



FYLDE BOROUGH COUNCIL



Meeting Agenda

Development Control Committee
Town Hall, St Annes
Wednesday 22 October 2008 9:30a.m.

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

Membership

Development Control Committee

CHAIRMAN - John Bennett
VICE-CHAIRMAN - Janine Owen

Councillors	Ben Aitken	Councillors	George Caldwell
	Michael Cornah		Barbara Douglas
	Richard Fulford-Brown		Albert Pounder
	William Thompson		Trevor Fiddler
	Kevin Eastham		Howard Henshaw
	Peter Hardy		Linda Nulty
	Barbara Pagett		Heather Speak

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Our Vision

To establish Fylde Borough Council as a high performing local authority

Our Corporate Objectives

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

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

We will achieve this by:

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



A G E N D A

PART I - MATTERS DELEGATED TO COMMITTEE

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>If a member requires advice on Declarations of Interest he/she is advised to contact the Legal Services Executive Manager in advance of the meeting. (For the assistance of Members an extract from the Councils Code of Conduct is attached).</i>	4
2. CONFIRMATION OF MINUTES: <i>To confirm as a correct record the minutes of the Development Control Committee meeting held on 24 September 2008 (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. REVIEW OF AFFORDABLE HOUSING TENURES	7-9
5. REPORT ON THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (NO. 2) (ENGLAND) ORDER 2008	10-26
6. DEVELOPMENT CONTROL MATTERS	AS NUMBERED

Personal interests

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

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

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

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

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

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

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

Disclosure of personal interests

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

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

Prejudicial interest generally

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

Prejudicial interests arising in relation to overview and scrutiny committees

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

Effect of prejudicial interests on participation

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

REPORT



REPORT OF	MEETING	DATE	ITEM NO
STRATEGIC DEVELOPMENT SERVICES	DEVELOPMENT CONTROL	22 OCTOBER 2008	4

REVIEW OF AFFORDABLE HOUSING TENURES

Public Item

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

Summary

Due to the current economic difficulties within the housing market, the local planning authority has been approached by local registered social landlords and the Housing Corporation to amend the way in which affordable housing is delivered on various sites within the Borough. It is also likely that other sites will come forward in the near future as the current economic situation continues.

Members are requested to endorse the changes to the two sites identified to date and to delegate powers to the Portfolio Holder for Planning and Development (which now includes responsibility for Strategic Housing) and the Chairman of Development Control Committee in conjunction with the local ward member to consider any future requests to vary Section 106 agreements in so far as they relate to the delivery of affordable dwellings.

Recommendations

1. That authority to vary the Section 106 agreement relating to the Rock Factory, rear of St Albans Road to secure the provision of social rented accommodation in lieu of shared ownership accommodation.
2. That authority to vary the Section 106 agreement at Willowfield, Derby Road, Wesham to allow the temporary occupation of 7 units previously identified as shared ownership properties as intermediate rented accommodation for a period not exceeding 3 years from first occupation.
3. The future requests to vary the tenure of properties section 106 agreements be considered and agreed by the Portfolio Holder for Strategic Development Services and

Report

1. Due to the economic difficulties currently being experienced within the housing and finance industries, the local planning authority has been approached by two local Registered Social Landlords (RSL's) to amend the provisions of two section 106 agreements that have previously been entered into between developers and the Local Planning Authority. The particular issue appears to be that lenders are currently exercising considerable caution lending to people who's mortgage repayments would represent a relatively large proportion of their total income.
2. The first site in question is the former Rock Factory to the rear of St Albans Road. This particular site was intended to provide the affordable housing element of a scheme at The Gables, Orchard Road, St Annes. The Rock Factory Development consists of 16 apartments which were intended to be provided as shared ownership properties. The RSL has requested that all of these properties are transferred to social rented properties on a permanent basis. The Housing Corporation has support a bid to convert the tenure of these properties to social rents.
3. The second site is now known as Willowfields and is the site of the former Wesham Park Hospital, Derby Road, Wesham. Forty percent of the units on this site were to be provided as affordable properties with a shared ownership/rented ratio of 50:50. In regard to this site, the RSL, with the backing of the Housing Corporation has requested that 7 of the affordable units be swapped to intermediate rents for a temporary 3 year period. On the expiration of 3 years the units would revert to shared ownership. The reason for this temporary switch is to allow the tenants a period in which to save a deposit sufficient for them to obtain a mortgage. This model has been developed in association with the Housing Corporation in order to address a problem with take up of shared ownership properties across the Country. The Housing Corporation has advised that they would not be agreeable to extending the rented period beyond 3 years.
4. As Members are aware, the greatest identified need for affordable properties in the Borough is for affordable rented properties. Despite this previous planning policies sought to assist the delivery of affordable properties by allowing a greater proportion of shared ownership properties in an attempt to improve the viability of schemes in the Borough. At present the Housing Corporation is providing additional assistance to RSL's and as a result developers are able to work with the RSL's to provide additional rented accommodation and there is, therefore, an opportunity to deliver additional social rented accommodation at the Rock Factory. In regard to the Willowfields site, there would be a temporary shift which would assist potential shared ownership occupiers in the first stage of acquiring a property. As the developer at this site has temporarily ceased new construction on site, programmed starts on further affordable rented and shared ownership properties have been delayed. Accordingly the proposal is unlikely to add to the overall number of rented units already approved as rented units in later phases are unlikely to come forward within the 3 year period.
5. The proposed alterations have been discussed with Officers in the Strategic Housing Team of the Directorate of Strategic Development Services who fully support the proposed amendments.

6. If these alternative tenures are not approved, it is likely that these properties, all of which have been completed, will stand vacant until the housing market returns to its previous balance.
7. In the current economic climate it is likely that other similar requests will be forthcoming. If such requests are forthcoming, Members are requested to delegate authority to amend existing Section 106 agreements to the Portfolio Holder for Strategic Development Service and the Chairman of Development Control in conjunction with the local ward Member(s).

IMPLICATIONS	
Finance	None
Legal	It will be necessary to vary the existing 106 agreements, which will need to be agreed by all parties to the original agreement
Community Safety	None
Human Rights and Equalities	The proposal will assist in the delivery of affordable housing in accordance with Corporate Objectives
Sustainability and Environmental	None
Health & Safety and Risk Management	None

Report Author	Tel	Date	Doc ID
Mark Evans	(01253) 658460	11 October 2008	

REPORT



REPORT OF	MEETING	DATE	ITEM NO
STRATEGIC DEVELOPMENT SERVICES	DEVELOPMENT CONTROL COMMITTEE	22 OCTOBER 2008	5

REPORT ON THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (NO. 2) (ENGLAND) ORDER 2008

Public Item

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

Summary

On 1st October 2008, changes to the General Permitted Development Order were introduced in an attempt by Central Government to reduce the need for householders to apply for planning permission when extending a dwellinghouse. The changes are set out below and may result in certain development that previously needed planning permission no longer being subject to control by the local planning authority. Conversely certain developments that previously did not require express planning permission will now need to be the subject of a specific planning permission.

Recommendation

1. That the contents of this report be noted

Report

Introduction and Background

The General Permitted Development Order specifies what development can be carried out without the need for planning permission.

The government introduced changes to the General Permitted Development Order on the 1st October 2008. The changes have been introduced to "*cut the red tape for home improvements*"

A consultation paper on proposed changes to householder permitted development rights was issued on 21 May 2007. Following that, a Government response to consultation was issued on 30 November 2007 which set out how changes would be taken forward. In the most part the conditions for and limits to permitted development proposed then have been translated into the legislation necessary to amend the GPDO.

The Key Changes

A summary of key changes in the legislation is set out below. These are just a brief outline of the changes. A copy of the Amendment Order is attached to this report. In addition the Planning Portal Interactive guide provides guidance in regard to the new tolerances

Part 1 to the revised Order relates to '**Development within the Curtilage of a Dwellinghouse**'. There are 8 Sections to Part 1 and these accord to Classes A to H inclusive.

Class A relates to **The enlargement, improvement or other alteration of a dwellinghouse**.

Class A has been totally redrafted, though the effects of this redrafting may be less than envisaged. The former Class A contained cubic content maxima beyond which full planning permission was automatically required. The former cubic content limits have now been entirely abandoned, thereby removing the problem of defining the original dwelling and determining what to include when calculating resulting buildings.

There are, nevertheless, restrictions to Class A rights which remain in force. These restrictions effectively limit permitted development rights. The main restrictions have the following effects:

- (a) The footprint of permitted development is limited to no more than 50% of the original curtilage.
- (b) The height of development is restricted so that it cannot exceed the highest part of the roof to the *existing* (rather than the original) dwellinghouse.
- (c) There is a new eaves restriction: the height of the new cannot exceed that of the existing.
- (d) The restriction on development beyond the building-line (unless 20m from the highway) has been modified to not only include building beyond a principal elevation fronting a highway but to also include building beyond the side elevation to the original dwelling.
- (e) Single storey extensions cannot extend beyond the rear wall of the original dwellinghouse by more than 4.0 metres in the case of a detached dwelling or three metres in any other case. Such extensions are limited to no more than 4.0 metres in height
- (f) Extensions of more than one storey cannot extend beyond the rear wall of the original dwellinghouse by more than 3.0 metres or be within 7.0 metres of any boundary of the curtilage opposite the rear wall of the dwelling.
- (g) Development within 2.0 metres of the boundary cannot exceed 3.0 metres in height.
- (h) Development on the side elevation of the dwelling cannot exceed 4.0 metres in height, cannot comprise more than one storey and cannot have a width greater than half that of the original dwellinghouse.
- (i) The construction or provision of a veranda, balcony or raised platform is prohibited. This is a new introduction.
- (j) The installation, alteration or replacement of microwave antennae is prohibited, subject to the restrictions of Class H.
- (k) The installation, alteration or replacement of a chimney, flue or soil and vent pipe is

prohibited, subject to the restrictions imposed in Class G below. This is again a new introduction.

(l) Any alterations to any part of the roof are prohibited, subject to the provisions of Class B below .

It is noteworthy that previous restrictions on building within the curtilage of a listed building have been omitted. However, the Order introduces new exclusions within Conservation Areas. These exclusions have the effect of introducing the requirement for planning permission for the following matters within designated Conservation Areas:

- (a) the cladding of any part of the exterior of a dwelling with stone, artificial stone, pebbledash, render, timber, plastic or tiles. (as before)
- (b) The erection of side extensions or rear extensions of more than one storey (a new restriction).

Members should also note that Class A rights are now subject to conditions which require the use of similar materials (except in the case of conservatories), the incorporation of obscure glazing and non-opening windows in the side elevations to upper floors and roofs, and the retention of original roof pitches.

Class B relates to **The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.**

This Class has undergone less dramatic but still significant change.

In essence, additions and alterations to the roof are not permitted where the development:

- (a) exceeds the highest part of the existing roof.
- (b) extends beyond any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.

In addition to the above, the previously applied restrictions on volumetric increases of the dwellinghouse have been combined to include a new class which limits the increase of the resulting roof space to:

- (c) 40 cubic metres in the case of a terraced house and 50 cubic metres in any other case.
- The result thus is that, whilst the maximum increase of the roof space remains unchanged, there is no longer a requirement to take into account any Class A extensions (which were previously offset against the greater Class A limits, generally 70 cubic metres, but potentially up to 115 cubic metres).

Two further restrictions have been introduced to Class B. Enlarged roofs including a balcony, veranda or raised platform require consent as does the installation, alteration or replacement of a chimney. In common with Class A, Class B is now subject to conditions relating to materials, minimum distances from original eaves and side windows.

Class C relates to **Any other alteration to the roof of a dwellinghouse.**

This Class is no longer subject to the “material alteration” restriction. Rather, the restriction is limited to protrusions over 150mm beyond the plane of the original slope, or alterations higher than the original roof. However, Class C will now be subject to a condition. The Class B requirement for any side-elevation windows to be obscure-glazed and non-opening (unless 1.7m above floor-level) is restated.

Class D relates to porches. This Class is unchanged.

Class E relates to **The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to**

the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

Class E has been expanded to include “a container used for domestic heating purposes for the storage of oil or liquid petroleum gas” (that is, a modified Class G); and the previous restrictions have been considerably rewritten. The 50% footprint maximum has been retained, but now therefore includes any heating fuel containers. Indeed, all of the restrictions (where appropriate) will now apply to containers, in lieu of the less extensive restrictions to which the current Class G is subject. The restriction on development beyond the building-line (unless 20m from the highway) has been modified to building “on land forward of a wall forming the principal elevation of the original dwellinghouse”. A new restriction excludes buildings of more than one storey. The height restriction is unchanged at 3/4m, except within 2m of the boundary where it is now 2.5m; and there is a new eaves-height limit, also 2.5m. The 10 cubic metre limit has been removed in relation to listed buildings since Class E rights no longer apply if the proposed development is located within the curtilage to a listed building. In common with the changes to Class A rights, there is now a requirement for planning permission if any part of the development is on land between a side elevation and the boundary of any dwelling located within a Conservation Area. Finally, a new restriction excludes development including verandas, balconies and raised platforms.

Class F relates to **The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse.**

This Class has been expanded to include the replacement in whole or partially of an area of hardsurfacing but now includes a restriction which requires that the hard-surfacing of land over 5 square metres in area between the principal elevation and a highway is permitted development but only if undertaken in a material which is porous (or if provision is made to run-off to a porous area within the curtilage of the dwellinghouse).

Design Guidance has also been introduced which provides information to householders on the provision of porous hard-surfacing. There are no restrictions on the extent of hard-surfacing to rear gardens.

Class G previously related to Oil containers but has now been subsumed within the new Class E as stated above.

A new **Class G** relating to **The installation, alteration or replacement of a chimney, flue or soil and vent pipe** is introduced. Again, there are restrictions on permitted development rights which require permission to be applied for when the new chimney (etc) extends more than 1.0 metre above the highest part of the roof. In Conservation Areas the installation, alteration or replacement of a chimney, etc. is not permitted on the principal or side elevations of dwellings

Class H relates to **The installation of satellite dishes** and is unchanged.

CONCLUSIONS

Officers are of the view that the new Order does not relax householder permitted development rights to the extent that recent press speculation and television coverage would suggest. The new Order is not, as is evidenced above, simpler to understand than its predecessor and there is an urgent need to advise the District's residents (and agents practicing within the District) of its implications. This will be addressed on the website as

soon as is practicable and reference will need to be made to the 'Virtual House' tool already available as an aid to public understanding of householder permitted development rights. Agents were updated via the regular meeting of the Agents' Forum which took place on 15th October 2008.

In addition, it will take some time for the interpretation of various aspects of the revised Order to be tested in the Courts. Some initial questions that have been raised by members of the public with your officers include:

If I replace the window frames in my side windows, will the new glass have to be obscure?
 How obscure will the glass have to be?
 Is a glass roofed extension with a solid side wall stall a conservatory?
 Can I build a detached building in my garden and then extend my house right up to it?
 What does "similar appearance" actually mean?

Areas covered by an Article 4 direction that restricts the householders rights to extend or alter their property will continue to be covered by the existing directions and there is no need to vary any of these directions.

IMPLICATIONS	
Finance	The changes to the Order may result in the submission of fewer planning applications for householder developments with an attendant reduction in fee income.
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental	None
Health & Safety and Risk Management	None

Report Author	Tel	Date	Doc ID
Mark Evans	(01253) 658460	11 October 2008	

List of Background Papers		
Name of document	Date	Where available for inspection

SI No. 2362 - The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008	4 th September 2008	Town Hall, St Annes or www.opsi.gov.uk/si/si2008/pdf/uksi_20082362_en.pdf
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2008 No. 2362

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008

<i>Made</i> - - - -	<i>4th September 2008</i>
<i>Laid before Parliament</i>	<i>10th September 2008</i>
<i>Coming into force</i> - -	<i>1st October 2008</i>

The Secretary of State, in exercise of the powers conferred by sections 59, 60, 61 and 333(7) of the Town and Country Planning Act 1990(a), makes the following Order:

Citation, commencement, interpretation and application

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and shall come into force on 1st October 2008.

(2) In this Order “the 1995 Order” means the Town and Country Planning (General Permitted Development) Order 1995(b).

(3) This Order applies in relation to England only.

World Heritage Sites

2.—(1) The 1995 Order is amended in accordance with this article.

(2) In article 1(2) (citation, commencement and interpretation)—

(a) in the definition of “the Use Classes Order” for “.” substitute “; and”; and

(b) after the definition of “the Use Classes Order” insert—

““World Heritage Site” means a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage.”.

(3) In Part 2 (article 1(5) land) of Schedule 1—

(a) at the end of paragraph (e) for “.” substitute “; and”; and

(b) after paragraph (e) insert—

“(f) a World Heritage Site.”.

(a) 1990 c.8; to which there are amendments not relevant to this Order. These powers are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672; see the entry in Schedule 1 for the Town and Country Planning Act 1990 (c.8) as substituted by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.

(b) S.I. 1995/418. Relevant amendments were made by S.I. 2005/2935 and S.I. 2008/675.

(4) In paragraph G.1 of Part 40 (installation of domestic microgeneration equipment) of Schedule 2—

- (a) in the definition of “stand alone solar” for “;” substitute “.”; and
- (b) omit the definition of “World Heritage Site”.

Development within the curtilage of a dwellinghouse

3. In Schedule 2 to the 1995 Order, for Part 1 (development within the curtilage of a dwellinghouse) substitute the text set out in the Schedule to this Order.

Installation of Domestic Microgeneration Equipment

4. In paragraph A.1. of Part 40 (installation of domestic microgeneration equipment) of Schedule 2 to the 1995 Order, omit “or roof slope” from sub-paragraphs (c)(i) and (c)(ii).

4th September 2008

Hazel Blears
One of Her Majesty's Principal Secretaries of State
Department for Communities and Local Government

SCHEDULE

Article 3

“PART 1 DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class A

Permitted development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A if—

- (a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (b) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;
- (d) the enlarged part of the dwellinghouse would extend beyond a wall which—
 - (i) fronts a highway, and
 - (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;
- (e) the enlarged part of the dwellinghouse would have a single storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (f) the enlarged part of the dwellinghouse would have more than one storey and—
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;
- (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
- (h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height,
 - (ii) have more than one storey, or
 - (ii) have a width greater than half the width of the original dwellinghouse; or
- (i) it would consist of or include—

- (i) the construction or provision of a veranda, balcony or raised platform,
- (ii) the installation, alteration or replacement of a microwave antenna,
- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (iv) an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
- (c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Class B

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

B.1 Development is not permitted by Class B if—

- (a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- (b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;
- (c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—
 - (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;
- (d) it would consist of or include—

- (i) the construction or provision of a veranda, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or
- (e) the dwellinghouse is on article 1(5) land.

Conditions

B.2 Development is permitted by Class B subject to the following conditions—

- (a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof; and
- (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be—
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Interpretation of Class B

B.3 For the purposes of Class B “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

Class C

Permitted development

C. Any other alteration to the roof of a dwellinghouse.

Development not permitted

C.1 Development is not permitted by Class C if—

- (a) the alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- (b) it would result in the highest part of the alteration being higher than the highest part of the original roof; or
- (c) it would consist of or include—
 - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be—

- (a) obscure-glazed; and
- (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Class D

Permitted development

D. The erection or construction of a porch outside any external door of a dwellinghouse.

Development not permitted

D.1 Development is not permitted by Class D if—

- (a) the ground area (measured externally) of the structure would exceed 3 square metres;
- (b) any part of the structure would be more than 3 metres above ground level; or
- (c) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.

Class E

Permitted development

E. The provision within the curtilage of the dwellinghouse of—

- (a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or
- (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

Development not permitted

E.1 Development is not permitted by Class E if—

- (a) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (b) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- (c) the building would have more than one storey;
- (d) the height of the building, enclosure or container would exceed—
 - (i) 4 metres in the case of a building with a dual-pitched roof,
 - (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
 - (iii) 3 metres in any other case;
- (e) the height of the eaves of the building would exceed 2.5 metres;
- (f) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
- (g) it would include the construction or provision of a veranda, balcony or raised platform;
- (h) it relates to a dwelling or a microwave antenna; or
- (i) the capacity of the container would exceed 3,500 litres.

E.2 In the case of any land within the curtilage of the dwellinghouse which is within—

- (a) a World Heritage Site,

- (b) a National Park,
- (c) an area of outstanding natural beauty, or
- (d) the Broads,

development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 1(5) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

Interpretation of Class E

E.4 For the purposes of Class E, "purpose incidental to the enjoyment of the dwellinghouse as such" includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.

Class F

Permitted development

F. Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

Conditions

F.1 Development is permitted by Class F subject to the condition that where—

- (a) the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
- (b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,

either the hard surface shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Class G

Permitted development

G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

Development not permitted

G.1 Development is not permitted by Class G if—

- (a) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or
- (b) in the case of a dwellinghouse on article 1(5) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—

- (i) fronts a highway, and
- (ii) forms either the principal elevation or a side elevation of the dwellinghouse.

Class H

Permitted development

H. The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse.

Development not permitted

H.1 Development is not permitted by Class H if—

- (a) it would result in the presence on the dwellinghouse or within its curtilage of—
 - (i) more than two antennas;
 - (ii) a single antenna exceeding 100 centimetres in length;
 - (iii) two antennas which do not meet the relevant size criteria;
 - (iv) an antenna installed on a chimney, where the length of the antenna would exceed 60 centimetres;
 - (v) an antenna installed on a chimney, where the antenna would protrude above the chimney; or
 - (vi) an antenna with a cubic capacity in excess of 35 litres;
- (b) in the case of an antenna to be installed on a roof without a chimney, the highest part of the antenna would be higher than the highest part of the roof;
- (c) in the case of an antenna to be installed on a roof with a chimney, the highest part of the antenna would be higher than the highest part of the chimney, or 60 centimetres measured from the highest part of the ridge tiles of the roof, whichever is the lower; or
- (d) in the case of article 1(5) land, it would consist of the installation of an antenna—
 - (i) on a chimney, wall or roof slope which faces onto, and is visible from, a highway;
 - (ii) in the Broads, on a chimney, wall or roof slope which faces onto, and is visible from, a waterway; or
 - (iii) on a building which exceeds 15 metres in height.

Conditions

H.2 Development is permitted by Class H subject to the following conditions—

- (a) an antenna installed on a building shall, so far as practicable, be sited so as to minimise its effect on the external appearance of the building; and
- (b) an antenna no longer needed for reception or transmission purposes shall be removed as soon as reasonably practicable.

Interpretation of Class H

H.3 The relevant size criteria for the purposes of paragraph H.1(a)(iii) are that:

- (a) only one of the antennas may exceed 60 centimetres in length; and
- (b) any antenna which exceeds 60 centimetres in length must not exceed 100 centimetres in length.

H.4 The length of the antenna is to be measured in any linear direction, and shall exclude any projecting feed element, reinforcing rim, mounting or brackets.

Interpretation of Part 1

I. For the purposes of Part 1—

“raised” in relation to a platform means a platform with a height greater than 300 millimetres; and

“terrace house” means a dwellinghouse situated in a row of three or more dwellinghouses used or designed for use as single dwellings, where—

- (a) it shares a party wall with, or has a main wall adjoining the main wall of, the dwellinghouse on either side; or
- (b) if it is at the end of a row, it shares a party wall with or has a main wall adjoining the main wall of a dwellinghouse which fulfils the requirements of sub-paragraph (a).”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order"). The 1995 Order confers permitted development rights in respect of certain development. Where such rights apply, no specific application for planning permission is needed.

Article 2 adds World Heritage Sites to the list of land in Part 2 of Schedule 1 to the 1995 Order (known as "article 1(5) land"). The 1995 Order confers a more restricted set of permitted development rights in relation to article 1(5) land. Articles 2(2) and 2(4) make consequential amendments.

