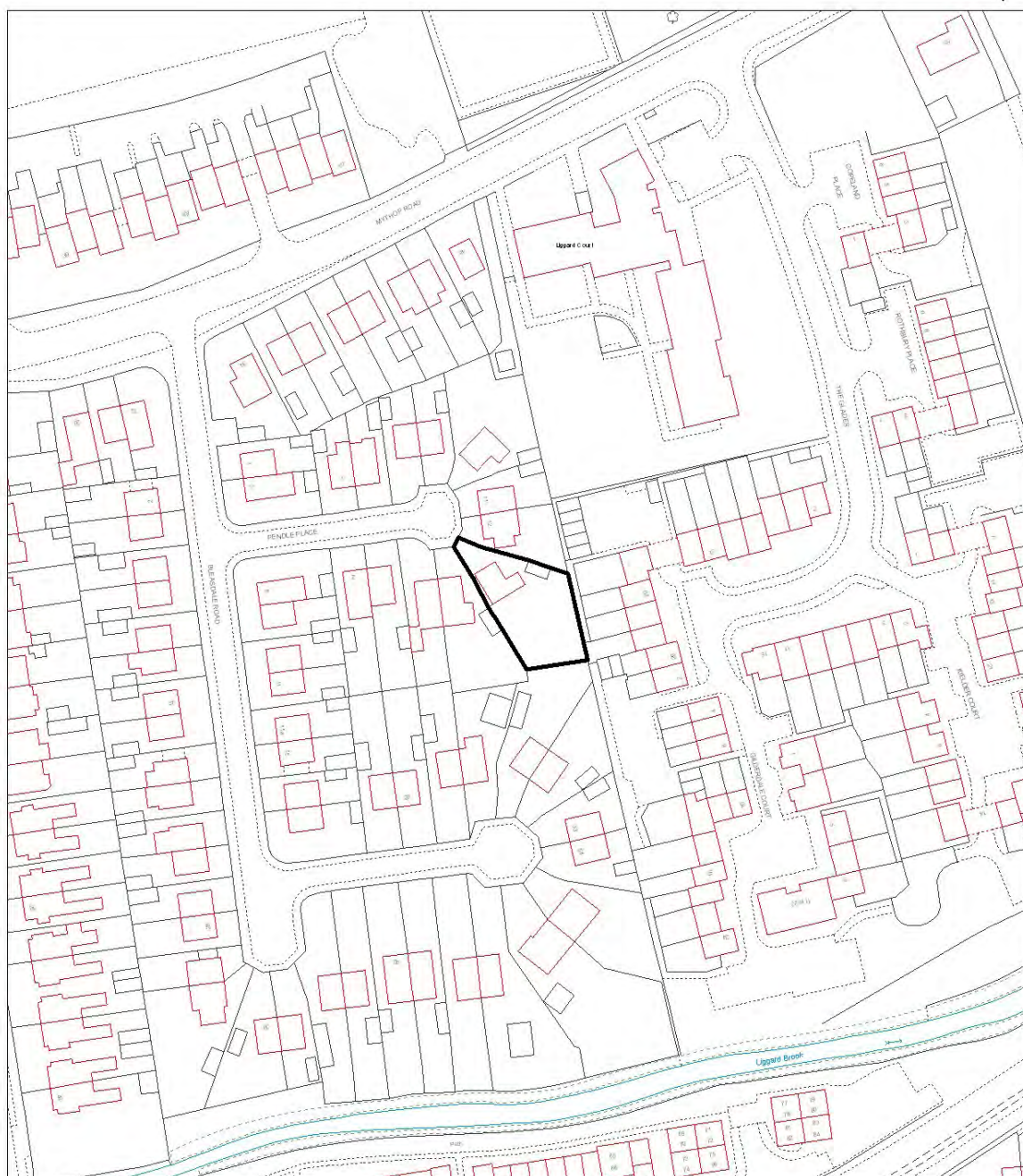
That Planning Permission be GRANTED subject to the following conditions:

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 extensions 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.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/11/0023	Address 10 Pendle Place Lytham St Annes	Grid Ref. E.3372 : N.4276	Scale N.T.S.	Item No.