Article 3 and the Schedule substitute a new Part 1 of Schedule 2 to the 1995 Order. Part 1 of Schedule 2 confers permitted development rights in relation to development within the curtilage of a dwellinghouse. The new Part 1 of Schedule 2 makes changes to the permitted development rights in relation to the enlargement, improvement or alteration of a dwellinghouse (Class A); the enlargement of a dwellinghouse consisting of an addition or alteration to its roof (Class B); any other alteration to the roof of a dwellinghouse (Class C); the provision within the curtilage of any building, enclosure, pool or container (Class E); and the provision within the curtilage of a hard surface (Class F). The previous Class G (erection or provision within the curtilage of a container) is subsumed within the new Class E. A new Class G confers permitted development rights in relation to the installation, alteration or replacement of a chimney, flue or soil and vent pipe. Classes D (erection or construction of a porch) and H (installation, alteration or replacement of a microwave antenna) are unchanged.

Article 4 amends the restrictions in Class A of Part 40 of Schedule 2 to the 1995 Order on the installation of solar photovoltaics or solar thermal equipment on a dwellinghouse or a building within its curtilage.

An impact assessment has been prepared in relation to this Order. The assessment has been placed in the Library of each House of Parliament and copies may be obtained from the Department for Communities and Local Government, Bressenden Place, London, SW1E 5DU (Telephone 020 7944 8716).

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STATUTORY INSTRUMENTS

2008 No. 2362

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Permitted
Development) (Amendment) (No. 2) (England) Order 2008

£5.00

E3011 9/2008 183011T 19585

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22 October 2008

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22 October 2008

Item Number: 1 Committee Date: 22 October 2008

Application Reference: 08/0037		Type of Application:	Full Planning Permission
Applicant:	MAR Properties/Blackpool International Airport	Agent :	CLA Architects
Location:	LAND TO REAR 11-63 (ODDS), WESTGATE ROAD, ST ANNES, LYTHAM ST ANNES, FY8 2S		
Proposal:	ERECTION OF 74 No. RESIDENTIAL PROPERTIES (50 No. APARTMENTS AND 24 No. HOUSES) AND FORMATION OF NEW VEHICULAR/PEDESTRIAN ACCESS.		
Parish:	St Leonards	Area Team:	Area Team 2
Weeks on Hand:	40	Case Officer:	Mr M Evans
Reason for Delay:	To seek amendments to the design, highway arrangements and drainage.		

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

It is considered that the use of this land for residential development is acceptable and that the design of the proposed units is acceptable and will have only a limited impact on existing neighbouring occupiers. Previous objections relating to highways and sewerage capacity have been overcome by the applicant.

Subject to securing on site affordable housing and payment of commuted sums towards the provision of community infrastructure, the application is considered acceptable.

Reason for Reporting to Committee

This is a major planning application that does not fall within the scope of the approved scheme of delegation

Site Description and Location

This application relates to an essentially triangular shaped piece of land on the western edge of the airport and located to the rear of 11-63 Westgate Road, a row of inter war semidetached properties of traditional construction. To the north of the site are Blackpool Borough Council's Offices at Westgate House and to the east are various airport hangars and support buildings. The majority of the site is used as long stay and staff car parking relating to the airport use. There is a pair of semi detached dwellings within the site toward the northern end of the site. The site is flat and level.

Details of Proposal

The originally submitted planning application proposed:

- The erection of 24 dwellings with 2 and 3 bedrooms in 4 terraced blocks
- The erection of 56 apartments with 2 bedrooms in two 5 storey blocks
- A new access road from Westgate Road, between 35 and 37 Westgate Road
- The provision of 86 car parking spaces
- Pedestrian and emergency access to the airport.
- The formation of a small children's play area

Following concerns expressed by local residents and the highway authority the application has been amended by:

- Reducing the number of apartments to 50, 1 and 2 bedrooms units in two 4 storey blocks which step down to 2 storey.
- Block E has been rotated through 90⁰ to reduce potential overlooking
- A series of improvements to the junction with Squires Gate Lane are now proposed
- The provision of 80 car parking spaces
- A revised internal road layout
- The provision of secure cycle storage
- The relocation of a dormer window in one of the dwellings to the rear to look out over the airport.

The application is also accompanied by:

- Contaminated land survey
- Affordable housing survey
- Design statement
- Access Statement
- Transport Statement

Relevant Planning History

Application No.	Development	Decision	Date
05/0630	REDEVELOPMENT TO PROVIDE RESIDENTIAL UNITS, ACCESS, CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS.	Withdrawn by Applicant	12/09/2005
05/0628	PROPOSED CREATION OF TEMPORARY CAR PARK	Granted	25/08/2005
03/0621	OVERFLOW CAR PARK	Refused	30/10/2003
02/0983	PROPOSED EXTENSION OF EXISTING OVERFLOW CAR PARK TO INCLUDE ERECTION OF 1 NO FLOODLIGHT AND EXTENSION OF RAILINGS TO FOOTPATH	Granted	14/02/2003
98/0502	SINGLE STOREY EXTENSION TO EXISTING OFFICE AND ADDITIONAL 24 CAR PARK SPACES (LAND ADJACENT TRANSCO COMPOUND)	Granted	09/09/1998

Relevant Planning Appeals History

None.

Parish Council Observations

St Anne's on the Sea Town Council notified on 17 January 2008

Summary of Response

No response received at the time of writing this report

Statutory Consultees

Blackpool Airport

With reference to your letter dated 17 January 2007 regarding the above application, the airport company has no objection to the development as proposed and indicated on the plans providing that:

- 1) 28 days notice is given to the airport for any cranes operating during construction see enclosed Advice Note 4.
- 2) Landscaping schemes are limited to restrict bird activity see enclosed Advice Note 3.
- 3) Internal and External lighting is controlled to ensure no confusion exists between the development site and the airfield lighting see enclosed Advice Note 2.

Blackpool Borough Council

No comments received

Planning Policy Team

Thank you for your letter dated 17 January, which I have recently received, inviting planning policy comments on the above. I have assessed the proposal against the provisions of the adopted Fylde Borough Local Plan 1996 - 2006, Alterations Review, (2005).

The proposed development is contrary to Local Plan policy TREC19.

The proposed development site is located within the urban part of Blackpool at Squires Gate Lane. Local Plan Policy SP 1 operates so as to permit development in this location, subject to the other policies of the plan.

The majority of the application site is located within an area addressed by policy TREC 19. This policy designates the area for the development of airport and associated ancillary leisure uses. The proposed development does not represent one of these uses and is therefore contrary to policy TREC19. The remainder of the application site (the northern end to the rear of 11-21 Westgate Road, and the land between 35 and 37 Westgate Road) is not designated for a specific land use as defined in the adopted Local Plan.

It is understood that the site is currently used as a car park (number of spaces unknown). Based upon the information provided it has not been made clear where, if at all, this car parking would be relocated. The airport is located in area designated as green belt where a presumption against development applies.

Appendices 3 and 4 of the Blackpool Airport Master Plan (July 2007), which is produced by Blackpool Airport, show the site as 'Public & Staff Car Parking'. Appendix 5 therein shows this as being removed and replaced as part of the airport's apron for runway related

uses. It does not indicate where the existing Public & Staff Car Park would be relocated to. The latest working draft of the Surface Access Strategy (V4 (3), November 2007), also produced by Blackpool Airport shows the site as 'Long Term Car Park'.

Local Plan policy HL1 operates so as not to permit residential development other than in exceptional circumstances specified in criteria 1 - 9. I note that the proposed development includes the provision of 56 affordable dwellings. This represents a contribution of 70%. Notwithstanding this the proposed development site is not located within one of the settlements identified in criterion 3. In relation to criterion 9 the proposal does not represent a mixed use regeneration proposal.

The Council's Interim Housing Policy (IHP), which came into operation on 28th July 2008, is of relevance. The proposed development accords with the urban option of the IHP. Your particular attention is therefore drawn to criteria 7 and 12 with regard to the contributions which would be sought in respect of affordable housing and public open space respectively. Your attention is also drawn to criterion 11 which seeks contributions in respect of declared town centre or other public realm improvement schemes. There are two declared schemes in St Annes.

Should you be minded to grant consent for the proposed development, your attention is drawn to Local Plan Policy HL2. It operates a range of criteria which need to be satisfied in respect of proposals for housing development. Furthermore, in respect of car parking provision associated with the proposed development, the overall level of parking provision should be in conformity with the Joint Lancashire Structure Plan SPG 'Access and Parking'.

Conclusion

In summary, the proposed development is contrary to Local Plan policy TREC19 and concern is raised in respect of where, if at all, the existing car parking provision would be relocated.

Additional Comments

On sight of the above comments, the applicant made further representations that Policy TREC19 of the FBLP is a permissive policy only and does not prevent the establishment of other none airport related activity within the allocated area.

The Policy Team have considered this representation and provided the following revised advice:

I accept that TREC 19 of the Fylde Borough Local Plan is a permissive policy. In so doing it does not prevent the use of land for other uses.

The Interim Housing Policy, if applied to the entire application site, requires the Council to negotiate for 30% of the dwellings to be affordable housing.

Subsequent to my comments of 18/08/08, I can confirm that the development plan for Fylde now comprises the following :

- The North West of England Plan Regional Spatial Strategy to 2021 (September 2008);
- The Joint Lancashire Structure Plan 2001 - 2016, Policy 29 'Sites for Gypsy and Traveller Families' (March 2005); and
- The Fylde Borough Local Plan As Altered (October 2005), but excluding

- Policy TR9 : 'Car Parking Within New Developments' which expired on 27th September 2007; and
- Policy HL1 : 'The Quantitative Housing Issue / Affordable Housing' which expired on 9th October 2008.

Policy RT5 of RSS states "Development that would impede the operational requirements of an airport should not be permitted within its boundary". Therefore you need to be satisfied that this area of land is outwith the airport's boundary and is not required for its operational requirements.

County Highway Authority

Original Comments

I refer to Kevin Blakely's e-mail dated 30th May 2008 asking for observations in relation to the above Planning Application and also our previous highway comments made by Karen Galloway on this application dated 28th May 2008.

The applicant has submitted a revised layout plan for highway observations (Plan 07-015-111) now showing a reduction in the total number of dwellings proposed (74 rather than the previous 80) and also a reduction in the number of parking spaces being provided (88 parking spaces to 71).

Forty six apartments (1 and 2 bed) and 28 houses (2 and 3 bed) are being proposed which will require a considerable number of parking spaces, 46 for the apartments and 56 for the houses. Even with a 15% reduction in the parking provision given the level of accessibility 87 spaces remain justified and only 71 spaces have been provided. No allowance for visitors has been made. Any allowance over and above this will cause problems within the parking areas. Westgate already suffers from long term parking associated with the airport.

I would wish to raise a highway refusal for the reasons outlined above. Should amended plans satisfactorily address the above concerns I shall reconsider my recommendation. It should be noted I have not checked or commented on the revised plan with regards to location of parking spaces, turning areas, traffic calming, pedestrian accesses etc until we are satisfied with the car parking provision being provided for the proposed development since the layout is bound to change again.

Subsequent comments

The applicant has submitted a revised layout plan for highway observations (Plan 07-015-111 Rev P) following a meeting held on 9th July 2008.

The revised plan has now addressed the concerns raised previously, in summary:

1. Since no separate emergency access has been provide for the proposed development it was requested the proposed 2.0m wide footpath be increased as far possible (if possible to 3m) to allow an emergency vehicle to 'ride the kerb' and get past any blockage in the proposed access road should the access road be closed for any reason.
2. Text note 'potential access through to extended site' on the north boundary removed.
3. Text note 'residential pedestrian access to, the rear of proposed block F removed.
4. Car park spaces 01 to 05 (as noted on rev, M) modified to allow for a clear 800mm zone between the Airport east boundary and the edge of parking bay N05. Parking bay N01 revised so that it is now outside of the turning head zone.
5. A total of 80 car spaces have been provide as requested.

6. Revised layout (P) now shows 1 cycle space per flat as requested. The layout needs to be set out in accordance with the Department for Transport's "Manual for Streets" (2007). The Squires Gate Lane I Westgate Road junction was discussed and a proposal was agreed by all parties - to include additional white lining to eastbound Squires Gate Lane carriageway to maintain a single lane till just after the Westgate Road right turn and minor physical setting-out modifications to the central island on the west side of the right turn junction (Drg. M087069-001 revision x).

I have **no highway objections** to this proposal subject to the following Conditions and

Notes:

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 the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas.

Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

Before the accesses are used for vehicular purposes, that part of the accesses extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials. Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1 m above road level.

The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.5m measured along the centre line of the proposed new access road from the continuation of the nearer edge of the carriageway of Westgate Road to points measured 70m in each direction along the nearer edge of the carriageway of Lodge Lane from the centre line of the access and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority'). Reason: To ensure adequate visibility at the site access.

The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.5m measured along the centre line of the proposed new access road from the continuation of the nearer edge of the carriageway of the proposed new cul-de-sac to points measured 60m in each direction along the nearer edge of the carriageway of Lodge Lane from the centre line of the access and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority'). Reason: To ensure adequate visibility at the site access.

A 2m x 2m intervisibility is required. The visibility splay should not be impeded; height of the wall/fence within this visibility should be kept below 600mm above the carriageway height. The access shall be constructed and maintained at footway/verge

level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority'). Reason: To ensure adequate pedestrian visibility at the site access.

Applicant to provide covered cycle storage/stands for the flats upon this development site. 1 cycle space per flat to be provided. This needs to be set out in accordance with the Department for Transport's "Manual for Streets" (2007).

NOTES:

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning the Area Surveyor North on 01524-753340 or writing to the Area Surveyor North, Area Office, Hampson Lane, Hampson Green, Galgate, Lancaster, LA2 0HY quoting the planning application number.

The new access road between the site and Westgate Rd shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site. Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

Off-Site Highway Works

The following off site highway works will be required to be carried out by s278 Agreement:

Minor improvements to be made to the Squires Gate Lane / Westgate Road junction to enable storage for right turning vehicles as shown on plan M087069- 001.

Should Committee be minded to approve the application, the following Conditions are also recommended:

No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the Condition above has been constructed and completed in accordance with the scheme details. Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

Note:

The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Director at PO Box 9, Guild House, Cross Street, Preston PR1 8RD in the first instance to ascertain the details of such an agreement and the

information to be provided.

Planning Obligations in Lancashire - s106 Contribution

To address the public transport and cycling deficiencies would require a significant developer contribution. In line with the Planning Obligations in Lancashire - Policy Paper, the developer would be required to make a contribution towards Transport Initiatives and the contribution should be secured by s106 Agreement.

To give an idea of the level of contribution, an accessibility survey was carried out and the accessibility survey indicated the proposed development to be within the medium accessibility range score of 27.

The contribution would be £870 for 1-2 bedroom properties and £1310 for 3 bed properties, making a total of £66,140 It is requested that the contribution be allocated to improvements to Public Transport

Access to the Airport complex proposals i.e. improved pedestrian linkages to the railway station and bus stops on Squires Gate Lane. A Working group is currently looking at improvements for public transport accessibility to the Airport.

United Utilities

Comments on original proposal

United Utilities objects to this Planning Application on the basis that the Wastewater network at this location is at capacity during a longer term storm event and the introduction of a development of this size will exacerbate the situation further. Any ensuing flooding problems would seriously inconvenience our existing customers and cause pollution of the Environment.

Comments on revised scheme

Following on from my e-mail of the 11th September, I can confirm that United Utilities agrees with the proposals that have been submitted to us for consideration in respect of the drainage requirements. We have asked that the Developer liaises with Phil Wylie, our Network Engineer, in order to keep him aware of the design etc.

Please see below our response to Peter Williamson. United Utilities now approves that this application can be taken forward.

Waste Management

No comments received

Environmental Protection Team

The land has been identified as potentially contaminated and will therefore require a contaminated land risk assessment followed by a remediation strategy if necessary. The remediation shall be carried out to the satisfaction of the Environmental Protection Department.

Parks Development

No comments received

County Planning Officer

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

The Director of Strategic Planning and Transport considers that the proposal is contrary to Policy 1 of the adopted JLSP for the following reasons.

Airport Development

Policy 1 of the JLSP sets out the main principles for development in Lancashire and recognises the importance of Blackpool Airport and supports appropriate development. In taking forward this objective the County Council's Strategic Planning Group has been involved in the development of the Blackpool Airport Master Plan and the Blackpool Airport Surface Access Strategy. These documents aim to provide a strategic framework for the future development of the sub region's principal airport, and take into consideration accessibility and future parking provision. The latest draft of the Surface Access Strategy (version 4, January 2008), produced by Blackpool Airport identifies the application site as a Long Stay car park and states that it will be extended to accommodate growth. From the information supplied it is not clear how the existing parking and future needs will be accommodated within the Airport, should the application be successful. There are concerns that this could have an impact elsewhere within the Airport, which is constrained by the Green Belt and by a Biological Heritage Site. Given that the proposal is not in line with the current strategic approach, and could have an unacceptable impact on protected areas, it is considered to be inappropriate development and contrary to Policy 1.

Housing

Policy 12 of the JLSP sets out housing figures for the Fylde district and requires provision of 2,320 dwellings in Fylde over the plan period 2001-2016. The Policy specifies an annual average provision of 155 dwellings. The supporting text to Policy 12 explains that Districts should aim to meet the annual average provision on a yearly basis, as closely as possible, and that any shortfall or surplus in provision in earlier years will have a consequential effect for the annual provision to be met in subsequent years. Based on the latest information provided by the Borough Council, 1328 dwellings had been completed between 1 April 2001 and 31 March 2007 and a further 1529 dwellings were under construction, or had the benefit of planning permission. This equates to an 11-year supply, based on an annual provision of 155, and satisfies the housing provision for the total plan period with an additional supply of over two years until 2018. This proposal, consisting of an additional 78 dwellings, would exacerbate the existing level of over supply.

Paragraph 6.3.13 of Policy 12 states that in cases of over supply the approval of additional dwellings may be acceptable from a strategic point of view where proposals make an essential contribution to affordable or special needs housing, or they form a key part of a mixed-use regeneration development. In support of this application the applicant has submitted an Affordable Housing Statement. This indicates that the proposal will be developed in partnership with a Registered Social Landlord in order to provide an element of affordable housing. The statement itself does not provide details on the level of provision, however, the application form states that 56 will be affordable dwellings. This represents a significant element of the proposal. I am satisfied that this would make an essential contribution to the housing needs of the district and is in conformity with Policy 7.

Parking

Policy 7 of the JLSP requires parking provision for new development to be in accordance with guidance set out in the JLSP SPG 'Access and Parking' and the 'Parking Standards'

technical appendix. For developments of over 30 dwellings 1.5 car parking spaces should be provided per dwelling. The application indicates 88 spaces being provided. This level of provision conforms to the standards. Provision for the mobility impaired should be at a rate of 10% of the maximum permitted standard. This equates to 12 spaces, whilst 10 spaces are shown on the application. Cycle parking for the apartment blocks should be at the rate of 1 space per dwelling and should be secure and within the development. No specific details on cycle parking are provided within the application. Subject to the provision for cycle and mobility impaired parking being amended accordingly, the proposal is in conformity with Policy 7. Account should also be taken of PPS 3: Housing, which advocates a design led approach to parking provision that is well integrated with a high quality public realm and streets that are pedestrian friendly, cycle and vehicle friendly.'

Lancashire County Council Contributions Officer

Further to your 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' should the council be minded to approve the application. The methodologies and formulae within the Policy Paper have been used to determine the level of contribution request; in order to help mitigate the perceived impact of the proposal.

Transport

Public Transport

Based on LCC Planning Obligation Policy it is requested that a contribution be allocated to improvements to Public Transport Access to the Airport complex, covering both this development and the airport in general. An accessibility score is required for a more precise figure, however it is anticipated that a contribution would be in the order of approximately £100,000.

There is a working group looking at improvements for public transport accessibility to the Airport. This is looking at both: Short term proposals (eg : improved pedestrian linkages to rail station & bus stops on Squires Gate Lane) Medium / Longer term proposals (eg : Improved rail service including provision of passing loop on the South Fylde Rail Line).

It is recommended that funding be used towards implementing the Short Term Improvements - as identified by the Working Group. (Please advise. if you require further details).

To discuss this further please contact Andy Whitlam, LCC Public Transport Officer, tel: 01772 534571

Business Travel Planning

This development is in excess of the DfT guidelines at which a Travel Plan is required. The Travel Plan needs to include the following:

Appointment of a Travel Plan Coordinator

Details of cycling/pedestrian links through the site

Provision of covered, lockable cycle parking for those properties where suitable storage space is not available. For this development provision should be made for the storage of 84 cycles.

Agreed targets for non-car modes of travel

Action Plan of measures to be introduced, and appropriate funding
Details of arrangements for monitoring and review of the Travel Plan for a period of 5 years

The provision of resources (maps, timetables etc) for Travel Information Packs for each household is an effective way of making residents aware of the travel options. A total of E4,500 is requested to provide information and resources for Travel Information Packs for 80 properties, and to provide advice and monitor effectiveness of the Travel Plan for a period of 5 years on receipt on an annual monitoring report from the Travel Plan Coordinator in line with 2.1.5.5 of the Planning Obligations in Lancashire. To discuss this further, please contact the travel plan coordinator, Jane A Swindlehurst, tel: 01772 532415

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 this year's National Budget (April 2008). 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 £38,400

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

Transport £100,000
Waste Management £38,400
Total £138,400

Please notify of a decision and forward details of any planning agreement made subsequent to this proposal, to Planning.Contributions@property.lancscc.gov.uk

Additional comments

As of 30 September 2008 the Regional Spatial Strategy for the North West has replaced the Joint Lancashire Structure Plan.

The County Planning Officer has now issued a statement in regard to all previous consultation replies relating to housing development that, following the publishing of the Regional Spatial Strategy, their previous comments relating to Policy 12 of the Joint Lancashire Structure Plan are no longer relevant. Accordingly they have withdrawn their objection on the grounds that the proposal would add to the oversupply of housing in the Borough.

Observations of Other Interested Parties

CPRE

Whilst apparently "sustainable", the external materials to be used here will inevitably

require renewal or replacement within a twenty year period. Facilities for recycling appear to be poor, the bin store is adjacent to a ground floor living room window. There is little opportunity for storage, a basement area set aside with storage sections would be a good idea.

Neighbour Observations

Neighbours notified: 64 properties notified on 17 January 2008

Amended plans notified: 10 June 2008

No. Of Responses Received: 22 letters received in regard to the original proposal and 11 further letters received following notification of amended plans:

Nature of comments made:

Comments on original scheme

- The proposed dwellings are cramped and unattractive
- The design, materials and layout do not conform to the existing layout and design of Westgate Road
- Westgate Road is unsuitable to access the site
- The existing airport parking area is used by staff from Westgate House
- One car space per dwelling is insufficient when most households have 2 cars
- Future residents will park on Westgate Road
- The loss of airport car parking will increase parking on Westgate Road
- Loss of airport car parking may result in the need to provide parking elsewhere on the airfield
- Westgate Road is used for parking by people using the playing fields, especially on Sundays
- Too many properties already use the Westgate Road access
- The Westgate Road/Squires Gate Lane access is unsuitable for additional traffic
- Increased traffic will bring an increased safety risk to children
- People drive up and down Westgate Road too fast at present
- Has any consideration been given to the construction of a roundabout or traffic lights at the junction with Squires Gate lane
- The area is already saturated with children who have to travel up to 4 miles to attend school
- Doctors and Dentists are oversubscribed in the area.
- Proposed houses will suffer from noise, fumes and safety issues related to the airport
- The airport expansion proposals would bring more airport activity close to proposed dwellings
- Family or affordable housing should not be built so close to an airport due to potential health risks
- Proposed properties are virtually on the boundary of existing properties
- Overlooking and loss of privacy
- Five storeys is too high, taller than all adjacent properties and the flats on Squires Gate Lane
- The children's play area will cause disturbance to neighbouring residents
- Potential security issues due to opening up of access to rear of existing properties
- Loss of peaceful surroundings
- Noise and disturbance during construction
- Potential risk from previously contaminated ground
- Too close to taxiways used by large aircraft
- The development may prejudice future airport expansion, affecting tourism and business development in the area
- The current space between the dwellings and airport buildings makes security patrols

- and CCTV coverage easier
- Apartments this high would be a safety risk for the airport.
- Piecemeal development at the airport is inappropriate
- The site should be reserved for airport development, not property speculation
- The proposal is contrary to Policy TREC19 which reserves the land for airport uses
- The Joint Lancashire Structure Plan and Fylde Borough Local Plan state there is already an oversupply of housing in the Borough
- This area is not suitable for affordable rented houses
- The proposed open space provision is inadequate to cater for the number of properties proposed – the nearest alternative play facility is across the busy Squires Gate Lane
- Loss of wildlife habitat
- The proposal will have a negative effect on the community
- The application proposes development on land belonging to a neighbouring resident
- How will the access road be screened from adjacent properties?
- “We don’t want immigrants, asylum seekers or migrant workers living nearby”
- Devaluation of properties
- Affordable houses will devalue existing properties
- The Council has previously tuned down a proposal for residential development on this land
- Future residents may result in increased crime rates

Comments on revised scheme

- Westgate Road is insufficient to take the volume of traffic proposed
- “I will not be able to park in front of my own house”
- The junction of Westgate Road and Squires Gate Lane is not capable of serving the additional houses
- Westgate Road is the only access to the existing properties and can be blocked by refuse vehicles etc.
- The proposal will place strain on local services such as Doctors, Dentists and Schools
- Sewerage and electricity supplies are inadequate in the area
- The flying club has a late night licence that may lead to disturbance to future residents
- The reduction to 4 storeys does not alter the loss of privacy or loss of light
- There are still 80 dwellings proposed
- The buildings are still too high
- There are too many properties proposed
- The proposal is too close to hangers, the airport apron, taxiway and the airport’s fuel storage depot.
- This land will be required for future airport development
- The site currently provides parking for over 100 cars which will be lost as a result of the development.
- The development is on the approach path to runway 14 and could be a danger
- The site is zoned for airport uses
- There are sufficient dwellings in the area to meet the needs of the Lancashire Structure Plan
- The flats will not be affordable due to the costs of installing appropriate noise insulation
- Does the site access road belong to the applicant?
- The site is on the airport, not Westgate Road

- If permission is granted the Committee members will not be re-elected
- No need for additional properties as there are 6 for sale on Westgate Road at present.
- Are the properties going to be for rent or to buy?
- “If permission is granted I will be suing for compensation from the Council”
- If permission is granted “I will urging residents to have a vote of no confidence in the planning committee”
- Will the play area materialise – the one on the former Blue Bus Depot did not!