Item Number: 10 Committee Date: 23 March 2011

Application Reference: 11/0052		Type of Application: Full Planning Permission	
Applicant: Green Energy Incorporated Ltd		Agent : Planning Problems Solved	
Location: PEEL HALL FARM, PEEL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5JX			
Proposal: TEMPORARY SITING OF HYDRO ELECTRIC TRIAL PLANT UNTIL 30/11/2011			
Parish: Westby with Plumptons		Area Team:	Area Team 1
Weeks on Hand: 9		Case Officer:	Andrew Stell
Reason for Delay: Delay due to the need to report Committee			

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is within a small collection of industrial units located on a former farm off Peel Road in the designated Countryside. The application relates to the temporary retention of a tower structure that is used to trial a new technology that is associated with the generation of hydro electric power. The tower has been in position since August 2010 without planning permission and this application proposes its retention until the end of November 2011.

The principle of using the site for an industrial process such as this is acceptable given the lawful industrial use of the site. However, the size of the tower means that it is a prominent structure from many vantage points around the site and so has a significant visual impact on the countryside. It would not be acceptable as a permanent feature for this reason. However, given that the use is only sought for a relatively short temporary period it is considered that the structure can be accepted for that period and the application is recommended for approval. A condition is to be imposed to require its removal by 30 November 2011.

Reason for Reporting to Committee

The officer recommendation is to approve the application whilst the Parish Council raise objection.

Site Description and Location

The application site forms part of Peel Hall Farm. This is a former farm that in recent years has been developed as an industrial estate since planning permission was granted for this in 2000. It is located in the Countryside on the eastern side of Peel Road midway along its length between Peel Corner to the north and Ballam Road to the south. The actual application site is located to the east of a row of industrial units within the main developed area of the site.

Other than the remainder on the industrial site, surrounding land uses are primarily agricultural fields with a cluster of dwellings on both sides of Peel Road near the site and the Woods Waste site on the opposite side of Peel Road.

Details of Proposal

The application seeks temporary consent for the erection of a 'Hydro Electric Trial Plant' with the temporary permission sought until the end of November 2011. The facility was erected in mid 2010 and so the application is retrospective.

The facility is a square steel frame measuring 4m x 4m in footprint rising to a height above ground of 12m. This steel frame supports a series of steel cylinders which are hung vertically within it and surround a turbine that leads to a large water tank at the base of the structure. The whole facility is stood on a concrete pad that has been formed to support it. It is a dark brown/grey colour.

The facility is associated with a trial of an energy generation technology that is essentially a form of hydro-electric power. The supporting statement explains that water is drawn up through the outer cylinders and then is forced into a central tube that creates a vortex and so operates a turbine to generate electricity. The facility is connected to a small water tank and measuring equipment that is located within the adjacent industrial unit. As the facility is trialling the technology the turbine is not connected to a generator and it is not connected to the National Grid, but the applicant is applying to retain it on site until November 2011 to ensure it can receive an effective trial period.

The application is also supported with a Noise Survey that provides details of the actual noise that is created by the operation of the plant and concludes that this is well below the existing background noise levels at the nearest dwellings and so will not generate noise complaints.

Relevant Planning History

Application No.	Development	Decision	Date
09/0096	OUTLINE APPLICATION FOR THE ERECTION OF B1 (a) OFFICE BUILDING (AS AMENDED), INCLUDING DETAILS OF ACCESS, APPEARANCE, LAYOUT AND SCALE	Refused	23/12/2009
09/0097	OUTLINE APPLICATION FOR THE ERECTION OF 3 NO. B2 / B8 INDUSTRIAL UNITS (AS AMENDED), INCLUDING DETAILS OF ACCESS, APPEARANCE, LAYOUT AND SCALE.	Refused	23/12/2009
09/0098	OUTLINE APPLICATION FOR THE ERECTION OF A RENEWABLE ENERGY GENERATOR.	Withdrawn by Applicant	05/08/2009
07/1056	CHANGE OF USE FROM DWELLING TO B1 OFFICE USE.	Granted	07/12/2007
07/0130	CONVERSION OF EXISTING REDUNDANT DWELLING INTO OFFICE ACCOMMODATION AND ERECTION OF REPLACEMENT SITE OWNERS DWELLING.	Refused	05/04/2007
03/0878	USE OF LAND FOR EXTERNAL CAR STORAGE AREA AND ERECTION OF DOUBLE GARAGE	Refused	15/10/2003
03/0504	RE-SUBMISSION OF 02/759 FOR RETENTION OF BUND TO FRONT OF SITE WITH LANDSCAPING	Granted	23/07/2003
03/0360	USE OF LAND FOR EXTERNAL	Refused	23/07/2003

02/0953	STORAGE OF CARS REMOVAL OF CONDITION 10 ON APPLICATION 99/814 WHICH RESTRICTS OCCUPANCY OF THE HOUSE TO AN EMPLOYEE OF THE INDUSTRIAL ESTATE	Refused	14/01/2003
02/0759	RETROSPECTIVE APPLICATION FOR LANDSCAPE BUND TO FRONTAGE ON PEEL ROAD	Refused	21/01/2003
02/0668	ERECTION OF DEMONSTRATION BUNGALOW STRUCTURE	Granted	05/03/2003
02/0291	MODIFICATION OF CONDITION OF 5/99/814 TO ALLOCATE UNIT 6G WITH B2 USE AND RETENTION OF TWO FLUES ON ROOF	Granted	11/09/2002
01/0283	SINGLE REPLACEMENT DWELLING HOUSE .	Refused	20/06/2001
01/0233	RE-POSITIONING OF LANDSCAPING BUND TO EASTERN SITE BOUNDARY OF DEVELOPMENT APPROVED UNDER 5/99/814 .	Granted	18/07/2001
00/0850	PROPOSED TWO NEW DETACHED DWELLINGS	Refused	28/02/2001
99/0814	CONVERSION OF BUILDINGS WITHIN REDUNDANT FARMSTEAD TO CLASS B1 (BUSINESS) , CLASS B2 (GENERAL INDUSTRIAL), AND CLASS B8 (STORAGE AND DISTRIBUTION) USE.	Granted	13/07/2000

Relevant Planning Appeals History

None to report.

Parish Council Observations

Westby with Plumpton Parish Council notified on 07 February 2011

Summary of Response

"Parish Council objects on the grounds on its height and intrusion into the countryside."

Statutory Consultees

Environment Agency

Raise no objection in principle to the proposed development.

Environmental Protection

Raise no objection to the proposals.

Observations of Other Interested Parties

None to report

Neighbour Observations

Neighbours notified: 07 February 2011

No. Of Responses Received: 2**Nature of comments made:**

The residents are from dwellings on the opposite side of Peel Road in the vicinity of the site and raise objection to the proposal on the basis that:

- It is a tall structure that required considerable construction and is visible above the surrounding buildings and for many miles in some directions.
- Its purpose is unclear as it has been said to relate to separating oil from water and now for power generation
- That the initially stated temporary period was 4 weeks, but this has now extended to over a year and so residents are concerned that it will remain permanently
- That the appearance of the structure has a detrimental affect on surrounding property values

Relevant Planning Policy**Regional Spatial Strategy:**

DP01	Spatial Principles
DP02	Promote Sustainable Communities
DP03	Promote Sustainable Economic Development

Fylde Borough Local Plan:

SP02	Development in countryside areas
SP08	Expansion of existing business & commercial operations
EMP4	Buffer zones and landscaping
EP10	Protection of important landscape and habitat features

Other Relevant Guidance:

PPS1:	Delivering Sustainable Development
-------	------------------------------------

Site Constraints**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. Whilst Schedule 2 refers to generating hydro electric power, this facility does not actually generate any power as it has no generator and so it does not meet the trigger for requiring a EIA.