Relevant Planning Policy

Regional Spatial Strategy

Housing Policies

Airport Policies

Fylde Borough Local Plan:

SP1 Limits of development

TR6 Retention of Existing Car Parks

TR9 Car Parking Within New Developments

TR10 Car Park Design

TR14 Blackpool Airport

TREC19 Blackpool Airport (Ancillary and Leisure Uses)

EP11 Building Design and Landscape Character

EP14 Landscaping of New Developments

EP23 Pollution of Surface Water

EP24 Pollution of Ground Water

EP25 Development and Waste Water

EP26 Air Pollution

EP27 Noise Pollution

EP28 Light Pollution

EP29 Contaminated Land

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPS3 Housing

Interim Housing Policy

Site Constraints

Within urban 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

This application relates to an area of land that was originally within the Blackpool Airport Boundary and was submitted by Blackpool International Airport.

On the sale of the airport to Balfour Beatty, a number of parcels of land, including this application site, were retained by the former owner of the airport. The application is now submitted jointly by

Blackpool International Airport and MAR Properties Ltd. The site falls outside the airport's ownership but is currently leased back to the airport to provide additional over flow car parking.

Planning Policy

The Joint Lancashire Structure Plan has now been superseded by the Regional Spatial Strategy (RSS) for the North West of England. Although this policy document forms part of the development plan, it is a higher level strategy document that is intended primarily to inform the formulation of local development documents rather than providing detailed development control policies.

Policy RT5 of the RSS provides strategic guidance for the development of airports within the North West, including Blackpool Airport. The policy advises that existing or proposed airport boundaries should be established within development plan documents and, once established, development that might impede the operational requirements of the airport should not be permitted. The RSS also states that Master Plans and Access Strategies should be prepared by each airport.

A Blackpool Airport Master Plan has been prepared and a Blackpool Airport Surface Access Strategy is in preparation. These documents aim to provide a strategic framework for the future development of Blackpool Airport which is the sub region's principal airport. These documents take into consideration accessibility and future parking provision with the latest draft of the Surface Access Strategy identifying the application site as a Long Stay car park and stating that it will be extended to accommodate growth. Following the change of ownership of the airport, it is the intention of the new airport operator to prepare a revised masterplan.

As stated above, the application site is currently used as overflow long stay car parking. If this area of car parking is lost, it is not clear where alternative or future car parking will be provided within the airport. As the majority of the airport land that is not already developed is allocated as greenbelt, there could be pressure for replacement car parking to be provided within the green belt. On the surface, it appears that pressure to develop alternative car parking within the green belt would harm the open nature of that area and could be seen as a reason to refuse planning permission for residential development within this particular site. However, as the application site is no longer within the direct control of the airport, it is merely leased from the former owner on a short term basis, the airport could be required to cease occupation of the car park on 3 months notice. If the loss of car parking were to be used as a reason for refusal the land owner could serve notice to quit on the airport and thus negate this reason prior to a subsequent planning appeal or revised planning application being considered.

Policy TREC 19 of the FBLP identifies the site as an area within which airport and ancillary leisure uses will be permitted. The policy is a permissive policy and does not prevent the establishment of non airport uses within the allocated area. As such the proposed development of residential development within this area would not be contrary to the provisions of this policy

Policy L4 of the RSS has now replaced Policy 12 of the Joint Lancashire Structure Plan. As a result of the increased housing targets for the Borough, there is no longer an oversupply of housing within the Borough and no need to restrict new residential development. To address this change in strategic policy, the Council has adopted an Interim Housing Policy. Policy HL1 of the FBLP has also lapsed.

With regard to Interim Housing Policy, the application site falls within the identified urban boundary where new development is, in principle acceptable. There are no site specific allocations shown on the local plan proposals map for that part of the site occupied by the 25 apartments within block F, i.e. the northern most part of the site. As such the development of this part of the site would be considered having regard to the principles laid down in the Council's Interim Housing Policy. That policy allows for new residential development provided 30% of the units are for affordable housing and commuted sums are paid towards public realm works and off site public open space where the requirements of Policy TREC17 are not fully met on site.

However, the majority of the site is indicated as land with potential for the development of airport and ancillary leisure uses. As there is a site specific allocation for this part of the site, the Interim Housing Policy would not apply to the remainder of the site as Criteria 2 of the policy requires that a site is not allocated for other purposes within the plan. As Policy HL1 of the FBLP has now lapsed, there is no housing policy against which to consider the development of the remainder of the site. In the circumstances and as the allocation of the site is not a restrictive policy, it would appear appropriate to apply the terms of the Interim Housing Policy to the remainder of the site. The Policy Team have confirmed that they concur with this application of policy.

As such, it is considered that the proposal would not adversely affect the future development of or economic benefits brought to the area by the airport. Whilst not fully in accordance with the terms of the Interim Housing Policy, the use of the land for residential purposes would accord with the general principles of the urban containment approach promoted by that policy and it is, therefore, considered that there are no policy reasons for objecting to the principle of housing development on this site.

Affordable housing

As originally submitted the application indicated that 70% of the units would be provided as affordable housing units. A letter dated 3 October 2008 indicated that this was no longer the case and that there will be a significant amount of affordable housing provided as part of the development, but the precise level and nature of which is to be secured through further negotiations and subject to a Section 106 agreement.

As originally proposed it was considered that the significant proportion of affordable units (70%) that were to be provided should be taken into account in determining this application and that this should off set other contributions towards public realm works, waste management, public transport contributions, etc. As this change in circumstances has come about at a relatively late hour it will be necessary to continue negotiations with the applicant. Given that this application is relatively controversial this application has been brought to Committee for consideration ahead of the conclusion of these negotiations in order to avoid wasted effort if Members consider that planning permission ought to be refused.

Design and Layout

In assessing the layout of the proposal regard has been had to the distances set out in the Supplementary Planning Guidance (SPG) relating to Flat Development.

The dwellings that are proposed at the southern part of the site are traditional two storey dwellings with pitched roofs with a central feature units having additional accommodation provided within the roof space. The front faces of these units are set between 35 and 43 metres from the rear elevations of properties on Westgate Road. These distances are in excess of the normal space about dwellings standards applied to new development. There is between 9 and 17 metres from the rear boundaries of the properties on Westgate Road and the front elevation of the proposed dwellings. Whilst the lower of these distances is slightly below the usual 10.5 metre distance, these distances are considered acceptable given the relatively long rear gardens of the Westgate Road properties. The block of dwellings at 90⁰ to Westgate Road is set 28 metres from the rear of the nearest property. Although the gable is 1.2 metres from the garden boundary, it is considered that this is acceptable given the distance to the main house is far in excess of the usual minimum distance of 15 metres. There are no habitable room windows in the side elevation of this block of dwellings that would overlook the neighbouring dwelling.

The originally submitted application was amended following concerns expressed by local residents that were shared by your officers. The height of the two apartment blocks has now been reduced from

5 to 4 storeys and one of the blocks, Block E, has been re orientated through 90⁰ in order to reduce potential for overlooking of neighbouring properties as there are no habitable room windows in the gable of this block. Both blocks are of a flat roof design

The part of Block E closest to the properties on Westgate Road has been reduced in height to two stories in order to reduce the potential impact on those properties. The main 4 storey part of this block is 38.9 metres from the rear elevation of the properties on Westgate Road with the two storey part being 33.9 metres away. This equates to a distance from the rear garden boundary of 12 and 6.5 metres for the proposed 4 storey and 2 storey sections respectively.

The remaining block of apartments, Block F, would face the rear of the properties on Westgate Road and would be situated 53.8 metres from the rear of the nearest dwelling, 27 metres from the rear garden boundary. These stand off distances are in line with the guidance contained in the Residential Flats SPG.

It is your officers view that, whilst the proposed development will inevitably result in some reduction in privacy to the rear of the properties on Westgate Road, the distances between the existing and proposed properties are sufficient to ensure any impact is minimised and maintained at an acceptable level.

The design of the proposed dwellings is relatively simple and of a traditional two storey pitched roof design constructed of facing brick. The proposed apartment blocks will be 4 stories high with the elevations consisting of a mixture of facing brick and render panels. The upper floor would have a standing seam metal cladding. Whilst taller than the immediately adjacent residential properties, the apartment blocks would be no higher than the existing apartments on Squires Gate Lane, which are four storeys plus a pitched roof, or the adjacent hangars. The inclusion of flat roofs with the upper floor in a dark material will help reduce the actual and apparent height of the proposed buildings.

Highways, access and parking

The County Highway Authority initially objected to this application on the grounds of inappropriate residents car parking, inappropriate access and internal road layout and due to potential problems at the junction of Westgate Road and Squires Gate Lane. Following the submission of revised plans, including proposals to improve the Westgate Road/Squires Gate Lane junction, the Highway Authority have withdrawn their objections, subject to the imposition of suitable planning conditions.

Sewerage Capacity

United Utilities initially objected to the proposal due to problems with the capacity at the Fleetwood Wastewater Treatment Works. The applicant has now included provisions to reduce the throughput of surface water from the site to the drainage system and United Utilities have, subject to the imposition of suitable conditions, withdrawn their initial objection as a result.

Proximity to airport

The Airport Operations manager has confirmed that there will be no safety or operational impingements on the airport if the development were to go ahead. Concerns were initially expressed by your officers regarding potential noise disturbance to future occupiers of the development from aircraft movements. A noise survey has been submitted to accompany the application which advises that noise levels will be within accepted tolerances within the properties.

Public Open Space

Within the site there is provision for a small toddlers play area with a site area of 32 sq m. Although

there are additional areas of amenity open space, the open space provided in site is far less than the 1760 sq m that is required by policy TREC17 of the FBLP. Consideration has been given to requiring a larger area of open space to be provided, but, due to the narrow shape of the site, this open space would have to be located to immediately to the rear of existing residential properties. Experience shows that this juxtaposition of housing and open space creates amenity problems for residents. For this reason, it is suggested that a financial contribution towards open space in the vicinity of the site be sought. Although there are limited opportunities in the immediate vicinity, there is a playing field at the end of Westgate Road which could benefit from such a payment.

On-site Services

There are no water or sewer pipes on the site but a gas main serving the adjacent hangers does cross part of the site and a gas valve house occupies part of the site. It will be necessary to relocate the gas valve house and divert the gas main in order to allow the development to be implemented. It is considered that this can be required by the imposition of a suitable condition.

Conclusions

It is considered that, following extensive amendments to the scheme, the proposal is acceptable in principle. It will be necessary to negotiate the terms of the section 106 agreement with the developer prior to the granting of planning permission and due to the late stage at which the affordable housing has been amended it has not been possible to reach an agreement with the developer regarding the actual financial contributions that will be made. If the affordable offer is in excess of 30% on site affordable properties, it is considered that there would be scope to reduce financial payments towards other infrastructure.

Recommendation

That powers be delegated to the Head of Planning (Development Control) in conjunction with the Chairman and Vice Chairman to GRANT Planning Permission subject to the completion of a section 106 agreement to secure affordable housing on site and contributions towards off site public open space, public realm works and public transport and 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 all facing materials [including details of mortar colour], and roof treatment, including colour, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

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

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

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

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

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

5. The dwelling[s] shall be so constructed as to provide sound attenuation of not less than 35 dB [a] against the external noise to which they will be exposed.

To safeguard future occupants from noise associated with jet aircraft using the adjacent airport / airfield.

6. Details of street lighting [incorporated post heights, design, construction and lighting head form] shall be submitted to and approved by the Local Planning Authority prior to the commencement of any street works by the developer.

In the interests of the visual appearance of the estate layout / form of development.

7. Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

In the interests of controlling the satisfactory development of the site given the recognised site conditions.

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

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

9. This consent relates to the revised plan[s] received by the Local Planning Authority on the 2 June 2008.

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

10. 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 artifacts 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.

11. 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.

12. No development shall take place until full details of scheme indicating areas of public open space and / or children's play areas have been submitted to and approved by the Local Planning Authority. Such a scheme should make provisions in accordance the Council's adopted policy on public open space in terms of layout and requirements.

To ensure adequate on site play space.

13. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Class(es) A, B, C, D, E, F G or H of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwellings or curtilages relevant to those classes shall be carried out without Planning Permission.

[CLASS VARIABLES

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

To ensure that the Local Planning Authority has control over any future development of the dwellings which may adversely affect the character and appearance of the dwellings and the surrounding area or operations at the adjacent airport.

14. Notwithstanding the provision of Class(es) 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 dwellings or curtilages 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 dwellings which may adversely affect the character and appearance of the dwellings and the surrounding area.

15. 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 the use of the premises hereby permitted becomes operative.

To allow for the effective use of the parking areas.

16. Before any excavation or construction commences on site, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site in accordance with details that shall first have been agreed in writing by the local planning authority.

To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

17. Before the accesses are used for vehicular purposes, that part of the accesses extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1 m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.5m measured along the centre line of the proposed new access road from the continuation of the nearer edge of the carriageway of Westgate Road to points measured 70m in each direction along the nearer edge of the carriageway of Lodge Lane from the centre line of the access and shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority).

To ensure adequate visibility at the site access.

19. A 2m x 2m intervisibility visibility must be provided at the site access. The visibility splay should not be impeded; height of the wall/fence within this visibility should be kept below 600mm above the carriageway height. The access shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority.

To ensure adequate pedestrian visibility at the site access.

20. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to above has been constructed and completed in accordance with the scheme details.

In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

21. Prior to the commencement of development the gas valve housing and gas main running along the eastern edge of the site shall be relocated/diverted in accordance with details that shall first have been submitted to and approved in writing by the local authority.

In order to secure gas supplies to neighbouring properties and in order to prevent a hazard to future occupiers of the properties.

22. Prior to the commencement of development, details of the drainage system shall be submitted to and approved in writing by the Local Planning Authority. The drainage system shall be designed on a separate system of drainage with surface water discharge to the public sewer limited to no greater than 10 l/s/Ha. Where feasible, all hard paved areas to be drained to the ground using sustainable forms of drainage (SUDS).

In order to restrict surface water run off having regard to the limited drainage capacity in the local network



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Application No. 5/08/0037	Address Land rear of 11-63 (odds) Westgate Road, St Annes	Grid Ref. E.3311 : N.4316	Scale N.T.S.	Item No.

Item Number: 2 Committee Date: 22 October 2008

Application Reference: 08/0220		Type of Application:	Full Planning Permission
Applicant:	Mr R Powell	Agent :	Mr P Johnson
Location:	32 DERBE ROAD, ST ANNES, LYTHAM ST ANNES		
Proposal:	DEMOLITION OF EXISTING APARTMENT BUILDING OF 8 FLATS AND REPLACE WITH NEW APARTMENT BUILDING OF 12 FLATS		
Parish:	Fairhaven	Area Team:	Area Team 2
Weeks on Hand:	34	Case Officer:	Mrs C Kitching
Reason for Delay:	Delays in consultation replies		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

Whilst proposed residential use is acceptable, the design of the proposed rear extension is considered to be overbearing and of an unsympathetic design. Furthermore, the County Highway Authority has raised concerns that the proposed off street car parking is inadequate. All other aspects of the proposal are considered acceptable and the application is recommended for refusal on these grounds.

Reason for Reporting to Committee

The application is a major application that falls outside the approved scheme of delegation.

Site Description and Location

This application relates to a large, detached townhouse, currently containing eight residential flats situated within the designated secondary holiday area of St Annes.

Details of Proposal

The application proposes the construction of a replacement building to contain ten residential flats. The scheme proposes a similar frontage but is a more heavily massed building to accommodate two additional flats.

Relevant Planning History

Application No.	Development	Decision	Date
07/0108	CERTIFICATE OF LAWFUL USE FOR 8 SELF CONTAINED RESIDENTIAL FLATS	Approve Certificate	18/04/2007
03/0252	RETROSPECTIVE APPLICATION FOR REAR CONSERVATORY	Granted	23/04/2003
00/0238	GROUND AND FIRST FLOOR EXTENSION TO REAR,	Granted	17/05/2000

79/1277	INCREASE HEIGHT OF REAR GABLE BY 1.5m AND CONSTRUCTION OF DORMER WINDOW TO REAR USE OF PREMISES AS EIGHT HOLIDAY FLATS (REGULARISING APPLICATION) AND FORM PARKING AREA	Granted	06/02/1980
80/0346	DORMER EXTENSION AND ALTERATIONS TO SECOND FLOOR HOLIDAY FLAT	Granted	30/04/1980

Relevant Planning Appeals History

None

Parish Council Observations

St Anne's on the Sea Town Council notified on 11 July 2008

Summary of Response

Object as the proposal:
is over-intensive, will have a detrimental impact on neighbouring properties and the number of parking spaces is woefully inadequate

Statutory Consultees

County Highway Authority

Only five parking spaces have been provided for the proposed for ten flats, this will mean that on-street parking will take place. Even though the site is located within a sustainable location, it is felt that an increase in the number of flats will lead to the surrounding infrastructure struggling to cope with the additional demand which would be detrimental to highway and pedestrian safety.

Drainage & Flood Defence

No objections, land levels must not be raised to protect surrounding properties from surface water run off and localised flooding.

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 12 March 2008

Amended plans notified: 11 July 2008

No. Of Responses Received: 4

Nature of comments made: object for the following reasons

- loss of daylight and sunlight
- parking pressure
- loss of privacy

Relevant Planning Policy

Fylde Borough Local Plan:

HL02

Development control criteria for new housing proposals

Other Relevant Guidance:

PPS1
PPS3

Delivering Sustainable Development
Housing

Site Constraints

Within the urban area.

Environmental Impact Assessment

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

Comment and Analysis

The appearance of the building when viewed from the main street is considered acceptable. However, the application proposes a three storey rear extension with a fourth storey being accommodated within a mansard roof. Although the new windows do not directly overlook existing neighbouring windows, the development is considered to be too tall and would dominate neighbouring properties, particularly when viewed from the rear of neighbouring properties.

Although there have been apartments accommodated within the building and in that respect there is no net gain in the number of flats the proposed flats would be larger and are expected to generate increased demand for parking. On-street parking demand is critical with the current situation and the five spaces proposed will not satisfy the County Highways Authority's requirement. The difficulty flat owners and visitors will experience in parking will result in undue stress on the infrastructure which would be detrimental to highway and pedestrian safety. As such the proposal does not comply with criteria 9 of policy HL2.

Conclusions

The design of the proposed rear extension is considered to be overly large and would have a mansard roof that would be out of keeping with the existing building. Furthermore, the proposed development by reason of inadequate parking provision would be unacceptable and contrary to the provisions of the Development Plan. There are no other material considerations that outweigh that principle.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. The proposed four storey rear extension because of its design and scale in proximity to neighbouring properties would represent an unacceptable form of development that would be out of keeping with the character of the locality and of the existing building and would have a detrimental impact on the occupiers of neighbouring properties. Accordingly the proposal would be contrary to Criteria 2 and 4 of Policy HL2 of the Fylde Borough Local Plan, as altered October 2005.
2. The development by reason of the inadequate off-street parking provision would, together with the demand for parking from the large number of other building users in this part of Derbe Road, result in undue stress on the infrastructure which would be detrimental to highway and pedestrian safety. As such the proposal would be contrary to criteria 9 of policy HL2 of the Fylde Borough Local Plan as altered, October 2005.



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Application No. 5/08/0220	Address 32 Derbe Road St Annes	Grid Ref. E.3325 : N.4281	Scale N.T.S.	Item No.

Item Number: 3 Committee Date: 22 October 2008

Application Reference: 08/0268		Type of Application:	Outline Planning Permission
Applicant:	Mr Rayton, Mrs I Mason & Mrs Broughton	Agent :	Mr S D Gee
Location:	LAND (TO THE EAST) ADJACENT 15, SCHOOL LANE, FRECKLETON, PRESTON, PR4 1PJ		
Proposal:	OUTLINE APPLICATION FOR TWO NEW DWELLINGS		
Parish:	Freckleton	Area Team:	Area Team 1
Weeks on Hand:	32	Case Officer:	Mrs C Kitching
Reason for Delay:	Negotiations to resolve difficulties		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The main issues for consideration in this application are contained within 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

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

Site Description and Location

The site is between Lytham Road and School Lane 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.

Details of Proposal

This is an outline application for the erection of two residential units. Only details of siting are included in the application with all other matters being reserved for future consideration. The proposal is for two residential properties in one building that has the style of a single detached house. Internally the units could either be one at ground floor, one at first floor or two narrow units across both floors.

The red edge of the application site is around the whole of the parcel of land and the blue edge is around the adjacent house of 15 School Lane.

Relevant Planning History

None

Relevant Planning Appeals History

None

Parish Council Observations

Freckleton Parish Council notified on 13 March 2008

Summary of Response

Support providing the design of the properties is in keeping with the other properties on School Lane.

Notified on 14 August on content of revised plans:

Object to maisonette as is out of character with the remainder of the street scene (this is the old part of the village)

Statutory Consultees

Ministry of Defence

Comments not received

BAe Systems

No observations

Drainage & Flood Defence

No objections from land drainage of flood defence perspective

County Highway Authority

No highways observations

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 of the following condition,

This is in accordance with PPG16 para. 30.

No development 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 Local Planning Authority.

To ensure and safeguard the recording of any archaeological deposits. Specifications and a list of professionally qualified archaeological organisations that could carry out appropriate archaeological works can be obtained from Lancashire County Archaeology Service

Neighbour Observations

Neighbours notified: 14 March 2008

Amended plans notified: 14 August 2008

No. Of Responses Received: one

Nature of comments made: objection

- Maisonettes are not in keeping with the rest of the neighbourhood.
- Privacy will be lost to a certain degree
- the value of my property will decrease somewhat.
- Inconvenience and disruption caused by building work

Relevant Planning Policy

Regional Spatial Strategy (RSS):

The RSS has now replaced the Joint Lancashire Structure Plan and includes a much increased housing land requirement.

Fylde Borough Local Plan:

SP01	Development within settlements
HL01	New residential development
HL02	Development control criteria for new housing proposals

Other Relevant Guidance:

PPS1	Delivering Sustainable Development
PPS3	Housing
	Interim Housing Policy

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

Policy

The Interim Housing Policy allows residential development on previously developed land (which can include residential gardens) 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 make the required financial contribution to the facilitation of affordable housing and public open space.

On publication of the Regional Spatial Strategy, the Joint Lancashire Structure has been superseded

and no longer has development plan status. As a result of the much increased housing land requirements set out in the RSS, there is no longer an oversupply of housing land in the Borough.

Criteria 8 of Policy HL2, that the proposal would not prejudice the future development of a larger area of developable land. The garden area of 15 School Lane was to be lost which is contrary to criteria 11 so revised plans were requested to rearrange the garden space.

Siting

The siting of the proposed dwellings as proposed on the original plans would have resulted in overlooking of rear gardens of adjacent properties. The revised plans have overcome this objection by introducing a detached building containing two residential units. However, the Parish Council have now objected to the principle of a maisonette as they consider it to be out of character with the street scene in the old part of the village. 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 Village Hall.

The detailed appearance of the building would be the subject of a future application for approval of reserved matters, but the proposed siting indicates that the development would not be overly large or dominating and is not overly massed in the street scene.

Conclusions

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 entering in to a Section 106 agreement in order to secure a financial contribution of 5% of the market value of the proposed housing units towards the provision of affordable housing and a financial contribution of 2.5% of the market value of the proposed housing units towards off site public open space planning permission be GRANTED subject to the following conditions:

1. A subsequent application for the approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - [a] The expiration of three years from the date of this permission;
 - or
 - [b] The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

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

2. This consent relates to the revised plan[s] received by the Local Planning Authority on the 1 September 2008.

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

3. No development 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 Local Planning Authority.

To ensure and safeguard the recording of any archaeological deposits.



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Application No. 5/08/0268	Address Land adj 15 School Lane Freckleton	Grid Ref. E.3431 : N.4291	Scale N.T.S.	Item No.

Item Number: 4 Committee Date: 22 October 2008

Application Reference: 08/0592		Type of Application: Full Planning Permission	
Applicant:	Aedas Architects Ltd	Agent :	Aedas Architects Ltd
Location:	TOWN HALL, SOUTH PROMENADE, ST ANNES, LYTHAM ST ANNES		
Proposal:	ERECTION OF FOUR STOREY OFFICE BUILDING TO FORM EXTENSION TO TOWN HALL, REFURBISHMENT OF GROUND FLOOR OF TOWN HALL AND ALTERATIONS TO FORECOURT AND PARKING AREA		
Parish:	Fairhaven	Area Team:	Area Team 2
Weeks on Hand:	17	Case Officer:	Mr M Evans
Reason for Delay:	Deferred for consideration of revised elevations		

Summary of Recommended Decision: Grant

Officer Update

This application was considered at the last meeting of the Development Control Committee when Members were minded to grant planning permission subject to seeking amendments to the side elevation of the proposed office extension that faced Braxfield Court.

The applicant has now amended the side elevation to incorporate a buff brick side elevation with red brick soldier courses in lieu of the previous wrap over zinc cladding roof feature. The roof would still wrap over the upper floor in order to give break up the overall massing of the side elevation.

Your officers consider that the use of this lighter coloured materials in the side elevation will enhance the outlook from the apartments on Braxfield Court and that the revised scheme meets the concerns previously expressed by the Committee.

Since the application was previously considered the Joint Lancashire Structure Plan has been replaced by the Regional Spatial Strategy. As a result Members should not take into consideration the structure plan policies referred to in the report.

The application was previously reported as follows with the exception of the additional condition that has been added requiring the development to be carried out in accordance with the revised plans:

Summary of Officer Recommendation

This application proposes the demolition of the existing Chaseley building and the erection of a replacement four storey extension to provide open plan office accommodation. Given the location of the site within the Town Centre and the existing use of the site the proposed use is considered acceptable. Although contemporary, the design respects the existing Town Hall building which will remain. As the windows on the side of Braxfield Court are secondary windows, there will be limited impact on the residents of these flats. Accordingly, Members are recommended to grant planning permission.

Reason for Reporting to Committee

The application has been submitted by Fylde Borough Council, the floor area is in excess of that laid out in the scheme of delegation and having regard to the comments of the Town Council.

Site Description and Location

The Town Hall is located on a prominent site on the corner of South Promenade and St Annes Road West opposite the town's pier. The Building is of the Victorian era and its design is attributed to Porritt. Due to its prominent location the site can be viewed from the Promenade, the beach, the pier and The Square. The site, which is roughly square, is bounded on two sides by highways along which runs a low cobble and brick wall of traditional construction. To the north, south and east of the site there are modern multi story apartment blocks, whilst the beach is located to the west of the site. Some of the apartments in Braxfield Court, the apartment block immediately to the north east of the site, have secondary windows that overlook the application site.

This application specifically relates to the Chaseley Building, a three storey building which forms an annex to the main town hall.

A separate application for the change of use of the upper floors of the main Town Hall Building to 8 flats is also before this Committee for consideration (reference 08/0598)

Details of Proposal

Demolition of the Chasely Building,
Erection of a replacement four storey office extension,
Alterations to the ground floor of the main Town Hall Building to provide a civic suite
Alterations to the car park and access

Relevant Planning History

Application No.	Development	Decision	Date
03/0443	ERECTION OF 68 ONE AND TWO BEDROOMED APARTMENTS, PROVISION OF 60 CAR PARKING SPACES & LANDSCAPING (FOLLOWING DEMOLITION OF EXISTING BUILDINGS)	Withdrawn by Applicant	26/09/2006
90/0320	SINGLE STOREY INFILL TO FORM PUBLIC ENTRANCE/FOYER/ ADDITIONAL OFFICE ACCOMMODATION	Granted	25/06/1990
89/0361	30M RADIO MAST FOR COMMUNICATION PURPOSES	Withdrawn by Applicant	27/10/1989
05/0653	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT INCORPORATING 60% OF THE DEVELOPMENT FOR AFFORDABLE PURPOSES	Withdrawn by Applicant	05/09/2008

Relevant Planning Appeals History

None.

Parish Council Observations

St Anne's on the Sea Town Council notified on 25 June 2008

Summary of Response

The Town Council objects to the proposal for the following reason:

The roof design is out of keeping with the rest of the development and will be detrimental to the street scene.

Statutory Consultees

County Highway Authority

I refer to your letter dated 25th June 2008 asking for observations in relation to the above Planning Application.

The applicant is applying for outline planning permission to develop three Storey office building linking into refurbished ground floor council building with two storey's of residential accommodation over (not included within this application, please refer to application 05-08-598).

The proposed development is located within a highly sustainable location. Aedas Architects confirmed via a telephone call that 34 car parking spaces, 2 disabled car parking spaces and 6 covered cycle parking spaces to be provided for this part of the proposed development.

Layout plans confirm that existing accesses are to be modified.

I have no highway objections to this proposal subject to the following Conditions and Notes.

STANDARD CONDITIONS

Before the accesses are used for vehicular purposes, that part of the accesses extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials. Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users..

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, 'wall, fence, hedge, tree, shrub or other device over 1 m above road level.

Pedestrian Intervisibility splay 2.0m x 2.0m is required and should not be impeded. Height of the wall/fence and vegetation within this visibility splay should be kept below 600mm above the carriageway height. The access shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority'). Reason: To ensure adequate pedestrian visibility at the site access.

Any existing access that is to be reduced shall be physically and permanently closed and

the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads (concurrent with the formation of the new access) Reason: To limit the number of access points to, and to maintain the proper construction of the highway. . Applicant has failed to provide information pertaining to the provision of cycle storage for the flats upon this development site. 1 cycle space per flat to be provided. I would recommend a condition to provide covered and secure cycle parking at the site. This needs to be set out in accordance with the Department for Transport's "Manual for Streets" (2007).

NOTE:

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning the Area Surveyor North on 01253 741750 or writing to the Area Surveyor North, Area Office, Hampson Lane, Hampson Green, Galgate, Lancaster, LA2 0HY quoting the planning application number.

County Planning Officer

I have assessed this application with regard to the adopted Joint Lancashire Structure Plan 2001-2016 (JLSP). As of March 2008 the JLSP policies have been saved until such a time that RSS has been approved. The Director of Strategic Planning and Transport considers that the proposal is in conformity with the adopted JLSP for the following reasons.

Office use

Policy 17 directs major office developments to principle urban areas, main towns and key service centres with major office development located within or adjoining town centres. According to the plans, the proposal consists of an office block over 4 floors providing over 1900 sqm of accommodation. It is located within the town centre boundary defined by the adopted Local Plan and therefore complies with Policy 17.

Parking

Policy 7 of the JLSP requires parking provision for new development to be in accordance with guidance set out in the JLSP SPG 'Access and Parking' and the 'Parking Standards' technical appendix. The application states that 41 spaces are to be provided which, it is assumed, includes those related to the separate application 08/0592. Based on an accessibility score of 23, the level of parking falls within the maximum level set out within Table A of the standards.

Provision for the mobility impaired should be at a rate of 10% of the maximum permitted standard, or in this case 6 spaces. Cycle parking for the office accommodation should also be at a rate of 10% of the maximum parking level. Motor cycle provision should be at a ratio of 1 :25 car spaces.

Other information

You should note that the Proposed Changes to the draft Regional Spatial Strategy for the North West of England have been published. These are a material planning consideration. The Director of Strategic Planning and Transport considers that the Proposed Changes carry significant weight and should be taken into account in assessing the proposed development.

Neil Stevens (01772 534415) may write to you separately regarding accessibility issues.

Planning Contributions Officer Neil Whittingham, (01772 533857), may write to you separately regarding planning contributions.

Comments of Contributions Officer

Further to your consultation with regard to the above proposed development, this consultation response is to confirm that there would be no Planning Contribution request for Lancashire County Council services based upon the Policy Paper, 'Planning Obligations in Lancashire', should the council be minded to approve either of the aforementioned applications.

Blackpool Airport

The airport company has no objection to the above proposal provided that any cranes used during construction are notified to the airport as per the enclosed advice note. This may restrict their hours of operation.

United Utilities

No objections

Planning Policy Team

Thank you for your letter dated 25 June 2008, which I have recently received, inviting planning policy comments on the above. I have assessed the proposal against the provisions of the adopted Fylde Borough Local Plan 1996 - 2006, Alterations Review, (2005).

The proposed development does not raise any policy issues, subject to the comments below.

The proposed development site is located within the town centre boundary of St Annes as defined in the adopted Local Plan. Local Plan policy SH9 identifies those land uses appropriate to a town centre, which includes Financial and Professional Services (Class A2). The proposed development is therefore acceptable, subject to the four criteria of SH9 being satisfied.

In addition to the above regard should also be had to Local Plan Policy EP7.

In respect of car parking provision it is understood that 41 car spaces are proposed. It is assumed that this number includes those being proposed in relation to planning application 08/0598. The overall level of parking provision should be in conformity with the Joint Lancashire Structure Plan SPG 'Access and Parking', including provision for the mobility impaired, motorcycles and bicycles.

Conclusion

Based upon the information provided to me the proposed development appears to raise no policy issues subject to the criteria of Local Plan policy SH9 being satisfied.

Observations of Other Interested Parties

Comments of Braxfield Court Management Company

The 27 flat owners at Braxfield Court wholly own this Management Company. It is a "not for profit" Company. who's sole function is the maintenance and operation of the communal aspects of the building, on behalf of the flat owners.

I write to register on objection to an aspect ~ the application submitted. in respect of the redevelopment of the Town Hall.

It is noted that the proposed new three storey office building would result in the elevation of the building which would face the south westerly flank wall of Braxfield Court being of a considerably greater height than that of the existing section of the Town Hall, which it is proposed to demolish.

The plans submitted for approval indicate that this wall is to be clad with dark sandstone cladding. This would be a very dominant wall in close proximity to our building, and we would submit that this would be an unsuitable treatment. We feel that a brick wall would be in greater sympathy with its surrounds, or a wall rendered with mineralite, as is the flank wall of Braxfield Court.

When planning consent was granted for the construction of this building on 1st March 1972, it was subject to a condition that the south westerly flank wall (facing the side of the Town Hall), should be rendered with white mineralite to the satisfaction of the Local Planning Authority. The stated reason for the condition was "to safeguard the amenities of the adjoining premises" (i.e. the Town Hall). We would submit that the reverse situation now applies, and that the proposed treatment of the side wall of the proposed new office building needs to be amended to safeguard the amenities of the adjoining building (i.e. Braxfield Court).

It is further submitted that it is considered that the proposed use of cladding on the side elevation of the proposed new building facing Braxfield Court would be unsuitable if the materials to be used were in any way susceptible to corrosion from sea air, as this would result in a continually deteriorating appearance.

Neighbour Observations

Neighbours notified: 23 June 2008

No. Of Responses Received: one

Nature of comments made:

1 The application will result in loss of parking spaces and the proposed number of spaces is inadequate by the council's own guidelines for this development, there are insufficient disabled parking spaces to support additional visitors who would previously have visited the one stop shop.

2 The mixed use of the building will pose particular problems relating to noise control and events/functions held at the Town Hall venue which could lead occupants to seek restriction on the use of the ground floor for official functions, these concerns should be addressed at the planning stage rather than being left until the units are constructed and occupied.

3 The basement garages will be beneath sea level and at risk of flooding, no risk assessment has been carried out in consideration of this.

4 The ground floor will be occupied by FBC, a local authority with special responsibilities in case of terror or war and under certain circumstances the building could be requisitioned under emergency powers. Having the building as shared use could restrict the use of the building under these circumstances.

5 The building is in a conservation area and the design of the proposed new building does not match that of the current building.

Officer note: The application does make provision for any basement garaging.

Relevant Planning Policy

Joint Lancashire Structure Plan:

JS01	General Policy
JS02	Main Development Locations
JS07	Parking
JS17	Office Development

Fylde Borough Local Plan:

SP01	Development within settlements
TR09	Car parking within new developments
TR10	Car park design
SH10	Local shopping centres & village shops
EMP3	Commercial development outside defined areas

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
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Site Constraints

Within Urban Area

Environmental Impact Assessment

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

Comment and Analysis

This application has been submitted on behalf of Fylde Borough Council for a development that will be carried out by itself. As such it falls to be determined in line with Regulation 3 of the Town & Country Planning Regulations 1992, which effectively means that the local planning authority determines the application as it would any other planning application submitted to it for consideration.

The proposed Town Hall Extension would provide accommodation for back office staff and a new one stop shop facility. The remodelled ground floor of the main Town Hall building would provide a new Civic Suite.

The site is located within St Annes Town Centre, outside the designated Conservation Area in one of the most sustainable locations within the Borough. As such the use of the site for Town Hall offices is acceptable in principle.

The design of the extension is of a contemporary style which seeks to reflect the existing Town Hall by including stone facings, dark roofing materials and a pitched roof. Although the styling does not slavishly adhere to that of the existing Town Hall building or the Chaseley Building which it is intended to replace, it is considered appropriate

The proposal is to demolish the existing Chaseley building which is a three storey structure located between the main Town Hall building and Braxfield Court. The existing building has windows on the side elevation that overlook a series of secondary windows on Braxfield Court, some of which are clear and others obscurely glazed. As the proposed office extension is proposed to be four storeys high and will be deeper than the upper floors of the existing Chaseley Buildings, the development will clearly have a greater impact on the neighbouring flats than the current building. However, as the side windows in the flats that face the proposed extension are secondary windows it is considered that any impact on residential amenity will be limited.

Despite there being a number of windows in the Chasely Building that face Braxfield Court, it will be necessary to ensure that the side windows of any future office building do not overlook the residential properties, either by ensuring that they are obscure glazed or that some other form of device, such as fixed louvers to restrict direct overlooking are employed.

The proposed car parking layout would result in the loss of some areas of lawn, but sufficient landscaped areas will be retained to secure a suitable setting for the buildings. The number of parking spaces is suitable for this Town Centre Location where public car parking is readily available. The County Highway Authority have raised no objections to the proposal.

Potential for disturbance between the residential and town hall function rooms and office uses from noise transmission would be addressed under the Building Regulations. In regards to such uses existing side by side, there is no planning reason why such uses would be incompatible. The public part of the building would be separated from the residential properties and there is unlikely to be any conflict in the event of any emergency or incident.

Conclusions

The Key issues in the determination of this application rest, therefore, in design and impact on the neighbouring residential properties, particularly at Braxfield Court. As stated above, the design is considered to be an appropriate contemporary response to the context of the site. There will undoubtedly be a degree of impact on the neighbouring residents, but this is considered to be limited. Members are, therefore, recommended to grant planning permission subject to appropriate conditions

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

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

2. Notwithstanding the details indicated on the approved plans, details showing the design (including materials, cross sections, means of opening and external colour finish) of all windows shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any window.

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

3. The car parking area as indicated on the approved plan as parking for visitors and staff 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 office accommodation and shall thereafter be retained to the satisfaction of the Local Planning Authority solely for the purposes of car parking for staff and visitor vehicles.

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

4. Before the accesses are used for vehicular purposes, that part of the accesses extending

from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other materials that have first been approved in writing by the local planning authority.

To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1 m above road level. . Pedestrian intervisibility splay 2.0m x 2.0m is required and should not be impeded. Height of the wall/fence and vegetation within this visibility splay should be kept below 600mm above the carriageway height. The access shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority.

To ensure adequate pedestrian visibility at the site access.

6. Any existing access that is not required to serve the proposed development shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads (concurrent with the formation of the new access)

To limit the number of access points to, and to maintain the proper construction of the highway.

7. No development 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 building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to, and agreed in writing by, the Local Planning Authority.

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

8. Notwithstanding any denotation on the approved plans, samples of all external facing materials [including details of mortar colour], and roof treatment, including colour, shall be submitted to and approved by the Local Planning Authority days prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

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

9. Prior to the first occupation the office accommodation hereby approved, covered secure cycle and secure motorcycle parking shall be provided in accordance with a scheme that has first been submitted to and approved in writing by the local planning authority. The cycle parking shall, thereafter, be retained for use by staff and visitors unless otherwise agreed in writing by the local planning authority.

In order to encourage the use of alternative means of transport to private motor vehicles.

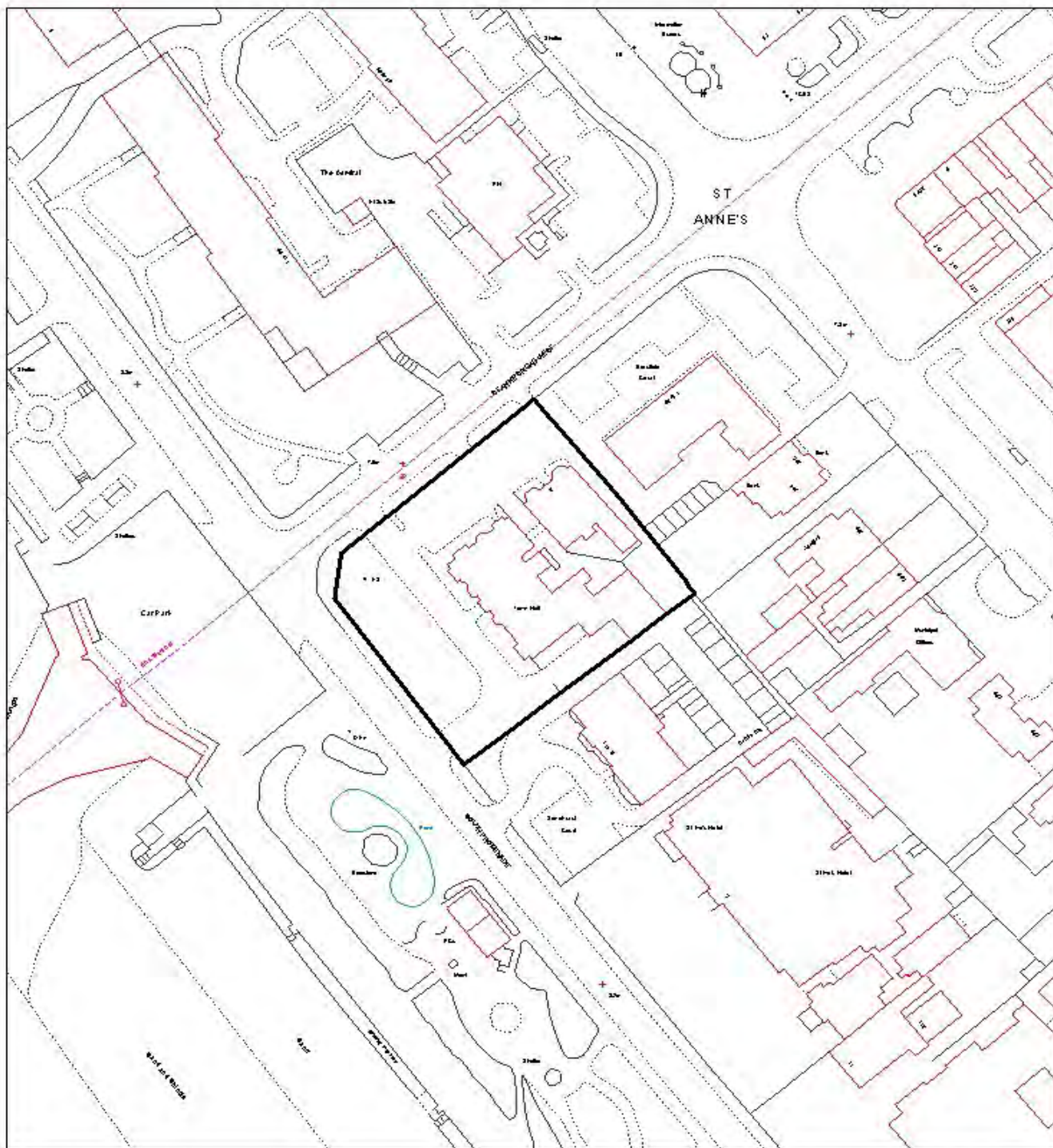
10. Prior to the commencement of development, a scheme of window treatment to prevent the

overlooking of adjacent residential properties shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed in accordance with the approved details prior to office accommodation hereby approved first coming into use and shall, thereafter, be retained unless otherwise agreed in writing by the local planning authority.

In order to prevent overlooking of neighbouring residential properties.

11. This consent relates to the revised plan[s] received by the Local Planning Authority on the 13 October 2008.

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



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Application No. 5/08/0592	Address Town Hall South Promenade, St Annes	Grid Ref. E.3319 : N.4286	Scale N.T.S.	Item No.

Application Reference: 08/0655		Type of Application: Change of Use	
Applicant:	D J Cox Ltd	Agent :	Craven Design Partnership
Location:	UNIT 6 (CAR DEALERSHIPS), LYTHAM ST ANNES WAY, WHITEHILLS BUSINESS PARK, WESTBY, FY4 5PQ		
Proposal:	CHANGE OF USE FROM VACANT LAND TO USED CAR SALES FORECOURT AND CUSTOMER CAR PARK		
Parish:	Westby with Plumpton	Area Team:	Area Team 1
Weeks on Hand:	14	Case Officer:	Helen Hockenhull
Reason for Delay:	Delay due to the need to report Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Planning permission is being sought for the use of a vacant piece of land on the Whitehills Business Park for car sales. It is considered that the proposed use of the land for car sales would be acceptable as the site has an extant planning permission for this use. The layout and landscaping is considered to be appropriate, there are no highway objections and it is not considered that there would be any adverse amenity implications as a result of the proposal. The recommendation is therefore one of approval.

Reason for Reporting to Committee

The application forms a major development which falls outside the Scheme of Delegation.

Site Description and Location

The application site is located within the area occupied by various car dealerships in the Whitehills Business Park, to the north west of Whitehill Road and southeast of Disley Close, off Lytham St Annes Way. The site currently forms rough grassland. The existing Honda dealership is located immediately to the west of the site and a Vauxhall dealership is located to the east of the site.

Details of Proposal

Planning permission is being sought for the use of the site for a used car sales forecourt and customer car park. The site is approximately 120 metres by 50 metres in area, approximately 4800 square metres. It is proposed that the site house a maximum of 150 vehicles. The project forms an extension to the existing Honda Main Agent on the opposite side of Disley Close. It is proposed that access to the site be from Disley Close. No building works are required as the existing Honda staff will supervise the site and use the existing showroom building. It is proposed that the site be landscaped with tree and shrub planting

Relevant Planning History

None.