Comment and Analysis**Planning History of Site**

The site has had a series of planning applications relating to various commercial uses since it was first granted consent for commercial use in 2000. This permission established the principle of commercial uses on the site and provided it with an appropriate access for the scale of use it would need. There have also been a series of enforcement allegations investigations into activities and developments at the site, some of which are on going, although none have any direct relevance to this application.

Nature of Use

The application explains that the structure and associated equipment is a trial process for hydro electric power generation. This is clearly an industrial process and so it is Fylde Borough Council which must determine this application rather than the County. The submitted sound report clarifies

the absence of any noise generation and the supporting statement explains the limited water supply and so discharge that is involved. Given the industrial nature of the immediately surrounding land uses it is considered that the proposed development is acceptable in this location for a temporary period.

Residents have expressed concern that the stated use of the facility has changed from its original use which they claim was associated with separating water and oil. There is no evidence to support this and it is not relevant to the determination of this application. Residents have also referred to general restrictions that apply to the site under planning permission 99/0814 concerning the importation of waste. As this proposal is described there is no waste involved and so again this is not relevant to the determination of the application.

Visual Impact

The proposal is a sizeable structure that is clearly visible within the site and from many locations off site. Its height, form and the elevated position of the site means that it can be seen along the whole length of Peel Road and from further a field. Its scale means that there is no way that it can be effectively screened from any of these vantage points. However, the landscape in this area does feature a number of electricity pylons associated with the substation on Peel Road to the north of the site and along with the 'grain silo' style appearance it is considered that the visual impact is acceptable for the temporary period over which the permission is sought.

Conclusions

The application site is located in the Countryside where Policy SP2 generally restricts development to uses that would be appropriate to a rural area. Policy SP8 is also relevant as it allows for the expansion of existing businesses in countryside areas subject to a series of criteria.

This proposal is on an existing industrial area within the countryside where it is well separated from neighbouring dwellings and has no impact in terms of noise, odour or other forms of pollution. However, it does have a significant visual impact by virtue of its height above the existing buildings on site and so will not be acceptable as a permanent feature.