Relevant Planning Appeals History

None.

Parish Council Observations

Westby with Plumpton Parish Council notified on 22 July 2008

Summary of Response

No objections

Statutory Consultees

County Highway Authority

This applicant is applying for planning permission for change of use from vacant land to used car sales forecourt and Customer Park.

- The applicant has provided only 8 additional off street parking spaces for the proposed development. It was noted during a recent site visit that the access road fronting the proposed development was heavily parked up with showroom cars; also the hammer head turning area was being used for the storage of show room cars (not acceptable).
- The 8 parking spaces being provided for the proposed development are insufficient since increased on street parking from the proposed development will be detrimental to highway safety and free flow of traffic. An increase in the number of parking spaces for the visitors is required. It is requested 1 space per 200 Sq.m be provided for this proposal which equates to 24 parking spaces – to include 10% mobility impaired parking spaces of the total of all parking on site.
- The applicant has also failed to provide a completed Accessibility Questionnaire.
- New access to the proposed development to be located off the existing Access Rd.
- It should be noted the existing access road is not to be adopted by LCC.

I have **no highway objection** to this proposal subject to the concerns, conditions and notes are met:

Conditions:

- The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and the vehicular turning space shall be laid out and be available for use before the development is brought into use. Reason: Vehicles reversing to and from the highway are a hazard to other road users.
- 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 the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas.

- Pedestrian intervisibility (2.0m x 2.0m) should not be impeded whilst. Height of the any wall/fence and vegetation within this visibility splay should be kept below 600mm above the carriageway height.
- During a recent site visit It was noticed cars for sales were being parked up on the footway at Lytham St Annes Way / Access Rd Junction which impeded the visibility at the junction – these cars should be removed to ensure adequate visibility at the junction.

Note:

- This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning the Area Surveyor North on 01524-753340 or writing to the Area Surveyor North, Area Office, Hampson Lane, Hampson Green, Galgate, Lancaster, LA2 0HY quoting the planning application number.

Planning Obligations in Lancashire – s106 Contribution

No accessibility survey was included with this application so I have carried one out myself and assess the site to be within the medium accessibility range at 16 points. In line with the Planning Obligations in Lancashire - Policy Paper, this would give a developer contribution for transport of £20,900 per 1,000 Sq.m for the proposed development of 4800 Sq.m this equates to a contribution total of £100,320 The contribution should be secured by s106 Agreement.

Having consulted our other Highways Sections regarding the above proposed development it was agreed the contributions would go towards improving pedestrian facilities, cycle and bus facilities in the area.

- £30,000 to extend cycle path down to the next roundabout to link to a safer point for cyclists and pedestrians coming from the south to cross the road;
- £10,000 towards improvements for cyclists between Whitehill Industrial Estate and Blackpool, for example at the M55 roundabout.
- The development contribution could also fund bus stops to LCC Quality Bus Standard on Lytham St Annes Way – subject to meeting appropriate Highway Standards.
- Contribution towards a pot to ensure a bus service is provided along B5210 Lytham St Annes Way which could include; Extending bus service (s) from Tesco, Extension of Midgeland Road bus service & increasing frequency and maybe the diversion of Preston – Kirkham – Blackpool service but there could be issues with this option re: bringing service back into Blackpool.

Blackpool Airport

No objection

FBC Tree Officer

In regard to the original plans

1. The layout in its present form is unacceptable as it fails to provide adequate soft landscaping to soften the negative visual impact that the large area of hard surface and up to 70 plus cars (more when including the over flow parking) will have when viewed from the public road and wider landscape.
2. If there is to be no internal soft landscaping then greater emphasis should be placed on ensuring adequate provision is made for boundary planting. This will include the planting of appropriate tree and shrub species in a considered and well thought out scheme. The location of the high pressure gas main should also be considered when looking at tree planting locations.
3. It is important that the area fronting the Lytham St Annes Way, presently shown as a display area for four cars, is changed to soft landscaping.
4. If the area shown for over flow parking forms part of this application then more soft landscaping will be required on the boundary to Disley Close adjacent to this part of the site.

Officer note : The revised plans address these issues.

National Grid - Gas Distribution

No objections raised. Provided guidance on works adjacent to the high pressure gas main that runs through the site. Advise the contractor to contact them before commencement to discuss safe working practices etc.

British Gas

No comments received at time of writing the report.

Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 24 July 2008. Site notice erected

No. Of Responses Received: Two

Nature of comments made:

- The residents of Whitehill Road have no objection other than to insist that all access is restricted to Lytham St Annes Way. We are desperate to keep the residential separate from the ever encroaching commercial development.
- Objects due to noise from the car lot. There are existing problems with other garages on Whitehills, noise from the car wash etc. The Council needs to police the existing sites and stop these problems.

Relevant Planning Policy

Fylde Borough Local Plan:

EMP1

Business & industrial land allocations

Other Relevant Policy:

PPS1:

Delivering Sustainable Development

Site Constraints

The site falls within the settlement boundary and is allocated for employment uses

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

Planning permission is being sought for the change of use of the land to a used car sales forecourt and customer parking.

The main issues raised are :

1. the principle of the development
2. the design, layout and landscaping
3. other matters including residential amenity.

Principle of the Development

The site is located in the Whitehills Business Park and is allocated for B1, B2 and B8 uses in Policy EMP1 of the Fylde Borough Local Plan. Car sales forms a sui generis use. The use of the site for this purpose would therefore not comply with local plan policy. However, this part of the Whitehills estate has the benefit of outline planning permission for car sales granted in 2004. At that time the take up of land on the Business Park was slow and the Council were keen to see the site developed and jobs created. The use of this vacant plot for car sales would therefore be acceptable in principle, in line with the extant planning permission Ref 04/0996.

Design/layout/landscaping

The application site forms a large area of land, approximately 4800 square metres. It is proposed that the site be divided into 2 areas. The northern half of the site would be used to provide space for around 70 used cars for sale together with 8 customer parking spaces. The southern part of the site would be used as overflow parking for customers, staff and possible further car sales. LCC Highways have raised no objection to the proposal provided access be from Lytham St Annes Way and Disley Close. The Highway Authority have commented that 8 parking spaces for customers as shown on the plans is inadequate. However customers would be able to park in the overflow area. The site would be managed from the existing showroom using existing sales staff and the customer parking by the Honda showroom would also be available. The benefit of providing additional staff and customer parking in the overflow area is that this assists to remove cars from Disley Close which can cause manoeuvring difficulties on this access. This existing situation was noted by the Highway Authority. It is Officers' view that the parking proposed is acceptable.

The site is proposed to be surfaced in tarmac. The site forms significant area of land and hard surfacing such a site raises drainage and surface water issues. It is considered that an appropriate drainage system, conforming to the principles of sustainable urban drainage, will reduce any runoff problems. This matter could be the subject of a condition on any planning approval.

It is proposed that the site be landscaped on the boundaries with tree and shrub planting to screen and break up views of the area. Boundary treatment of 2.4 metre high paladin fencing similar to that erected on the Honda site is proposed to the eastern site boundary. and low level hoop barriers are to be installed to the south, north and west boundaries. again similar to the adjacent Honda dealership.

Other Matters.

A resident has commented on the potential for noise from the car sales area. The nearest residential property to the site is approximately 200 metres away. In addition the site lies approximately 60 metres from Whitehill Road and there is a proposal for a joinery manufacturing business to the rear of the site. It is therefore considered that there would be no impact on residential amenity as a result of the development.

The County Highway Authority, in line with the County Councils Planning Obligations Document, have requested a financial contribution totalling £100,320, to contribute towards improvements to cycle routes, pedestrian links and also to contribute towards extending public transport to the site. In considering this request, regard should be made of the type of development proposed, ie. that there is an extant outline planning permission for car sales on this site, that there are no buildings proposed to be constructed and that there are no additional jobs created by the development as the site is to be managed by existing Honda staff. It is Officers' view, that in light of these factors the request is unreasonable and does not meet the requirements of Circular 5/05 which provides advice on Planning Obligations.

Conclusions

It is considered that the proposed use of the land for car sales would be acceptable as the site has an extant planning permission for this use. The layout and landscaping is considered to be appropriate, there are no highway objections and it is not considered that there would be any adverse amenity implications as a result of the proposal. The recommendation is therefore one of 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 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 layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and the vehicular turning space shall be laid out and be available for use before the development is brought into use.

Vehicles reversing to and from the highway are a hazard to other road users.

3. No development approved by this permission shall be commenced until a scheme for the discharge of surface water had been approved in writing by the Local Planning Authority. Such a scheme shall be implemented and completed in accordance with the approved plans prior to the first use of the site.

To ensure the provision of a satisfactory drainage scheme.

4. Prior to being discharged in to any watercourse, surface water sewer or soakaway system, all surface water drainage from the car sales area shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.

To prevent pollution of the water environment

5. A pedestrian intervisibility splay of 2.0 metres by 2.0 metres shall be provided and not be impeded to the parking areas. Height of any wall/fence or vegetation within this visibility splay should be kept below 600mm above the carriageway height.

To ensure adequate pedestrian visibility at the site access.

6. 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 enclosure, boundary treatment including fencing/walling and hard surfacing materials 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.

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

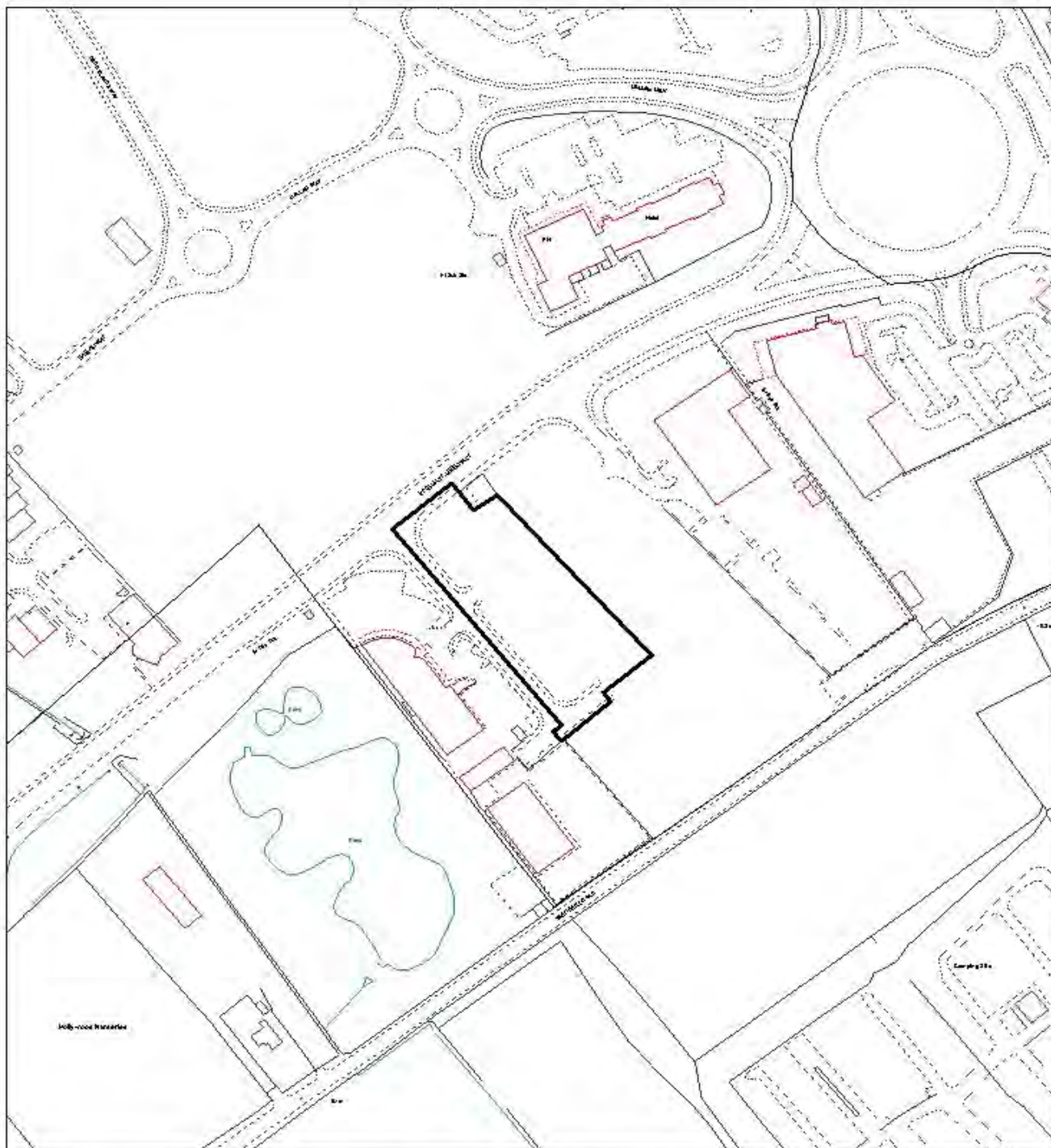
To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

8. Before the development commences, a scheme for the external lighting of the site including degree of illumination, height and design of lighting columns and lanterns, shall be submitted to the Local Planning Authority for approval in writing. The approved scheme shall be implemented concurrently with the development and any addition or alteration to the scheme shall be first agreed in writing with the Authority.

In the interests of visual / residential amenity.

9. This consent relates to the revised plan[s] received by the Local Planning Authority on the 10 October 2008.

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



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Application No. 5/08/0655	Address Unit 6 (Car Dealerships) Whitehills Park, Westby	Grid Ref. E.3352 : N.4328	Scale N.T.S.	Item No.

Item Number: 6 Committee Date: 22 October 2008

Application Reference: 08/0687		Type of Application:	Full Planning Permission
Applicant:	DANIEL THWAITES BREWERY	Agent :	HIGHAM & CO
Location:	BLUE ANCHOR, FLEETWOOD ROAD, GREENHALGH WITH THISTLETON, PRESTON		
Proposal:	ALTERATIONS AND EXTENSIONS TO THE PUBLIC HOUSE AND THE ERECTION OF A 38 BED LODGE. (RENEWAL OF PLANNING PERMISSION REFERENCE 05/0086)		
Parish:	Greenhalgh with Thistleton	Area Team:	Area Team 2
Weeks on Hand:	14	Case Officer:	Helen Hockenhull
Reason for Delay:	Negotiations to resolve difficulties		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application forms a renewal of a previously approval ref 05/0086 for alterations and extensions to an existing public house and the construction of a 38 bed lodge. It is considered that there have been no significant changes in circumstances or policy to warrant a different view on the determination of the application. The development is considered to comply with policy, there is considered to be a need for the proposal, the design and scale of the building and the highway impact is acceptable. The recommendation is therefore one of approval

Reason for Reporting to Committee

The application forms a major development and falls outside the Scheme of Delegation

Site Description and Location

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

Details of Proposal

The application proposes a number of elements including:

- Erection of 38 bedroomed lodge hotel with covered walkway to existing public house;
- Formation of extension to car park onto land adjacent to the existing public house;
- Demolition of parts of existing public house (stores garage and removal of decking on the front

elevation);

- Erection of extension to provide store and toilet facilities; and
- Provision of patio at the front and rear and a decked area adjacent to the pond
- Internal refurbishment and reconfigured layout including provision of function room

The proposed travel lodge would measure 15 m x 47.5 x 9.7 metres ridge height. The lodge is located on the existing car park to the north east of the public house and would have a footprint of over 600 sq metres. The bedrooms would be provided over two floors and the building is proposed to be of traditional construction with a hipped roof, rustic facing brickwork and a blue slate roof. The car park is proposed to be extended to provide a total of 95 car parking spaces by incorporating an adjacent field to the north of the pub.

The application includes a number of highway improvements including a right hand turning lane off the A585 into Medlar Lane and a left only access in to the Blue Anchor from the A585.

Relevant Planning History

Application No.	Development	Decision	Date
05/0086	ALTERATIONS AND EXTENSIONS TO THE PUBLIC HOUSE AND THE ERECTION OF A 38 BED LODGE.	Granted	16/12/2005
03/0280	PROPOSED DECKING TO FRONT ELEVATION	Granted	23/04/2003
02/0314	CHANGE OF USE OF LAND TO USE AS SITE FOR TOURING CARAVANS AND ERECTION OF ANCILLARY TOILET BLOCK	Refused	19/06/2002
76/0611	FRONT EXTENSIONS AND LARGER CAR PARK.	Granted	08/09/1976
78/0871	1ST FLOOR FIRE ESCAPE.	Refused	17/01/1979
79/0533	FIRE ESCAPE.	Granted	25/07/1979
82/0587	MINOR EXTENSION AND ALTERATIONS TO FRONT ELEVATIONS.	Granted	13/10/1982
82/0588	ILLUMINATED FASCIA SIGN OVER ENTRANCE PORCH.	Granted	13/01/1982
84/0480	EXTENSION TO CUSTOMERS CAR PARK.	Granted	10/10/1984
86/0242	VARIOUS SIGNS.	Granted	13/08/1986

Relevant Planning Appeals History

None.

Parish Council Observations

Greenhalgh with Thisleton Parish Council notified on 17 July 2008

Summary of Response

Supports the application on the condition that the boundary hedges are kept at a height so as not to disturb local residents.

Statutory Consultees

County Highway Authority

No highway objection subject to a number of conditions regarding the construction of the car park, the completion of the highway improvements, provision of cycle parking facilities. The off site highway works will be required to be subject to a S.278 Agreement and the design of the ghost island must be agreed with the Highway Agency.

The site has a low accessibility. In line with the Planning Obligations in Lancashire document, requests a financial contribution totalling £50,160 directed towards sustainable transport measures ie. improving pedestrian facilities, cycle facilities and improvements to bus facilities.

United Utilities

No objection

Highways Agency

Issued a Holding Order in relation to this application so that two options could be explored with the applicant. The Agency provided a plan illustrating works which they would favour if highway improvements are to be agreed with the inclusion of splitter islands at the existing site access and also a pedestrian refuge/ splitter island to the south. Alternatively, for the Agency to accept that the works are no longer necessary the preparation of a Transport Statement would be required to assess the level of traffic resulting from the development, the operational suitability of the access arrangements and the Medlar Lane/A585 junction, examine the safety record and safety implications of the proposed access arrangements.

Officer Note : The Applicant has agreed to provide pedestrian refuge/splitter islands as part of the highway improvement works.

Blackpool/Lancashire Tourist Board

Have no adverse comments to make in respect of this application

Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 17 July 2008. Site notice erected

No. Of Responses Received: Four letters received

Nature of comments made:

- Increase in traffic turning right. It is assumed a right turn lane will be needed. This will increase the number of lanes pedestrians have to cross and increase danger for them, especially local children returning from school.
- It will be impossible for residents to turn right out of Medlar Lane
- There is a need for the pub to be refurbished but there is no need for the lodge. Fairfield Arms is 10 minutes away and this has similar accommodation.
- Noise disturbing residents will increase. The plans show a function room and patio all in the direction of residential properties. Music being played etc will be a nuisance for residents.
- Impact on drainage, surface water from the residential properties drains via a ditch to the pond. The new car park cuts across this drain. What measures will be put in place to address this.
- The increased traffic will cause problems. Access for tractors and large trucks is required.

- The elevation plans show balconies to some of the rooms in the lodge but these are not shown on the floor plans.
- Concern about lighting and cctv which will disturb residents

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development within countryside area
TREC03	Tourist Accommodation Outside Lytham St Annes
EP12	Conservation trees & woodland
EP18	Nature conservation
SP 8	Expansion of existing business and commercial operations in the Countryside

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPS6	Planning for Town Centres
PPS7	Sustainable Development in the Rural Areas
	Good Practice Guide on Planning for Tourism

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

Planning permission is being sought for improvements and extensions to an existing public house and the construction of a linked 38 bedroom lodge at the Blue Anchor public house, Greenhalgh. This application basically forms a renewal of a previously approved a proposal, ref 05/0086, which lapses in December this year.

The main issues raised by this application relate to:

1. The principle of the development in the countryside
2. Scale and design
3. Highways and parking
4. Impact on the adjacent pond and landscaping
5. Affect on residential amenity.

Principle of Development

The application site is located in the countryside. PPS7 Sustainable Development in the Rural Area and the Governments Good Practice guide on Planning for Tourism, set the national policy framework for the provision of tourist facilities and accommodation in the rural areas. PPS6 Planning for Town Centres, seeks to locate new development in existing centres in order to reduce the need to travel and sets out a sequential approach to the provision of new hotels development. PPS6 also requires the demonstration of the need for a development where it is provided outside an established centre. PPS7 and the Good Practice Guide recognize the importance of tourism in rural areas to diversify the economy and provide employment.

In considering the original application for the development at the Blue Anchor, the proposal was consider acceptable in principle in policy terms. In the resubmission, the applicant has again provided

an assessment of need for the facility. There continues to be growth in demand for this type of accommodation and the occupancy rates in similar lodges in the Fylde and Blackpool continue to be high. It is therefore considered that the need for the facility has been adequately demonstrated. As the site is located in the countryside, consideration must be given to Fylde Borough Local Plan policy SP2. This policy seeks to ensure that any development is of an appropriate scale and in keeping with the character of the area. Consideration must therefore be given to the scale and design of the proposal.

Scale and Design

The design and scale of the proposed lodge building was the subject of detailed discussion at the time of the original planning application. The re submitted scheme is the same as that previously approved. The lodge building comprises a 2 storey building with a hipped roof and feature projecting gables which assist to break up the mass of the building.

The lodge would be 15m x 47.5m and 9.6 metres high, lower than the existing public house building. It is proposed to be constructed in rustic facing brick with a blue slate roof complementing the rural locality. It is considered that the design, scale and materials are acceptable.

Highways and Car Parking.

The proposal includes a number of access improvements, namely the provision of a right turn lane into Medlar Lane and a left only movement into the pub from the A585. Both Lancashire County Highways and the Highways Agency have re considered the access arrangements and found them acceptable.

The application involves a replacement car park to serve the new facility extending into an adjacent piece of land north of the lodge and pub. The level of car parking provided, 95 spaces is considered to be acceptable.

Following discussion with the Highways Agency it has been agreed that the proposed off site works of highway improvement be amended to include the provision of a splitter island/pedestrian refuge at the existing site access and also at a point to the south, close to the Ashiana.

LCC Highways have requested a financial contribution totalling £50,160 directed towards sustainable transport measures ie. improving pedestrian facilities, cycle facilities and improvements to bus facilities. A financial contribution was not requested with the original application. Since that time, the County Council have adopted their Planning Obligations Policy Document, and this is why a request for a contribution has been made in relation to this renewal of planning permission. It is Officers view that now that the applicant has agreed to amend the highway improvement works and include a splitter island which will also act as a pedestrian refuge, the payment of separate section 106 monies is not necessary. Pedestrian improvements benefiting local residents and also future users of the site would be provided as part of the development at the expense of the developer. This would meet the aim of the requested contribution, improving pedestrian facilities in the locality.

Impact on the Adjacent Pond and Landscaping

As with the previous submission, the application includes a landscaping scheme providing tree and shrub planting to the site frontage with Fleetwood Road, the north and west boundaries to screening the car park and also the area around the existing pond which is to be retained.

The pond has been the subject of ecological assessment which has found no evidence of protected species. It is considered appropriate to impose a condition on any approval requiring further survey work in advance of commencement on site to ensure no protected species have populated the site in the interim.

Impact on Residential Amenity

Local residents on Medlar Lane have objected to the proposal, as they did in relation to the original application, due to the potential loss of residential amenity as a result of the development. It is

considered that the distances between the residential properties and the lodge are adequate to prevent overlooking and far enough away to prevent any adverse impact due to light pollution. Conditions can be imposed to control car park lighting. The site is located on the buy A585, where traffic noise and activity is high. It is therefore not considered that the proposal would result in a level of activity affecting residential amenity to the extent that would warrant refusal of permission.

Conclusions

The application forms a renewal of a previously approval ref 05/0086. It is considered that there have been no significant change in circumstances or policy to warrant a different view on the determination of the application. The development is considered to comply with policy, there is considered to be a need for the proposal, the design and scale of the building and the highway impact is acceptable.