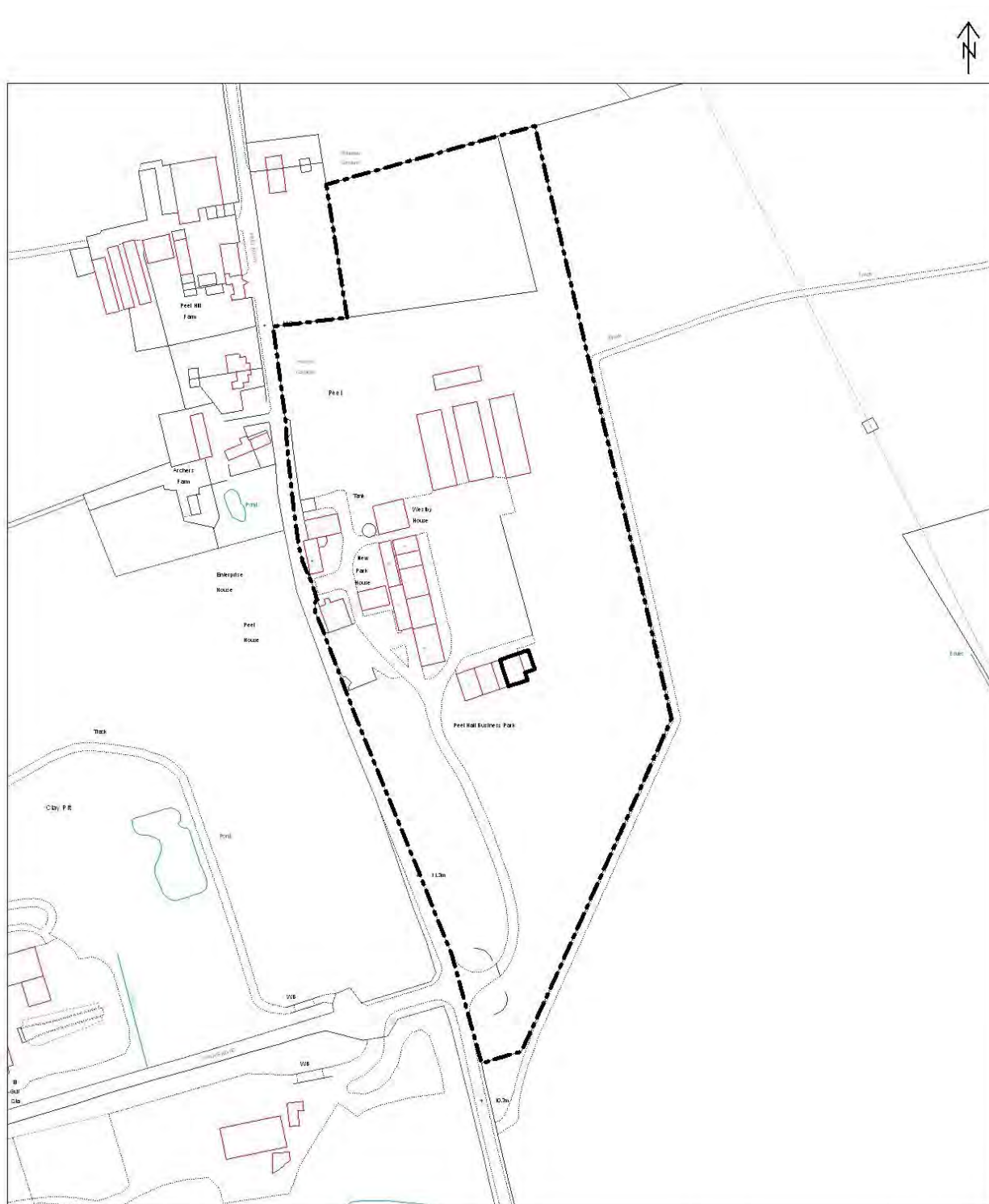
The facility is a trial only, and the agent has confirmed that there is no intention for the trial to extend beyond the period sought in this application or for it to be an operational facility. In those circumstances it is considered that the visual impact of the facility can be tolerated for the extent of the trial period and so the application is recommended for approval on that basis.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. That the Hydro Electric Trial Plant hereby approved shall be fully dismantled and all resultant elements removed from the Peel Hall Business Village site as edged red and blue on the submitted location plan no later than 30 November 2011.

To ensure the visual harm caused by the facility is limited to a temporary period only in the interests of preserving the character of the countryside.



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. 2011 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/11/0052	Address Peel Hall Farm Peel Road, Westby	Grid Ref. E.3359 : N.4313	Scale N.T.S.	Item No.

LIST OF APPEALS DECIDED

Between 4 February 2011 and 14 March 2011, the following appeals decisions have been received:

Rec No: 1 29 December 2010	10/0633	CORKA COTTAGES, 2 CORKA COTTAGES, LYTHAM ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY8 4NA FORMATION OF VEHICULAR ACCESS POINT FROM LYTHAM ROAD TO PROPERTY WITH GRAVELLED PARKING AREA ON EXISTING FRONT GARDEN	Householder Appeal
Appeal Decision: Allowed: 10 February 2011			

Rec No: 2 09 December 2010	10/0510	12 FOXWOOD DRIVE, KIRKHAM, PRESTON, PR4 2DS RETROSPECTIVE APPLICATION FOR FENCE TO FRONT ELEVATION.	Householder Appeal
Appeal Decision: Dismiss: 03 February 2011			

Rec No: 3 13 December 2010	10/0600	BRITISH AEROSPACE, LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1AX ADVERTISEMENT CONSENT TO DISPLAY 9 X NON ILLUMINATED BANNER SIGNS (2 AT EACH ENTRANCE AND 1 ATTACHED TO A BUILDING WITHIN SITE)	Written Representations
Appeal Decision: Dismiss: 01 March 2011			

Appeal Decision

Site visit made on 9 February 2011

by Elizabeth C Ord LLB(Hons) LLM MA DipTUS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 February 2011

Appeal Ref: APP/M2325/D/10/2142079

2 Corka Cottages, Lytham Road, Moss Side, Lytham, Lancashire, FY8 4NA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr. John Cropper against the decision of Fylde Borough Council.
 - The application Ref 10/0633, dated 10 September 2010, was refused by notice dated 18 November 2010.
 - The development proposed is the provision of a drop kerb outside residential property. Front garden will be altered to allow off street parking.
-

Decision

1. I allow the appeal, and grant planning permission for the provision of a drop kerb outside residential property. Front garden will be altered to allow off street parking, at 2 Corka Cottages, Lytham Road, Moss Side, Lytham, Lancashire, FY8 4NA in accordance with the terms of the application, Ref 10/0633, dated 10 September 2010, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan (ordnance survey plan reference SD 3830), JC01, and JC03.
 - 3) No development shall take place until samples of the materials to be used in the construction of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) Any vehicular gate erected adjacent to the footpath shall open into the site and away from the highway.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on highway safety.

Reasons

Character and appearance

3. The appeal property lies in a rural area and fronts a classified road, along which there are a variety of dwelling types in the immediate vicinity. It is a Victorian mid terraced property within a short row, set back from the highway beyond a fairly long narrow front garden.
4. Many of the nearby houses have varying degrees of hard standing within their front gardens, and the appeal property is already partly gravelled in the front. Despite the reduction of a modest area of vegetation, including two small trees, and the removal of a very low wall and rails, the proposal would not appear out of keeping with its surroundings. The small scale of the development would not create an unduly harsh appearance in this location, and there is nothing in its design which would materially harm the street scene.
5. For the reasons given the proposed development would not be significantly detrimental to the character and appearance of the area. Consequently, it would not be contrary to Policy EP11 of the Fylde Borough Local Plan as Altered (FBLP), adopted in October 2005, the thrust of which is to ensure that new development in rural areas is in keeping with its surrounding landscape character and is of a high standard of design. Although the Council also referred in its decision notice to the non compliance of Policy HL5, this Policy relates to house extensions and I am not convinced that it is relevant to the proposal.

Highway safety

6. The proposed access to the appeal site lies close to a bend in the road, adjacent to which runs a field hedge behind the footway. This hedge limits the forward visibility of vehicles approaching from the east, and it would restrict visibility to the east of drivers egressing from the appeal property. Although I understand that this hedge has been cut and kept low by residents for some years, it is not in the control of the appellant. Consequently, there is the potential for it to be maintained at a higher level in the future, thereby materially reducing drivers' sight lines in that direction.
7. Whilst the Council's highway reason for refusal refers to inadequate site lines to the west, this stretch of road is relatively straight. On my site visit I observed no obvious visibility problems to the west for drivers emerging from the appeal site or for vehicles approaching from the west. Visibility in this direction seems to me to be adequate.
8. This stretch of highway has a 40mph speed limit and is reasonably busy. A single personal injury accident has been recorded in the vicinity since 2005, although I understand from the appellant that this involved an inebriated male walking out into the road. Nonetheless, given the restricted visibility to the east, a proposed crossover in this location is not ideal.
9. However, many other nearby dwellings have vehicular accesses onto this road, including nos. 1 and 4 Corka Cottages and there is also an access track at the side of no. 4, which emerges onto the road. Regardless of the lawfulness of these crossovers, I have not been informed of any incidents involving their vehicular use.

10. Furthermore, there is only one off street parking space for the appeal site, and the household uses the highway to park its second vehicle. It is not unusual for households to have more than one vehicle, particularly in countryside areas like this, where accessibility to public transport is low. Parking on this stretch of fairly narrow road would be detrimental to highway safety, as approaching vehicles may not anticipate or see such an obstruction, particularly during hours of darkness. Such parking would increase the risk of accidents.
11. Therefore, the harm of not granting permission, resulting in continued on street parking, would be greater than the harm flowing from the proposal. For these reasons, I find that the development is acceptable. The Council has again referred to non compliance with FBLP Policy HL5 in its highways reason for refusal. However, for the same reasons as given above, I am not persuaded that this policy is relevant to this appeal.