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

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

3. Prior to the commencement of development, details of the proposed windows, including cross sections, means of opening and external colour finishes shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in complete accordance with the approved details.

In the interests of visual amenity.

4. Before the commencement of any development , a detailed scheme of off site highway improvement works and alterations to the access to the development, shall be submitted to the local Planning Authority for approval in writing. The approved scheme, (or any other scheme subsequently approved in writing by the local planning authority) shall be implemented and completed prior to the development hereby approved first being brought in to use.

In order to ensure a safe and satisfactory access to the development in the interests of highway safety.

5. Prior to the commencement of development, details of the car park lighting shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved lighting shall be used in the development unless a further scheme is approved in

writing by the local planning authority.

In order to prevent glare and/or light pollution in this rural area which may be detrimental to the residential amenity of neighbouring residents.

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

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

7. 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 artifacts 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.

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

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

9. Prior to the commencement of development, details of a screen fence to be erected around the proposed service yard shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented to the satisfaction of the local planning authority prior to the development hereby approved first coming into use.

In order to screen the proposed service yard in the interests of visual amenity and to protect the residential amenity of neighbouring residents.

10. Prior to the commencement of development, a suitably qualified ecologist shall carry out a walk over survey to investigate the presence or recent presence of great crested newts or other protected amphibians on the site. If the survey confirms the presence or recent presence of such species, that may be disturbed by the development work, a suitable scheme to prevent disturbance of these protected species shall be submitted to the local planning authority in writing. The development shall proceed in accordance with the approved scheme.

To ensure compliance with the Wildlife and Countryside Act 1981, Schedule 5.

11. Before the development commences, details of the location and design of secure cycle parking to serve the development, shall be submitted to the Local Planning authority for approval in writing. The approved details shall be implemented and available for use before the first occupation of the premises hereby approved.

In order to ensure the provision of adequate cycle parking facilities.



Strategic Planning & Development 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. 2008. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/08/0687	Address Blue Anchor Fleetwood Rd, Greenhalgh	Grid Ref. E.3412 : N.4356	Scale N.T.S.	Item No.

Application Reference: 08/0693		Type of Application: Full Planning Permission	
Applicant:	Rowan Veterinary Centre Ltd	Agent :	Mr Nigel Robinson
Location:	HILLOCK CROSS FARM, HILLOCK LANE, FRECKLETON, PRESTON		
Proposal:	ERECTION OF VETERINARY CLINIC INCORPORATING A 1 BEDROOM FLAT FOR A KEY WORKER		
Parish:	Freckleton	Area Team:	Area Team 1
Weeks on Hand:	13	Case Officer:	Mr M Atherton
Reason for Delay:	To seek amendments to design		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Whilst the proposal does not comply with the definition of appropriate development within the Green Belt, it is considered that the benefits in terms of the improved openness of the Green Belt arising from this proposal, amount to special circumstances which justify the grant of planning permission. If Members are minded to approve the application it should be referred to the Secretary of State as it is contrary to Government policy relating to Green Belts.

Reason for Reporting to Committee

The recommendation is contrary to national guidance and local plan policy.

Site Description and Location

The site is situated on the south side of Hillock Lane, approximately 200 metres west of the junction with Kirkham Road. It amounts to 0.8 hectares and contains a large number of low lying poultry sheds and piggeries with narrow gaps in between the buildings. There is a vehicular access from Hillock Lane and the site is surrounded by open fields. The nearest dwellings are approximately 30 metres to the west (occupied by the farmer who has sold the application site) and 115 metres to the east. Within the FBLP the site is allocated as being in the Green Belt.

Details of Proposal

Agricultural activity at the site has ceased and the land has been sold by the farmer. The Applicant (Rowan Veterinary Centre), seeks to demolish the existing buildings on the site with the exception of one former poultry shed and erect a purpose built Veterinary Clinic. The building would be 2 storey, L-shaped and would have a 2 storey side annexe at the front. It would have dimensions of 14m wide at the front, narrowing to 10m at the rear x 24.8m long x 7m high to the ridge and would be constructed of brick with a slate roof, also utilising timber windows and doors. The height of the building has been reduced and the pitch of the roof altered following negotiations with Officers. The internal floorspace of the building has not been reduced by the alterations. The proposal is for 2 storeys of accommodation incorporating consulting rooms, operating theatres, offices, staff facilities and a 1 bed flat for a vet on site.

The position of the existing vehicular access would be moved slightly to the west and the hedge along the site frontage would be partly removed to create the visibility splay. A tarmac access road is proposed, there will be 23 car parking spaces including 2 disabled spaces and cycle spaces will be incorporated in the rear service yard. The parking and service yard will be on a gravel surface with a permeable base. A sewage treatment plant, a reed bed, a wildlife area & landscaping are also proposed within the site.

The business would employ ten full time staff and the proposed opening hours would be 8.30am - 7pm, Monday - Friday and 8.30 - 1pm on Saturdays with no opening proposed on Sundays & Bank Holidays.

Following relocation to this site, the existing Rowan Practices in Freckleton Street, Kirkham & 7 Preston Old Road, Freckleton would be closed whilst a small branch surgery in Blackpool would remain open.

A Supporting Statement, a Design & Access and a Contamination Survey were received with the application.

A Bat & Barn Owl Survey was submitted on 7th October and a response from the Lancashire County Ecology Service is awaited.

Relevant Planning History

Application No.	Development	Decision	Date
07/0934	PROPOSED CHANGE OF USE OF EXISTING PIGGERIES INTO STORAGE UNITS.	Granted	01/02/2008
06/0629	CHANGE OF USE OF POULTRY HOUSE TO STORAGE UNITS (USE CLASS B8)	Granted	18/12/2006
98/0271	RESERVED MATTERS ON 5/95/288 FOR AGRICULTURAL WORKERS DWELLING & GARAGE	Granted	23/09/1998
95/0288	RE-SUBMISSION OF OUTLINE PLANNING PERMISSION FOR FARMWORKERS DWELLING WITH GARAGE	Granted	21/06/1995
94/0447	OUTLINE APPLICATION FOR FARMWORKERS DWELLING & GARAGE	Refused	21/09/1994
92/0892	ERECTION OF A SLURRY STORE	Granted	27/01/1993
88/0421	OUTLINE; ONE DWELLING & GARAGE	Refused	07/09/1988
75/0044	NEW BUILDING TO FORM TOILETS, CHANGING ROOM & C.	Granted	02/07/1975
75/0363	TWO SILO BINS.	Granted	02/07/1975
76/0043	EXTENSION TO PIGGERIES.	Granted	03/03/1976
77/0480	SLURRY TANK.	Granted	27/07/1977
78/0122	PIG MATERNITY HOUSE.	Granted	05/04/1978

Relevant Planning Appeals History

None.

Parish Council Observations

Freckleton Parish Council notified on 21 July 2008

Summary of Response: SUPPORT the proposal, providing there is no further development on this site for residential use.

Statutory Consultees

BAe Systems

No objections.

Ministry of Defence

No safeguarding objections.

FBC Tree Officer

No response received.

County Highway Authority

No highway objection subject to conditions.

Observations of Other Interested Parties

Lancashire County Ecology Service:

response awaited due to late submission by the Applicant of the Bat & Barn Owl Survey.

Neighbour Observations

Neighbours notified: 21 July 2008 & site notice displayed

No. Of Responses Received: One letter of SUPPORT

Nature of comments made:

1. The proposal is an excellent idea.

Relevant Planning Policy

Fylde Borough Local Plan:

SP3 - Green Belts

EP11 - Building Design & Landscape Character

Other Relevant Policy:

PPS1: Delivering Sustainable Development

PPG2: Green Belts

Site Constraints

Within Green Belt

Environmental Impact Assessment

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

Comment and Analysis

Principle of Use / Appropriate Development

National planning guidance contained in PPG2 and local plan policy contained in Policy SP3 states that there is a presumption against inappropriate development in the Green Belt that will not be approved unless there are very special circumstances. Paragraph 3.4 of PPG2 states that the construction of new buildings in the Green Belt will not be appropriate unless it is for a specified purpose and those circumstances are identified in a list of 5 categories. None of the identified forms of development include the proposed development. Accordingly the proposal for the development of the application site as a veterinary clinic can only be determined favourably under the scope of very special circumstances. This means the Local Planning Authority would have to give considerable weight to the factors of whether the proposed development is inappropriate and actually harmful or not and whether it would be visually detrimental. In this case Officers are of the opinion that the proposal represents a visual enhancement of the site and would not constitute harm to the special character of the Green Belt, indeed, it should enhance the openness of the Green Belt. This is for two reasons, the first being the proposal amounts to a 78% reduction in built development on this site, the second being the removal of the existing buildings which are of poor visual quality and suffering from neglect, with little prospect of adequate re-use.

On site living accommodation

The small (3 rooms only), one bed flat at first floor level is considered reasonable given the specialist nature of the work involved and does not seriously conflict with Green Belt policies. A vet may need to stay overnight to provide cover in case of emergencies as animals will be retained on site which are ill or have had operations & require an overnight stay. A condition is required that the flat be occupied by a vet or veterinary nurse only and no other type of employee at the practice.

Design

The design and visual impact of the building has been altered by reducing the ridge height from 8 metres to 7 and reducing the gradient of the roof, this has assisted in reducing the visual impact, which is an important consideration in this Green Belt location.

The design of the building and the proposed materials, including a slate roof are considered to be in keeping with the prevailing Fylde vernacular and would not have a detrimental impact on the character and appearance of the Green Belt.

The building would be located 25 metres back from the edge of the highway and is situated sufficiently far back within the site, so as not to be visually dominant and overbearing.

Highway Safety/Transport.

Two separate planning permission in 2006 (06/0629) and 2007 (07/0934) granted the conversion of piggeries and poultry buildings at this site to storage uses. It is envisaged that this development will generate less traffic, with less heavy vehicles visiting the site than the alternative storage use.

Despite the proposed relocation to the countryside from existing Clinics within settlements, the members of staff currently interchange between both clinics, therefore the proposal is not likely to result in a net increase in the number of journeys to the rural area and certainly less than the previously approved storage use.

The minor alteration to the position of the vehicular access will improve sight lines when egressing the site on to a long, straight stretch of Hillock Lane. There are no highway objections to the proposal and it is unlikely that it will have a detrimental impact on highway safety.

Environmental concerns

An Environmental report has been submitted as part of the application and research upon the

application site and the adjoining land, has revealed that there is a significant degree of ground water contamination and water supply contamination. In effect, this means the property may be 'contaminated land' in respect of the Environmental Protection Act 1990. This will have to be dealt with by any new user of the site but particularly one offering health care and access to the general public. Also Giant Hogweed has been identified on the site, it is similarly a public health hazard. It will require to be eradicated by a combination of root cutting and herbicide. The costs will be borne by the Applicants but the early eradication process will prevent the spread of the species onto adjacent land. It is therefore necessary to impose a condition relating to remediation of the groundwater & water supply contamination and the removal of the Giant Hogweed.

The proposed gravel surface to the car park & service yard should allow free drainage, in order to minimise surface water run off.

A protected species survey was submitted on 7 October 2008, some time after the original application. The report was sent to Lancashire County Ecology Services for assessment on the same day. The survey concludes that the buildings are of low value in relation to bats and barn owls and no evidence of either species was found. If a satisfactory response has not been received by the date of Committee, Members have the option of deferral or granting Authority to determine the application upon receipt of a satisfactory consultation reply.

The Application would then have to be referred to the Secretary Of State as it amounts to a departure from Green Belt policy.

Conclusions

Whilst the proposal does not comply with the definition of appropriate development within the Green Belt, it is considered that the benefits in terms of the improved openness of the Green Belt arising from this proposal, amount to special circumstances which justify the grant of planning permission.

Recommendation

That Planning Permission be GRANTED subject to referral to the Secretary of State (under the Green Belt Directive) & 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 the roof treatment and wall cladding [both inclusive of 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 order to ensure a satisfactory standard of development.

3. All window frames on the proposed building shall be set in a 90mm reveal 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. All windows and doors shall be of a timber construction and painted or stained in a colour to the satisfaction of the Local Planning Authority; they shall all be set in reveal within their openings.

In the interests of the overall appearance of the development.

5. A scheme for the external lighting of the building / premises / site curtilage [including degree of illumination] shall be submitted to and implemented to the satisfaction of the Local Planning Authority; any addition or alteration to the scheme shall be agreed in writing with the Authority.

In the interests of visual / residential amenity.

6. The car parking and servicing 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 staff & visitors to the site or delivery / collection vehicles.

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

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

To secure a satisfactory standard of development.

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

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

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

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

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

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

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

11. This consent relates to the revised plans received by the Local Planning Authority on.....

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

12. Prior to commencement of development, details of provisions for the nesting of bats or barn owls within or upon the structure shall be agreed with and subsequently implemented to the satisfaction of the Local Planning Authority.

In order not to disturb or deter the occupation by bats or the nesting or roosting of Barn Owls, as both species are protected by the Wildlife and Countryside Act 1981.

13. 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.

14. The occupation of the dwelling shall be limited to a person employed as a Vet or Veterinary Nurse by the Veterinary Practice operating from this site. For the avoidance of doubt this excludes any other employee of the Veterinary Practice. Should the occupation of the building as a Veterinary Practice cease, the occupation of the dwelling shall also cease on the same date.

The Local Planning Authority would not be prepared to permit the erection of a dwelling on the site unconnected with the use of the building for Veterinary purposes and the condition is imposed in order to preserve the character and nature of the Green Belt.

15. The building shall be used as a Veterinary Clinic only and for no other purpose within Class D1 of the Town and Country Planning (Use Classes Order) 1987.

In order to protect the character of the Green Belt.

16. Development shall not begin until a written scheme of remediation measures including a timetable to address the contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

In the interests of ensuring the satisfactory development of the site given the recognised site contaminants.

Application Reference:	08/0708	Type of Application:	Full Planning Permission
Applicant:	Mr BUTTERFIELD	Agent :	JCPLANNING
Location:	GREENRIDGES, WEETON ROAD, WESTBY WITH PLUMPTONS, WESTBY, PR4 3PL		
Proposal:	ERECTION OF A REPLACEMENT DWELLING, LAND REMODELLING AND CONSTRUCTION OF A SCREEN MOUND (AS AMENDED) (ALTERATION TO PERMISSION 08/0277)		
Parish:	Westby with Plumptons	Area Team:	Area Team 1
Weeks on Hand:	12	Case Officer:	Keith Brooke
Reason for Delay:	Awaiting additional information from applicant		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal is for a replacement dwelling which, having regard to the extant planning permissions on the site, is considered to be acceptable in terms of Policy HL4. In all other regards, the proposal accords with policy and there are no material considerations arising which indicate that the application should be determined otherwise. It is recommended that planning permission is granted.

Reason for Reporting to Committee

Prior applications for the site have been determined via Committee and the officer recommendation on this application is contrary to that of the Parish Council

Site Description and Location

The site is that previously occupied by the detached bungalow Greenridges, now demolished, situated on the west side of the junction of Weeton Road with Preston New Road at Great Plumpton. It is roughly rectangular in shape and extends to 1.3844 hectares. It is bounded to the south by Preston New Road, to the west and north by open fields, and to the east by Weeton Road and the small collection of buildings beyond grouped around the Roman Catholic Church with the backdrop of the Weeton Reservoir. It is prominent with a southerly aspect and good tree and hedge screens to its eastern and southern boundaries.

The site is located in a Countryside Area as designated in the Fylde Borough Local Plan, As Altered, October 2005, but contains no other plan designations or allocations.

Details of Proposal

The current application seeks full planning permission for the erection of a replacement dwelling, land remodelling and construction of a screen mound, as an alteration to the planning permission already granted on 20 June 2008, reference 08/0277.

As originally submitted, the alterations proposed to the prior permission comprise:-

1. the deletion of the canopy roof link between the proposed games room and garage;
2. relocation of the plant room from the games room to the garage;
3. relocation of the garage some 3.15m further north on site;
4. drainage via a replacement septic tank as the mains drainage previously indicated is not available in Weeton Road; and
5. the substitution of Redland Cambrian Heather fibre cement slates (61% recycled Welsh slate) for the natural slate roof previously approved.

As amended, the alterations proposed to the prior permission, in addition to those set out above, comprise:-

6. raising the main roof ridge by 0.200m (7 and 7/8 inches);
7. the provision of a bay window to the rear (west) elevation of the games room;
8. the deletion of the central pillar from the rear (west) elevation of the dining area; and
9. the erection of a fence within the Weeton Road and Blackpool Road frontages.

In all other respects the details of the development remains as previously proposed, which are available in full on file 08/0277 should Members wish to inspect them.

Relevant Planning History

Application No.	Development	Decision	Date
08/0277	ERECTION OF REPLACEMENT DWELLING, LAND REMODELLING AND CONSTRUCTION OF SCREEN MOUND	Granted	20/06/2008
07/0571	RE-SUBMISSION OF 06/718 - FOUR STOREY RESIDENTIAL DWELLING WITH INDOOR SWIMMING POOL.	Withdrawn by Applicant	09/08/2007
06/0718	PROPOSED NEW DWELLING	Refused	11/01/2007
05/0439	ERECTION OF REPLACEMENT DWELLING AND GARAGE	Granted	23/06/2005
05/0141	CERTIFICATE OF LAWFULNESS FOR ACTIVITY IN BREACH OF CONDITION 1 ON PLANNING APPLICATION 3/2/247	Granted	12/04/2005
75/0300	ALTERATIONS AND EXTENSION, 2 BEDROOMS, 3 BATHROOMS AND SUN LOUNGE.	Granted	02/07/1975

Relevant Planning Appeals History

None.

Parish Council Observations

Westby with Plumpton Parish Council notified on 28 July 2008

Summary of Response

Parish Council recommends refusal - PC had no objection to the original application 05/0439 for a replacement bungalow but recommended refusal of the resubmission 06/0718 on the grounds of it being too excessive in size

Statutory Consultees

County Highway Authority

No highways objection

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 28 July 2008

No. Of Responses Received: None

Relevant Planning Policy

Regional Spatial Strategy (RSS) for the North West (superseding Joint Lancashire Structure Plan with effect from 30 September 2008):

Housing Policies

Joint Lancashire Structure Plan:

JS01	General Policy
JS05	Development Outside Main & Market Towns
JS07	Parking
JS20	Lancashire's Landscapes

Fylde Borough Local Plan:

SP02	Development within countryside area
HL01	New residential development
HL02	Development control criteria for new housing proposals
HL04	Replacement and extension of rural dwellings
EP11	Building design & landscape character
EP12	Conservation trees & woodland
EP14	Conservation trees & woodland
EP25	Development and waste water

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPS3:	Housing
PPS7:	Sustainable Development in Rural Areas

Site Constraints

Countryside area

Environmental Impact Assessment

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

Comment and Analysis

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

There is no issue with the principle of a replacement dwelling, which is allowed by criterion 6 of Policy HL1 of the Fylde Borough Local Plan, As Altered, October 2005. In addition, Members may recall that prior planning permissions have been granted on 22 June 2005 under reference 05/0439, and on 4 June 2008, under reference 08/0277. Although the key assessment is the merit of the current application, the fall back position comprises the prior permissions, both of which remain extant and are, therefore, material. Notwithstanding the comments of the Parish Council, the original permission 05/0439 was for a three storey house, not a bungalow, which was at best suburban in its design and form.

The key issues in the determination of the current application are whether the scale, design and materials of the dwelling proposed are acceptable having regard to Policies HL4, HL2 and EP11. In that context, the local planning authority's consideration of 08/0277, which was very recent, remains apposite. The only changed circumstances since that consideration are the alterations set out in the description above and the fact that the Regional Spatial Strategy (RSS) for the North West, adopted on 30 September 2008, supersedes the Joint Lancashire Structure Plan. The proposal, as a replacement dwelling, has no net increase on existing dwelling numbers and there is no issue arising, therefore, as regards RSS housing policies and allocations.

As regards HL4, the content of the prior report to committee, which was as follows, remains pertinent:-

"As regards the volume of the proposal, Policy HL4 provides for replacement dwellings in Countryside Areas but limits increase in volume to between 25% and 33% of the original dwellinghouse. The prior committee report identified that the volume of Greenridges as built amounted to 685m³, but that it had not been constructed in full as approved and could have a further 280m³ added to it without the need for planning permission. This gave a total volume of 965m³.

In that committee report, the volume of the replacement dwelling was described as being 830m³. Regrettably, this figure was inaccurate and, from the drawings accompanying the application, its volume amounted to around 1622m³. Given that the permission is extant, this is the volume of replacement to which the local planning authority is committed and which, in correspondence exchanged prior to the site's recent purchase, officers have indicated the authority will stand by. Excluding the front canopy roofs and the roof link from the garage, the volume of the current proposal is around 1668m³, which is considered to be acceptable in that context."

The volume of the current proposal will only increase by that of the bay window, ie 8.0415m³, giving a total volume of around 1676m³, which remains acceptable in that context.

Reverting to Policies EP11 and HL2, none of the alterations proposed will significantly affect considerations of landscape and impact which continue to remain acceptable and to accord with policy. As per the previous application, certain details of layout and landscaping remain outstanding but these are matters which, if plans are not provided by the date of the committee meeting, may be reasonably regulated by planning condition(s).

Finally, the details of the replacement septic tank are acceptable and accord with the requirements of Policy EP25. The separate consent of the Environment Agency will be required for the proposed discharge, of which the applicant is aware.

Conclusions

The proposal is for a replacement dwelling which, having regard to the extant planning permissions on the site, is considered to be acceptable in terms of Policy HL4. In all other regards, the proposal accords with policy and there are no material considerations arising which indicate that the application should be determined otherwise.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

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

2. This consent relates to the application as amended by the additional and revised plans received by the local planning authority on 18 September 2008 and 19 September 2008.

To define the permission.

3. The materials and finishes to be used in the construction of the proposed development shall be in accordance with the details contained in the submitted application and/or as discharged in the context of the prior planning permission 08/0277, granted on 4 June 2008, unless otherwise agreed in writing with the local planning authority.

To ensure a satisfactory external appearance for the completed development.

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

[CLASS VARIABLES

A	House Extensions.
B&C	Roof Extensions/alterations
D	Porches
E	Curtilage buildings
F	Hardstanding
G	Chimney/Flue

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[s] and the surrounding area.

5. 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 within 13 weeks of the date of this permission. 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.

6. 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.

7. Samples of materials proposed for all hard surfaced areas of the site shall be submitted to the Local Planning Authority for approval 14 days prior to the commencement of any surfacing work on site, and thereafter only approved materials shall be used either during the initial works or subsequently in any repairs to the surfaces.

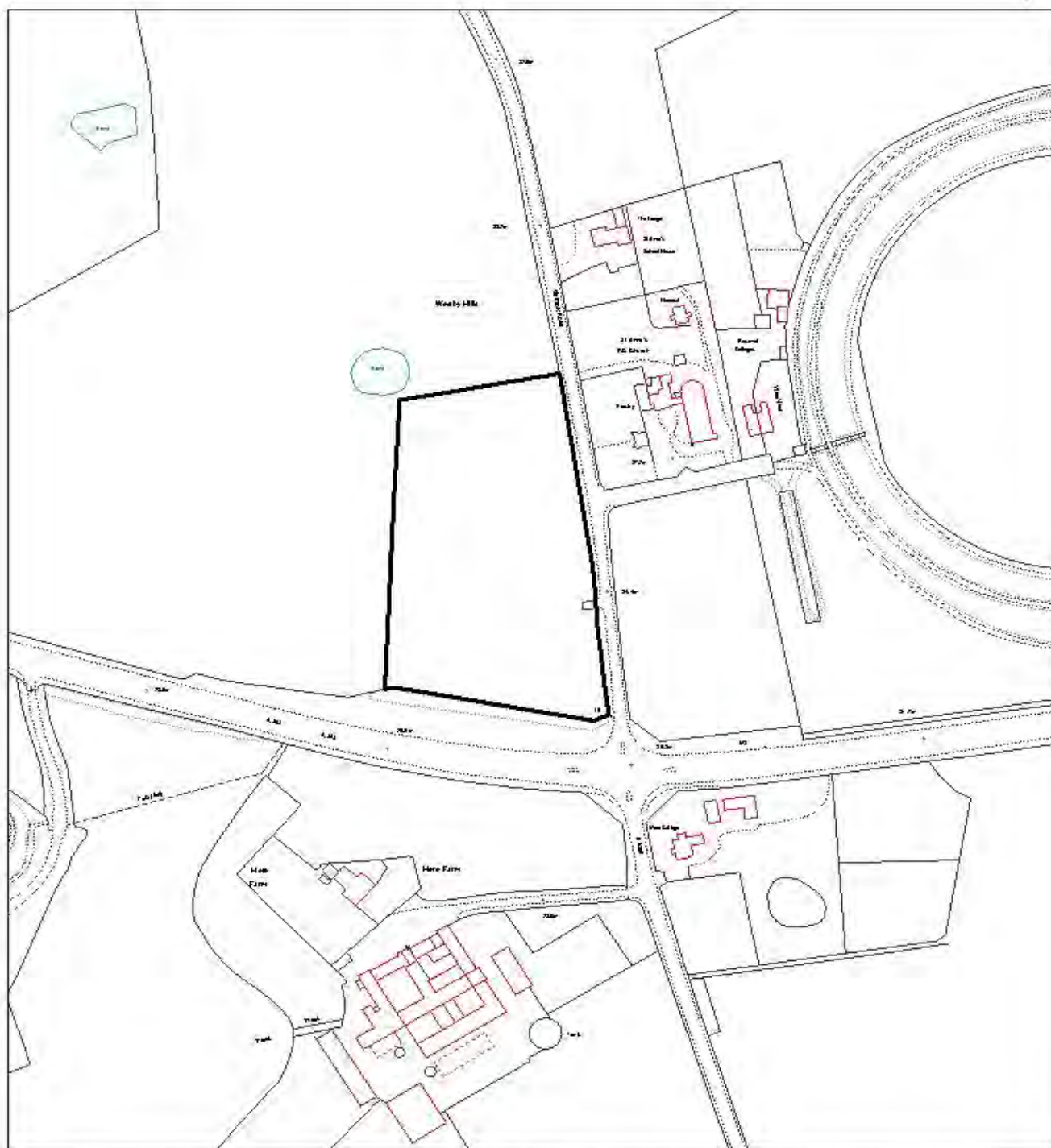
In the interests of visual amenity and to contribute to the overall quality of the development.

8. The finished ground floor level of the new dwelling shall not exceed 35m AOD as indicated on the approved plans.

In the interests of visual amenity in this countryside location.

9. The use of the putting green shown on the additional plans shall at all times remain incidental to the enjoyment of the dwellinghouse hereby approved and shall not be used for business purposes.

To define the permission and to maintain planning control.



Strategic Planning & Development 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. 2008. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.		
Application No. 5/08/0708	Address Greenridges Weeton Road, Westby	Grid Ref. E.3390 : N.4327	Scale N.T.S.	Item No.

Item Number: 9 Committee Date: 22 October 2008

Application Reference: 08/0765		Type of Application:	Full Planning Permission
Applicant:	New Fylde Housing Association	Agent :	Croft Goode Limited
Location:	LAND REAR OF PILLING AVENUE AND GRASSINGTON ROAD, PILLING AVENUE, ST ANNES, LYTHAM ST ANNES, FY8 3Q		
Proposal:	DEMOLITION OF 80NO. EXISTING PROPERTIES ON PILLING AVENUE AND GRASSINGTON ROAD OFF HEYHOUSES LANE, ST ANNES & CONSTRUCTION OF 111NO NEW AFFORDABLE DWELLINGS IN THE FORM OF 4NO. MOBILITY BUNGALOWS FOR THE OVER 55'S, 32NO. FAMILY HOUSES & 75NO. APARTMENTS FOR OVER 55'S FOR NEW FYLDE HOUSING ASSOCIATION.		
Parish:	Heyhouses	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Helen Hockenhull
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

Planning permission is being sought for the replacement of 80 substandard affordable dwellings and the construction of a mixed development of 111 affordable units comprising bungalows, family housing and apartments for the over 55's. Subject to meeting the requirements of the Interim Housing Policy, ie. the provision of a financial contribution towards off site public open space provision, the proposal forms an acceptable development. The proposed design and massing of the dwellings and the apartment blocks are considered to be acceptable. The buildings are to be constructed in a complementary palette of materials and the site is to be appropriately landscaped. The recommendation is therefore one of approval.

Reason for Reporting to Committee

The application forms a major development and is therefore outside the Scheme of Delegation

Site Description and Location

The application site is located to the north west of St Annes Town centre and south of the B5261 Heyhouses Lane. It includes existing 2 storey blocks of apartments on Pilling Avenue and Grassington Road. The surrounding area is of similar residential development though there are two storey dormer bungalows to the east of the site on Waddington Road. On the northern site boundary are detached properties on Heyhouses Lane. The Waddington Road playing fields are located to the south of the site. The EDS office complex lies to the north of the site.

Details of Proposal

Planning permission is being sought for the erection of 111 dwellings. These would replace the existing 80 flats that are accommodated within 2 storey blocks constructed between 1950 and 1970. These properties have suffered from structural movement and are in a very poor state of repair. A structural report has been provided confirming that there continued repair or refurbishment would no longer be practicable or economic. The application proposes to replace these units but also construct an additional 31 dwellings. It is proposed to provide 75 no. 2 bed apartments for the over 55's in two blocks, 26 no. 3 bed houses, 6 no. 4 bed houses and 4 no. 2 bed mobility bungalows for the over 55's. All the dwellings will form affordable housing, offered for rent and managed by New Fylde Housing with Housing Corporation Funding.

It is proposed that the existing road pattern and infrastructure would be maintained. The development would consist of single storey mobility bungalows to the south of the application site on Piling Avenue with 2 storey family dwellings to the west of Pilling Avenue and north side of Waddington Road. The apartments would be provided in two blocks, part two and a half and part 3 and a half storeys in height. The properties are traditionally designed with modern features constructed in brick, rendered gables and dark grey concrete tile roofs.

The proposals have been the subject of extensive consultation with residents on the Heyhouses Estate.

Relevant Planning History

Application No.	Development	Decision	Date
06/0684	OUTLINE APPLICATION FOR CONSTRUCTION OF NEW DWELLINGS	Withdrawn by Applicant	14/09/2006

Relevant Planning Appeals History

None.

Parish Council Observations

St Anne's on the Sea Town Council notified on 11 August 2008

Summary of Response

The Town Council comments that it is concerned about the height (the 4 storey building). Would prefer that none of the buildings are more than 3 storey. The Town Council is also concerned about surface water drainage on paved areas and grass.

Statutory Consultees

Strategic Housing

Housing officers have been involved in the steering group that has advised on the development proposal and have encouraged the many changes to arrive at the application now submitted.

New Fylde Housing has made a bid to the Housing Corporation for funding for the proposal. Housing officers fully support this bid.

There is an acute need for additional affordable housing and this proposal will help towards meeting the need and in particular it will provide additional affordable family

housing.

I therefore fully support the application and would recommend approval.

Blackpool Airport

No objection provided that the development does not exceed 53.52 metres AOD, internal and external lighting is controlled to ensure no confusion exists between the site and the airfield lighting, and that notice is given of the use of any cranes during construction.

County Highway Authority

The applicant is applying for outline planning permission for the demolition of 80 No. existing properties and the construction of 111 new affordable dwellings in the form of 4No. Mobility Bungalows for the over 55's, 32No. Family houses and 75No. Apartments for over 55's for New Fylde Housing Association.

The location of the parking area for Block B consisting of 14 parking bays needs to be revised. A similar arrangement to Block A is recommended. The location of the car park would encourage residents to park on street which could result in illegal and inconvenient parking and affect residential amenity, it will also be detrimental to highway safety and free flow of traffic.

I would recommend a condition to provide covered and secure space for either a cycle or a mobility buggy parking at the site. 1 space per flat to be provided.

50% parking has been provided for this social housing development which seems reasonable considering the type of housing being provided and the location.

I have **no highway objection** to this proposal subject to the conditions and notes below are met:

CONDITIONS:

- No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the Conditions has been constructed and completed in accordance with the scheme details. Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
- The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with one of the examples indicated on the attached plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use. Reason: Vehicles reversing to and from the highway are a hazard to other road users.
- The parking areas 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 the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas.
- Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be

cleaned before leaving the site. Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

- Before the accesses are used for vehicular purposes, that part of the accesses extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials. Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.
- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1m above road level.
- Pedestrian intervisibility should not be impeded to the parking areas. Height of the wall/fence and vegetation within this visibility splay should be kept below 600mm above the carriageway height. All accesses shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority'). Reason: To ensure adequate pedestrian visibility at the site access.
- I would recommend a condition to provide covered and secure space for either a cycle or a mobility buggy parking at the site. 1 space per flat to be provided.
- Parking for the 32 houses should include 2 parking spaces per dwelling for the residents and 1 communal visitor space to be shared between 2 dwellings.
- The location of the parking area for Block B consisting of 14 parking bays needs to be revised. A similar arrangement to Block A is recommended. The location of the car park would encourage residents to park on street which could result in illegal and inconvenient parking and affect residential amenity, it will also be detrimental to highway safety and free flow of traffic

NOTE:

- This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning the Area Surveyor North on 01524-753340 or writing to the Area Surveyor North, Area Office, Hampson Lane, Hampson Green, Galgate, Lancaster, LA2 0HY quoting the planning application number.

Planning Obligations in Lancashire – s106 Contribution

Having consulted our other Highways Sections regarding the above proposed development, the following should also be taken on board and noted:

In line with the Planning Obligations in Lancashire - Policy Paper, the developer would be

required to make a contribution towards Transport Initiatives and the contribution should be secured by s106 Agreement.

To give an idea of the level of contribution, an accessibility survey was carried out and the accessibility survey indicated the proposed development to be within the medium accessibility range score of 30.

The contribution for the construction of 111 new dwellings would be £870 for 2 bedroom properties, £1,300 for 3 bedroom properties and £10,380 for 4 bed properties making a total of £112,910

It is requested that the developer contribution be allocated towards improvements to improve pedestrian safety and sustainable transport measures.

It is emphasised that funding must be secured from this development – in accordance with Planning Obligations Policy to improve public transport services to this site.

Public Transport:

The current bus service is financially supported by Lancashire County Council. It is recommended that funding is used to:

- Ensure continued viability of service – with a view to maintaining service, potential introduction of new low floor vehicles & investigating extending hours of operation – we are aware that LCC Bus Services (Ashley Weir) is investigating options for introducing / diverting bus services to serve the Cypress Point / Heyhouses Lane / Grassington Road areas of StAnnes.
- Funding should also be provided towards improved bus stop facilities at the development – including provision of new shelters; raised boarding areas.
- £22k for bus stop improvement works – with the balance for improvements to local bus services to serve the development.

Residential Travel Plan:

Residential Travel Plan will be required in line with DfT guidance “Making Residential Travel Plans Work: Guidelines for new developments”

The Travel Plan should include details of secure, covered (preferably internal) cycle parking for those properties where suitable storage space is not available.

As a minimum - Plan to include:

- Details of cycling and pedestrian links through the site and connections to local cycle routes
- Public transport links to Lytham town centre and local rail stations
- Action Plan of measures to be introduced
- Details of arrangements for monitoring and review of the Travel Plan

As this development is for social housing the requirement to provide good access to non-

car modes of transport is essential if residents are to be able to access education, employment, shopping and healthcare facilities.

United Utilities

No comments received

Observations of Other Interested Parties

Lytham St Annes Civic Society

So many new developments are littered with cars these days. This is unsightly and can be dangerous to children playing. It would be better to screen off the parking areas, as much can be done with good planting and materials. It would be helpful to make a way through to the playing fields from Pilling Avenue garage court.

EDS

Raise concern about any possible disruption to services provided to the Heyhouses site which is occupied by EDS eg water, gas, electricity telecommunications along with damage to the security fence which protects the perimeter. Please take this into account in your decision making and confirm that there will be no such disruption.

Neighbour Observations

Neighbours notified: 03 September 2008. Site notices erected

No. Of Responses Received: Three letters received

Nature of comments made:

- the proposed dwellings would be up to 2m closer to the rear of our house than the existing properties, this would not be acceptable.
- if the foundations were to be pile driven this would affect our foundations. It would only be acceptable if the piles were augered.
- planning conditions should be imposed requiring a structural survey of adjoining properties before commencement at the developers expense, the properties to be monitored through the development, boundary walls and garages to be included in the survey, the builder to take out proper insurance.
- oppose the introduction of family housing, the quiet characteristics of the area should be maintained. How will tenants be selected?
- The site should be managed to keep disruption to existing residents to a minimum, eg working hours controlled, no night time or weekend working, the development should be completed in one, not in stages, dust and noise suppressed, rubbish controlled etc.
- the proposed dwellings are closer to existing properties which would result in more overlooking
- damage to boundary fences and walls should be repaired at developers expense
- existing trees should be protected

Relevant Planning Policy

Regional Spatial Strategy (RSS) for the North West (superseding Joint Lancashire Structure Plan with effect from 30 September 2008):

Housing Policies

Fylde Borough Local Plan:

SP01	Development within settlements
HL01	New residential development
HL02	Development control criteria for new housing proposals
TREC17	Public Open Space within New Housing Developments

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Site Constraints

Within urban 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

Planning permission is being sought for the demolition of 80 substandard dwellings and the erection of 111 affordable dwellings, comprising mobility bungalows, family housing and apartments for the over 55's.

The main issues raised by the proposal are :

1. the principle of the development
2. design/mass/materials
3. highways and car parking
4. residential amenity
5. other matters.

Principle of the development

The site is located in the urban area of St Annes. The principle of residential use has been established in this location. In terms of the Interim Housing Policy, adopted by the Council in July 2008, this requires a development of this size to provide up to 30% affordable dwellings on site. In this case the scheme is solely for affordable housing. The policy also requires a contribution of 2.5% of the market value of the dwellings to contribute towards public open space provision and 2.5% of the market value towards public realm improvements in settlements where such schemes have been formulated. These payments are required in respect of the net increase in dwellings on the site, ie. 31 units. This money could be used to improve the adjoining Waddington Road playing fields and would benefit both future and existing residents. In relation to the further contribution of 2.5% towards public realm improvements, this matter has been discussed with the Applicant and they are unable to provide additional funds. The scheme proposed is solely for affordable housing for rent working to development cost limits fixed with the Housing Corporation. This is not a scheme designed for profit but looks to achieve the highest quality environment possible for future tenants as economically as possible to achieve affordable rents. The financial model for the scheme does not allow for sums for additional planning obligations.

It is proposed that the development provide a mixed residential scheme of mobility bungalows, family housing and over 55's apartments. The existing estate is currently dominated by older people and there is some concern from existing residents and neighbours regarding the introduction of family housing. The Government's housing policy objective in Planning Policy Guidance Statement 3 – Housing, is to achieve a mix of housing types both market and affordable to support a wide variety of households. There is a need for family housing in the Borough and this scheme can help to meet this need.

Design, Mass and Materials.

The proposed development includes a mix of single storey mobility bungalows, 2 storey 3 and 4 bed

family houses and 2 blocks of apartments. The scheme including the design has been the subject of extensive consultation with existing residents and local community. The bungalows and houses are designed in a traditional way constructed of facing brick, render and a concrete tile roof. This is considered to be acceptable.

The apartments are provided in 2 blocks. Block A is located at the junction of Pilling avenue and Grassington Road and is proposed to provide 48 flats and be 2.5 storey in height increasing to 3.5 storey in the centre. There is a combination of hips and gables which help to break up the roof line and add interest to the building. The block would be constructed with an ashlar stone block plinth, brick and upper render thus providing a variety of materials giving the apartments individuality but also blending in with the rest of the estate.

The Civic Trust has commented on the 3.5 storey nature of the central part of the block. The design proposed provides a transition between the surrounding 2 story development, 2.5 storeys and then the 3.5 storey highlight. The highest part of the building is at the junction of Waddington Road and Pilling Avenue and provides a focal point in the streetscene at the entrance to the estate. Officers are of the view that this design is appropriate.

Block B provides 27 apartments and is located on the bend in Pilling Avenue and overlooks the playing field. This block forms a predominantly 2.5 storey and is designed to be similar to Block A and again use the same palette of materials used in the rest of the development. Specifically designed refuse storage areas are to be provided close to the proposed car parking areas to serve the apartments. Secure cycle stores are to be provided both outside and inside the building and scooter parking areas are proposed close to the car parking areas

In terms of design, mass and materials the development is considered to be acceptable. The site is proposed to be landscaped with additional tree planting, mounding and screening to the proposed car parking areas. This would be an improvement on the existing estate which is dominated by tarmac parking areas and laybys and has little planting. A new pedestrian access from Pilling Avenue to the Waddington Road playing fields is proposed.

Highways and Car Parking

The application proposes that the mobility bungalows and the family housing have individual drives and parking spaces. The 2 apartment blocks have parking areas providing 50% car parking. In light of the nature of the housing proposed, this level of car parking is considered to be acceptable.

The County Highway Authority, in line with the County Council's Planning Obligations policy, have requested a financial contribution of £112,910 towards improvements to pedestrian safety and sustainable public transport measures. This figure is based on the total 111 housing units and makes no allowance for the fact that 80 are replacement dwellings and only 31 are new dwellings. It could be argued that the contribution requested should therefore be reduced accordingly. In addition this request makes no recognition that this scheme provides solely affordable housing, is proposed by New Fylde Housing, is to be funded by Housing Corporation grant and is situated on land already in the ownership of the applicant. There would be no profit element to the development and therefore little if any scope for the scheme to fund other initiatives.

Taking these factors into consideration, it is considered that the applicant should not be required to provide any further financial contribution in addition to the public open space contribution already agreed.

In negotiation with the applicant however, they have made a commitment to include improvements to the bus stops on Pilling Avenue in the scheme. This would improve public transport facilities on the estate for the benefit of both existing and future resident. This matter could be the subject of a condition on any planning approval.

Residential amenity

A number of residents on Heyhouses Lane have raised concerns about the proximity of the new dwellings to their properties and the potential for overlooking. The closest property proposed would be approximately 9metres from the rear garden boundary and with a separation distance of 28 metres between rear elevations. This separation distance complies with the Councils guidance which requires a distance of 21 metres. The layout has been revised where possible to extend the distance between the proposed properties and the site boundary. It is considered that the scheme is acceptable and would not significantly adversely affect the amenity of adjoining residents.

Other Matters

A number of residents have expressed concern about the disruption during the demolition and construction on the site. Such disturbance may be reduced via appropriate condition. The Applicants are aware of this issue and have identified the need to minimise disruption as a key performance indicator. A number of meetings have been held with residents and neighbours to address queries and concerns.

The potential for structural damage to existing properties adjacent to the site has also been raised. This is not a planning issue, but notwithstanding this, the applicant has indicated that specific arrangements will be made to visit all adjacent properties before work commenced to produce a schedule of condition that will record the condition of all properties before work commences. The properties will then be reviewed after completion of the works. New Fylde Housing and the project Team have been working on a demolition and construction strategy that will minimise nuisance such as disturbance, noise and dust.

Conclusions

It is considered that this proposal to replace 80 substandard affordable dwellings and construct a mixed development of 111 affordable units comprising bungalows, family housing and apartments for the over 55's, subject to meeting the requirements of the Interim Housing Policy, forms an acceptable development. The proposed design and massing of the dwellings and the apartment blocks are considered to be acceptable. The buildings are to be constructed in a complementary palette of materials and the site is to be appropriately landscaped. The proposal will provide much needed affordable housing and result in a positive improvement to the environment of the area. The recommendation is therefore one of approval.

Recommendation

That, subject to entering in to a Section 106 agreement in order to secure the a financial contribution of 2.5% of the market value of the proposed additional housing units towards off site public open space, planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

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

2. This consent relates to the revised plan[s] received by the Local Planning Authority on the 10 October 2008.

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

3. Notwithstanding any denotation on the approved plans, samples of all external materials to be used in the development including details of texture and 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.

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 artifacts 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. 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 neighborhood.

7. Before the development commences, details of all hard surface treatments including access drive, pedestrian areas and parking areas shall be submitted to the Local Planning Authority for approval in writing. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority

In the interests of visual amenity

8. Before the development commences, details of the position, design and materials of all proposed boundary treatments and gates shall be submitted to the Local Planning Authority for approval in writing. The approved details shall be implemented concurrently with the development and thereafter retained.

In order to safeguard the visual amenity of the locality.

9. Before the development commences, details of the location, design and materials of secure cycle and scooter storage facilities shall be submitted to the Local Planning Authority for approval in writing. The approved details shall be implemented concurrently with the development and thereafter retained.

To ensure the provision of cycle facilities in the development.

10. The development hereby approved shall be used as sheltered accommodation for persons over the age of 55 years and for no other purpose [including any other purpose within Class C of the Schedule to the Town and Country Planning [Use Classes] Order 1987, [or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order].

The use of the premises for any other purpose would require further consideration by the Local Planning Authority and a re assessment of the car parking provision serving the development.

11. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and the vehicular turning space shall be laid out and be available for use before the development is first brought into use.

Vehicles reversing to and from the highway are a hazard to other road users.

12. The car parking areas 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 and their

visitors.

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

13. Before the accesses are used for vehicular purposes, that part of the accesses extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

14. A pedestrian intervisibility splay of 2.0 metres by 2.0 metres shall be provided and not be impeded to the parking areas. Height of any wall/fence or vegetation within this visibility splay should be kept below 600mm above the carriageway height.

To ensure adequate pedestrian visibility at the site access.

15. Before the commencement of any demolition or construction works, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

16. No part of the development shall be commenced until a scheme of works for highway improvement measures within the site, including the improvement of public transport facilities, has been submitted to the Local Planning Authority for approval in writing. The approved scheme shall be implemented in accordance with a timetable to be first agreed with the Local Planning Authority.

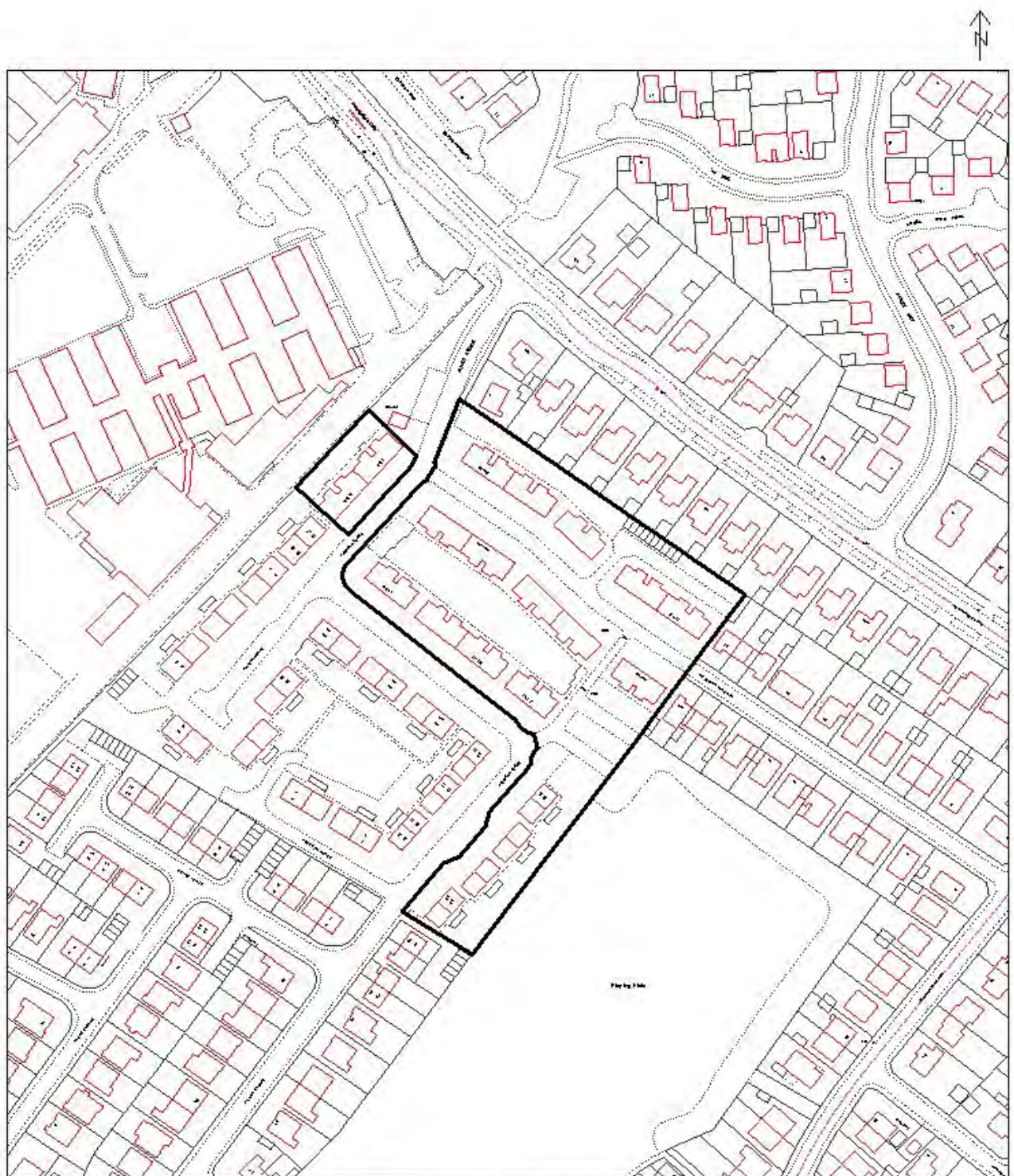
To ensure satisfactory improvements to sustainable transport measures

17. Before the development commences, a scheme for the external lighting of the apartment buildings and the associated car parking areas, including the degree of illumination, height and design of lighting columns and lanterns, shall be submitted to the Local Planning Authority for approval in writing. The approved scheme shall be implemented concurrently with the development and any addition or alteration to the scheme shall be first agreed in writing with the Authority.