Conclusion

12. For the reasons given and having regard to all other matters raised, I conclude that the appeal should be allowed subject to conditions. Besides a commencement condition, I have imposed a plans condition in the interests of good planning, a materials condition in the interests of appearance and highway safety, and a gate opening condition in the interests of highway safety. I have not imposed a condition relating to splays, as this would be unreasonable in this instance.

Elizabeth C. Ord

INSPECTOR



Appeal Decision

Site visit made on 25 January 2011

by Derek Thew DipGS MRICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 February 2011

Appeal Ref: APP/M2325/D/10/2142072

12 Foxwood Drive, Kirkham, Preston, PR4 2DS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R M Wheatley against the decision of Fylde Borough Council.
 - The application ref.10/0510, dated 21 July 2010, was refused by notice dated 16 September 2010.
 - The development is the erection of a fence on the boundary of the property with the highway.
-

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in this case is the effect of the fence upon the character and appearance of the area.

Reasons

3. No.12 Foxwood Drive is a modern detached house within a large development of similar properties. The houses are typically set a reasonable distance back from the highway, thereby allowing space for both forecourt parking and landscaping in front of each property. Areas of grass, shrubs and trees provide an important soft contrast to the hard surfacing of the roads, footways and driveways, whilst the generally "open-plan" layout gives a sense of spaciousness to the development.
4. Planning permission is sought for the retention of two fence panels with an overall length of 3.16m and a maximum height of 1.43m. They have been erected on the boundary between the front garden of no.12 and the highway. This is clearly a very small development and its visual impact is very localised. However, the introduction of this hard vertical barrier, abutting the footway of Foxwood Drive, looks out-of-character in this particular setting where other front gardens are either open or enclosed by predominantly soft landscaping. Furthermore, if permission were to be granted for this scheme then it would be difficult for the Council to resist other proposals of a similar nature. The cumulative effect of enclosing front gardens in this manner would, in my view, be materially harmful to the character and appearance of the area.

5. My attention has been drawn to walls and railings erected within nearby front gardens, but these means of enclosure generally appear to be set back from the footway, thereby allowing sufficient space for some landscaping between them and the highway. There is also a high wall opposite the appeal premises, but again this is set-back from the footway and is partially screened by planting. In addition, this particular structure encloses the rear garden to a dwelling and, in order to afford the occupants some screening of that private area, it is not unreasonable for a high wall to have been constructed. The fence erected on the appeal site, in contrast, encloses a front garden, which by its very nature tends to be a more public area. In summary, therefore, whilst nearby there are other means of enclosure visible from the road, I am not aware of any scheme that is directly comparable with the development at the appeal site.
6. The appellant has identified that a fence 1m high could be erected as permitted development and, if there is no condition attached to the planning permission for the estate removing such permitted development rights, then this is correct. But just because the appellant may have this option, is not a good reason for consenting to a scheme that is harmful. In addition, to grant permission for the fence just because it exists would be tantamount to encouraging unauthorised development.
7. One of the purposes of the planning system is to safeguard the quality of the built environment. The fencing that has been erected is contrary to Fylde Borough Local Plan policy HL5, criterion 1 and the scheme could not be made acceptable by the imposition of planning conditions.
8. For the reasons given above I conclude that the appeal should be dismissed.

Derek Thew

Inspector



Appeal Decision

Site visit made on 24 February 2011

by Ruth V MacKenzie BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 March 2011

Appeal Ref: APP/M2325/H/10/2142182

Warton Aerodrome, Warton, Preston PR4 1AX

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a condition imposed when granting express consent.
 - The appeal is made by Mr D Emery of BAE Systems against the decision of Fylde Borough Council.
 - The application Ref No 10/0600 is dated 18 August 2010. The condition in dispute is No 3 which states: *This consent does not relate to signs B, C, D, E, F, G, H and I as included within the submitted application.*
 - The reason given for the condition is: *The proposed advertisements by reason of their height above ground, design, size and location in close proximity to other advertisements would be unduly conspicuous in their surroundings and would result in clutter and therefore would harm visual amenity. As such the proposal would not comply with the provisions of PPG19: Outdoor Advertisement Control.*
-

Decision

1. I dismiss the appeal.

Background Information

2. In August 2010, an application was made for consent to display 9 projecting signs: 2 near each of the main entrances to BAE Systems, and one attached to a building within the site. Consent was granted on 22 October 2010 for the sign within the site but Condition No 3 on the consent (LPA Ref No 10/0600) excludes the other 8 signs. The text of the condition, and its reason, are quoted above.
3. The appeal has erroneously been made against the Council's refusal of consent. The Council has not issued a refusal. I have therefore dealt with the appeal as though it is made against Condition No 3 on consent Ref No 10/0600.
4. During the appeal process the 2 signs at the Pool Lane entrance (also described as Bush Lane) were withdrawn from the proposal. As a result, there are now only 6 signs currently proposed: 2 at the Mill Lane entrance, 2 at the Highgate Lane entrance; and 2 at the Rake Lane entrance. All of the signs are being displayed, apart from one at the Rake Lane entrance. They measure about 0.9m x 0.7m, and are about 4m above ground level attached to, and projecting from, existing lamp posts or other columns. The message on all the signs is "THINK SAFETY FIRST – Everyone's Responsibility".

Main Issue

5. The Council has not raised any objection on grounds of highway safety, and I see no reason to take a different view. I therefore consider that the main issue in this appeal is the effect of the proposed signs on the character and appearance of the surrounding area.

Inspector's Reasons

The 2 signs at the Mill Lane entrance

6. These are being displayed 4m high on posts either side of the road, near to the entrance barrier, in an area which has a visual confusion of columns, signs, overhead wires and high fences. Near to the signs there is an MOT garage on one side, and a BAE building on the other. Mill Lane has houses on one side, the nearest being about 50m away. I accept that the signs do not adjoin housing but, because they are outside the BAE site, they are visible from the residential stretches of Mill Lane. I also accept that the signs are not unduly prominent in the street scene, but they nevertheless add to the visual clutter and detract from the residential character of Mill Lane by blurring the visual distinction between the large industrial site and the residential area.

The 2 signs at the Highgate Lane entrance

7. These are attached to posts at the entrance gates and security barrier. There are no houses in the immediate vicinity, but there are many other signs at eye-level on both sides of the road near this entrance and, to my mind, the 2 signs that are the subject of this appeal unacceptably add to the visual clutter, not least because of their 4m height.

The 2 signs at the Rake Lane entrance

8. One of the signs is attached to a CCTV post near the entrance gates and security barrier; the other one, if erected, would be in a similar position on the other side of the barrier. Rake Lane has houses on one side and open space and a children's nursery on the other. The nearest house (No 4 Rake Lane) is less than 10m away. There are many other directional and safety signs near this entrance, and the signs that are the subject of this appeal would add unacceptably to the clutter, and detract from the residential character of the lane.

Conclusion

9. *Planning Policy Guidance Note 19: Outdoor Advertising Control* advises that the cumulative effect that advertisements have on their immediate neighbourhood is something to which decision-makers should have regard. With that in mind, and taking into account the height and locations of the proposed 6 signs as described above, I have concluded that all of them have a materially harmful effect on the character and appearance of the area that surrounds them. The appeal is therefore dismissed.

Ruth V MacKenzie

INSPECTOR

REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE AND PARTNERSHIPS	DEVELOPMENT CONTROL COMMITTEE	23 MARCH 2011	6

**EXCLUSION OF THE PUBLIC –
VARIATION OF SECTION 106 AGREEMENT RELATING TO
LINKED DEVELOPMENTS AT ORCHARD ROAD (THE GABLES)
AND TO THE REAR OF ST ALBANS ROAD (THE FACTORY), ST
ANNES**

Public Item

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

Recommendation

1. Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined in paragraph 5 of Schedule 12A of the Act.

© Fylde Borough Council copyright [2011]

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication. Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.