In the interests of visual / residential amenity.

18. There shall be no construction or demolition work carried out outside the hours 07.30 – 18.00 Monday to Friday and 08.00 – 12.00 on Saturdays. There shall be no construction or demolition work at all carried out on Sundays and Bank Holidays, unless the express consent of the local planning authority has first been obtained.

In order to minimise disturbance to neighbouring residents.



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Application No. 5/08/0765	Address Land rear Pilling Ave & Grassington Rd, St Annes	Grid Ref. E.3340 : N.4292	Scale N.T.S.	Item No.

Item Number: 10 **Committee Date:** 22 October 2008

Application Reference: 08/0808		Type of Application:	Full Planning Permission
Applicant:	MR JAMES FIDDLER	Agent :	
Location:	RAKERS FARM, 115 KIRKHAM ROAD, FRECKLETON, PRESTON, PR4 1H		
Proposal:	REMOVAL OF CONDITION 3 ON APPROVED APPLICATION 06/0173. ALSO EXTERNAL ALTERATIONS TO EXTENSION		
Parish:	Freckleton	Area Team:	Area Team 1
Weeks on Hand:	8	Case Officer:	Mrs C Kitching
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The main issues for consideration in this application are contained within Policy HL4 and HL5 of the Local Plan and also Policy EP11. 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 laid down in the policies. Members are recommended to grant planning permission subject to standard conditions.

Reason for Reporting to Committee

The property to which the application relates is owned by a serving Councillor.

Site Description and Location

This detached property is situated on the west side of Kirkham Road, Freckleton. The property, which is finished in white render is set at 90 degrees to the main road within its own extensive grounds within which are set a number of ancillary buildings.

Details of Proposal

Planning permission was granted for a house extension at 10 May 2006 Development Control Committee. The developer has not started the development and now seeks permission to make some minor alterations: relocate the entrance from side to the front and also to remove the severance condition of permission 06/0173 to allow the applicant to occupy the new accommodation as a separate dwelling. The applicant is the adult son of the owner and lives with his father in the main house and owing to the current national economic climate cannot afford to purchase a home as his own on the general market. To occupy the proposed accommodation would be in breach of Condition as he would live in the accommodation as an independent occupier and would not be reliant on the main house.

Erection of a two storey extension the side of the existing dwelling measuring 9 x 12.5 x 9 m ridge

height 5.8 m eaves height.

The extension would provide kitchen, utility, family/dining room and lounge at ground floor, two bedrooms with ensuite bathrooms at first floor and a further bedroom and ensuite within the roof space.

Relevant Planning History

Application No.	Development	Decision	Date
06/0173	TWO STOREY SIDE EXTENSION	Granted	11/05/2006

Relevant Planning Appeals History

None

Parish Council Observations

Freckleton Parish Council notified on 27 August 2008

Summary of Response support

The Parish Council supports this proposal, as it complies with the relevant development plan policies and guidance and does not have an impact on the amenities of the nearby residents or the visual amenity of the area.

Statutory Consultees

Ministry of Defence
No objections

BAe Systems
No objections

Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 27 August 2008
No. Of Responses Received: none

Relevant Planning Policy

RSS:

Housing Policies

Fylde Borough Local Plan:

SP03	Development in green belt
HL04	Replacement and extension of rural dwellings
HL05	House extensions and incidental buildings
EP11	Building design & landscape character

Other Relevant Policy:

PPS2	Green Belts
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Site Constraints

Within Green Belt

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

This application proposes a relatively large two-storey extension to an existing detached property. As the property lies within the urban area as defined in the Fylde Borough Local Plan Proposals Map, the application falls to be determined in accordance with Policy HL2.

As the existing house is set at 90 degrees to the road, the proposed extension/dwelling will effectively be set behind the existing dwelling when viewed from the road. Existing trees along the site boundary would further screen the proposed dwelling. The dwelling has also been designed to be slightly lower than the main dwelling in order to appear subservient to it. The extensive grounds of the dwelling mean that the proposed dwelling is set well away from neighbouring properties and that there is more than sufficient open space retained as garden and parking space. No alterations are proposed to the existing access.

The alterations from the previously approved extension do not create new volume, they do not have a material impact on any neighbouring property amenity or on visual amenity.

The applicant has continuously lived in the main house and now as an adult wishes to live independently from his father and the rest of the household. The new address, connections to utility services etc. will not have a material impact on pressure on local infrastructure, and does not have an adverse impact on sustainability.

The property has a large curtilage and there is ample space for both dwellings to enjoy a separate private garden area, off-street parking area etc. without affecting the amenities of the other dwelling. A plan defining the two new curtilages has been requested and is expected to be received prior to the committee meeting.

Conclusions

Although this is a sizeable development there is sufficient curtilage to accommodate the proposed development without any adverse impact on neighbours or the character of the area. A commuted sum is payable under the terms of the Interim Housing Policy in regard to affordable housing and public open space and a Section 106 agreement is required to secure payment. So long as the forthcoming twin curtilages plan is satisfactory the application is recommended for approval.

Recommendation

That, subject to entering in to a Section 106 agreement in order to secure a financial contribution of 5% of the market value of the proposed housing unit towards the provision of affordable housing and a financial contribution of 2.5% of the market value of the proposed housing unit towards off site public open space planning permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development

accompanying the decision notice.

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

2. Details of the materials including finish and colour of the alterations shall be submitted to the Local Planning Authority in writing for its written approval prior to the commencement of building operations and thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

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



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Application No. 5/08/0808	Address 115 Kirkham Road Freckleton	Grid Ref. E.3428 : N.4295	Scale N.T.S.	Item No.

Item Number: 11 **Committee Date:** 22 October 2008

Application Reference: 08/0811		Type of Application:	Full Planning Permission
Applicant:	Mrs Bowling	Agent :	
Location:	LAND SOUTH/FIELD NO 7126, FAIRFIELD ROAD, SINGLETON, BLACKPOOL, FY6 8L		
Proposal:	CHANGE OF USE FROM AGRICULTURAL LAND TO EQUESTRIAN USE FOR THE KEEPING OF HORSES.		
Parish:	Staining	Area Team:	Area Team 2
Weeks on Hand:	6	Case Officer:	Ruth Thow
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks permission for a change of use of a section of field from agricultural to use for the keeping of horses. It is considered that the proposal is an acceptable use in a countryside location and satisfies the criteria of Policies SP2 and EP22 of the Fylde Borough Local Plan, as altered (October 2005) and is recommended for approval by Members.

Reason for Reporting to Committee

This application is on the agenda as the views of Staining Parish Council are contrary to the recommendation of the officer.

Site Description and Location

The application site is land to the south side of Fairfield Road, Staining, field no. 7126 which is accessed from a single track, unadopted road. The field is approximately 6.8 acres which has been fenced and subdivided into 6 no. individual lots. The applicant has purchase plot 5 a centre plot on the north/top side of the field.

Details of Proposal

This application seeks permission for a change of use from agricultural use to equestrian use for the purposes of keeping two horses for recreational pursuits.

Relevant Planning History

Application No.	Development	Decision	Date
05/0690	CHANGE OF USE FROM FIELD TO FISHING POND AND SMALL STOCK POND WITH ASSOCIATED CAR	Refused	13/10/2005

PARKING FOR 8 CARS.

Relevant Planning Appeals History

None.

Parish Council Observations

Staining Parish Council notified on 28 August 2008

Summary of Response

Staining Parish Council cannot understand the need for this application. The use that the applicant has stated that the land will be put to seems appropriate to agricultural use. The Parish Council has a policy to defend agricultural and greenbelt land and so, as a change of use away from agricultural use seems unnecessary, objects to this application.

Statutory Consultees

Wyre Borough Council

No objections

Chief Land Agent - Rural Division

Introduction

A planning application has been submitted by Mrs Bowling for the change of use of approximately 0.4 hectares (1 acre) of land from agriculture to private equestrian use. I undertook an inspection of the application site on 6 October whilst the applicant was also present and the information provided forms the basis of this appraisal.

Background Information

The land which is the subject of this application constitutes part of a subdivided 6.8 acre field has been divided into 6 lots each generally of equivalent size and a communal access track has been formed providing access to each of the 6 lots. The applicant has purchased Lot 5 as identified on the plan submitted with the application approximately one month ago with a view to keeping her own horses/ponies on the land on an all year round basis. Since acquiring the site the applicant has put two ponies she owns on the land and sited a conventional timber design loose box which has been built onto a metal frame in order that it can be moved around the site. Up to-date the applicant has not undertaken any permanent works on the land and I was advised it is not her intending to do so. She envisages the horses living out on the field most of the year but the timber shelter building is intended to provide a respite facility when the ground/weather conditions prevent the horses grazing the field.

I was advised the applicant does not have any intention to intensify her use of land above what exists at present.

Circumstances surrounding the applicant's submission of the application

The applicant has kept a horse of her own for many years but up to purchasing the land she has kept her horse at livery premises. Following her acquisition of the land she acquired a second pony to provide hers with a companion and these have been grazing there for approximately 3 weeks. The applicant recognizes the grass will not sustain the horses diet for all the year round grazing and as such intends to feed supplemental feed

such as hay when there is not sufficient grass to sustain the horses diet. In view of this the applicant recognises that her use of the land will constitute a change of use which will require planning permission.

Proposed Development

The proposed development represents change of use of land which does not involve building works given that the shelter facility on the land is considered exempt from development as it has been built on metal skids. I was advised that in spite of this shelter being intended for horse use the applicant has no intention to lay permanent hard surfaces either inside or outside the shelter i.e. where livestock will congregate but instead will use rubber matting inside the shelter and possibly woven plastic mesh outside the shelter to prevent poaching of the sod surface.

Assessment

The application site is located in 'Open Countryside' as referred to on the Borough Council's Local Plan Proposals Map as such Local Plan Policy SP2 will be relevant to the determination of this application. Under this Policy development associated with 'uses appropriate to a rural area' are appropriate development. The keeping of horses is recognised as an 'appropriate use' to a rural area as such I feel the change of use of the land is appropriate in principle. You will be aware of recent planning applications for development on land fronting the private access track (close to the application site) for horse use which have been considered by the Borough Council for example 07/0845.

With respect to the current application clearly the application relates only to the change of use of the land which extends to approximately one acre which on the whole is capable of sustaining the grazing requirements for one average pony/small horse. It was evident from my site inspection that at present there is sufficient grass cover to satisfy the diet for the applicant's two ponies although it was evident from one area which has been temporarily sectioned off from the rest of the field that concentrated use of that part had started to create poaching of the sod. The applicant envisages providing supplemental feed for the ponies over the coming winter and I also share this view and also the shelter will be required. As a consequence of both of these management requirements I envisage the affects of poaching to the sod through concentration of horse activity to certain areas when ground conditions are wet. It was evident from my discussions with the applicant of her concerns not to allow her horses to adversely affect the land. It is for this reason she has referred to collecting the horse dung from the fields on a regular basis. I envisage in time though at least the need for hard surface areas around the field shelter and within it if an all year round use of the site is to be sustainable.

On a general point it is evident the applicant is the first to acquire one of the six plots of land created from the subdivision of field OS No. 7431. I was advised there is interest in another plot for equestrian use. Clearly the subdivision of the field has been undertaken with a view to selling the 6 Lots to horse owners as such I envisage similar application for change of use and equestrian related development at this site. I expect the openness of this area of land will create implications from a visual impact perspective

I am aware the Land Classification Map identifies the land in the area of the application site as bordering between Grades 2 and 3 as such this may have implications on the change of use issue in view of Local Plan Policy EP22 as well as advice referred to in Paragraph 28 of PPS7. However, the intended use of the land is to be retained as grazing land as such if retained for this purpose it would not materially change its current use.

County Highway Authority

No highway observations

Environmental Protection Team

The storage of manure can potentially cause nuisance as a result of odours and attraction of insects.

1. Manure shall be stored away from domestic properties.
2. Accumulation shall be removed at regular intervals to prevent the build up of odours and attraction of insects.
3. Any water run off from middens/manure stores shall be drained to a foul sewer.

Observations of Other Interested Parties

None

Neighbour Observations

Neighbours notified: Site Notice displayed

No. Of Responses Received: None

Relevant Planning Policy**Fylde Borough Local Plan:**

SP02	Development within countryside area
EP22	Protection of agricultural land

Other Relevant Policy:

PPS1:	Delivering Sustainable Development
PPS7	Sustainable development in rural areas

Site Constraints

Within Countryside Area

Environmental Impact Assessment

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

Comment and Analysis

The main issues to consider in the determination of this application are the criteria of policies SP2 and EP22 of the Fylde Borough Local Plan, as altered (October 2005).

Policy SP2 refers to development in countryside areas and allows for that essentially required for the purposes of agriculture, horticulture or forestry; or other uses appropriate to a rural area....

Policy EP22 refers to the protection of agricultural land - development will not be permitted which would involve the permanent loss of the best and most versatile agricultural land (grades 1, 2 and 3A) where it could reasonably take place on previously developed sites, on land within the boundaries of existing developed areas or on poorer quality agricultural land.

This application seeks permission for use of part of a field which has been sub-divided into 6 separate parcels of land with access to each plot from a central track. When it comes to animals the General

Permitted Development Order has no regard to the nature of an animal, only its function. Planning law recognises six horses:

- i) the working horse
- ii) the racehorse
- iii) the recreational horse
- iv) the grazing horse
- v) the residentially incidental horse
- vi) horse meat

In this instance the applicant proposes to keep 2 no. recreational horses on the land. Recreational horses, as opposed to the grazing horse are kept on land where this has been sub-divided into pony paddocks, where shelters are provided or when farm buildings are converted to livery purposes and where the horses are given supplementary feed and are not purely feeding/grazing from the land, hence an application for a change of use is necessary in this case.

Having regard to the criteria of the relevant policies the keeping of horses is considered an appropriate use in a rural area and is consistent with numerous similar applications, granted approval in the Fylde.

In respect of Policy EP22, whilst this is a change of use from agriculture land, classed as Grade 2/3 the use would not preclude any subsequent agricultural use and could revert to agricultural use or could be used as a mixed use.

Conclusions

For the reasons given above it is considered that the application complies with the requirements of Policies SP2 and EP22 of the Fylde Borough Local Plan, as altered (October 2005).

Recommendation

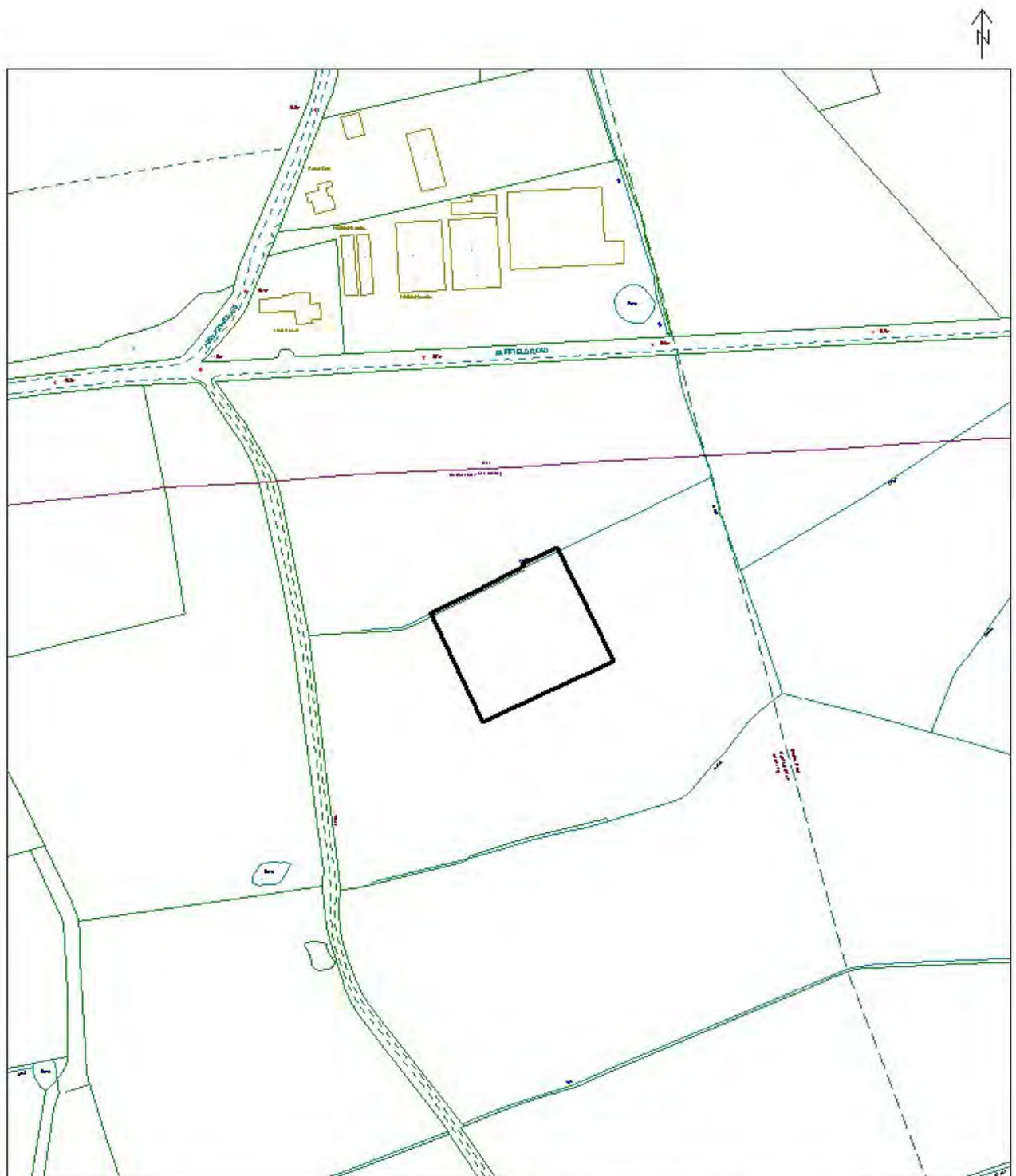
That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

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

2. No development approved by this permission shall be commenced until a scheme for the containment and storage of manure, has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed, in accordance with those approved plans.

To prevent the pollution of controlled waters and to safeguard visual/environmental amenity.



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Application No. 5/08/0811	Address Land South Fairfield Road Singleton	Grid Ref. E.3357 : N.4373	Scale N.T.S.	Item No.

Item Number: 12 **Committee Date:** 22 October 2008

Application Reference: 08/0813		Type of Application: Prior Approval	
Applicant:	Metacre Ltd	Agent :	Fletcher Smith Architects
Location:	SOUTH VIEW FARM, KIRKHAM ROAD, TREALES, ROSEACRE AND WHARLES, PRESTON, PR		
Proposal:	REPLACEMENT OF EXISTING DERELICT BARN		
Parish:	Treales, Roseacre and Wharles	Area Team:	Area Team 2
Weeks on Hand:	7	Case Officer:	Mr M Atherton
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal complies with policy SP2 of the Fylde Borough Local Plan (FBLP) as it would have no detrimental impact on the character and appearance of the countryside.

Reason for Reporting to Committee

The Officer recommendation conflicts with that of the Parish Council.

Site Description and Location

This application relates to a dilapidated barn situated adjacent to a brick built barn at South View Farm on the eastern perimeter of Treales village. Within the FBLP the site is allocated as a Countryside Area.

Details of Proposal

The existing barn is constructed of old telegraph poles and rusting black sheet metal which is falling off the structure. It measures 24m x 14m x 8.4m high to the ridge. The proposed replacement barn has the same footprint but is lower in height, 4.8m to the eaves and 6.7m to the ridge. It would be open on one side for access and the remaining elevations & roof would be clad in green metal sheeting, in order to blend in with the surrounding countryside.

The replacement barn is for the storage of hay for the owners horses and covered space to exercise horses in wet weather.

The original application was submitted incorrectly as an agricultural determination. The correct forms have now been received.

Relevant Planning History

Application No.	Development	Decision	Date
08/0686	CONVERSION OF REDUNDANT BARN INTO SINGLE DWELLING	Approved with 106 Agreement	
07/1267	ERECTION OF NEW DWELLING AND NEW ACCESS	Granted	12/03/2008
06/0955	CONVERSION OF REDUNDANT FARM BUILDING TO SINGLE DWELLING	Refused	07/12/2006
05/0948	EXTENSION TO EXISTING FARMHOUSE	Granted	16/11/2005
05/0763	EXTENSION AND ALTERATION OF EXISTING FARMHOUSE, TOGETHER WITH THE RESIDENTIAL CONVERSION OF A REDUNDANT FARM BUILDING AND THE ERECTION OF A PAIR OF SEMI DETACHED HOUSES FOR AFFORDABLE PURPOSES	Refused	13/09/2005

Relevant Planning Appeals History

None.

Parish Council Observations

Treales, Roseacre & Wharles Parish Council notified on 12 September 2008

Summary of Response: OBJECT & recommend refusal. The application is in breach of policy SP2 as it is not apparent that it is required for agriculture. We would welcome a Land Agents report and also a complete plan of all the recent developments at this site, as we have now received 6 applications for incremental developments.

Statutory Consultees

None

Observations of Other Interested Parties

None

Neighbour Observations

Neighbours notified: 12 September 2008 & site notice displayed

No. Of Responses Received: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP2 - Countryside Areas

Other Relevant Policy:

PPS1: Delivering Sustainable Development

Site Constraints

Within countryside area

Environmental Impact Assessment

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

Comment and Analysis

The proposal is a replacement barn for the storage of hay, in association with the Applicant keeping horses for private use.

The development would have the same footprint as the structure it would replace but would be of reduced height. It would be constructed of green cladding, which is considered to be in keeping with the character of the countryside. The existing structure is predominantly black in colour.

Given the nature of the use, the design & height of the building and the materials to be used it is considered the proposal would be a visual enhancement over the existing and would have no detrimental impact on the character and appearance of the countryside.

As this application is related to the keeping of the applicant's own horses and relates to the replacement of an existing structure, the views of the County Land Agent have not been sought on this occasion

Conclusions

The proposal complies with policy SP2 of the FBLP as it would have no detrimental impact on the character and appearance of the countryside.

Recommendation

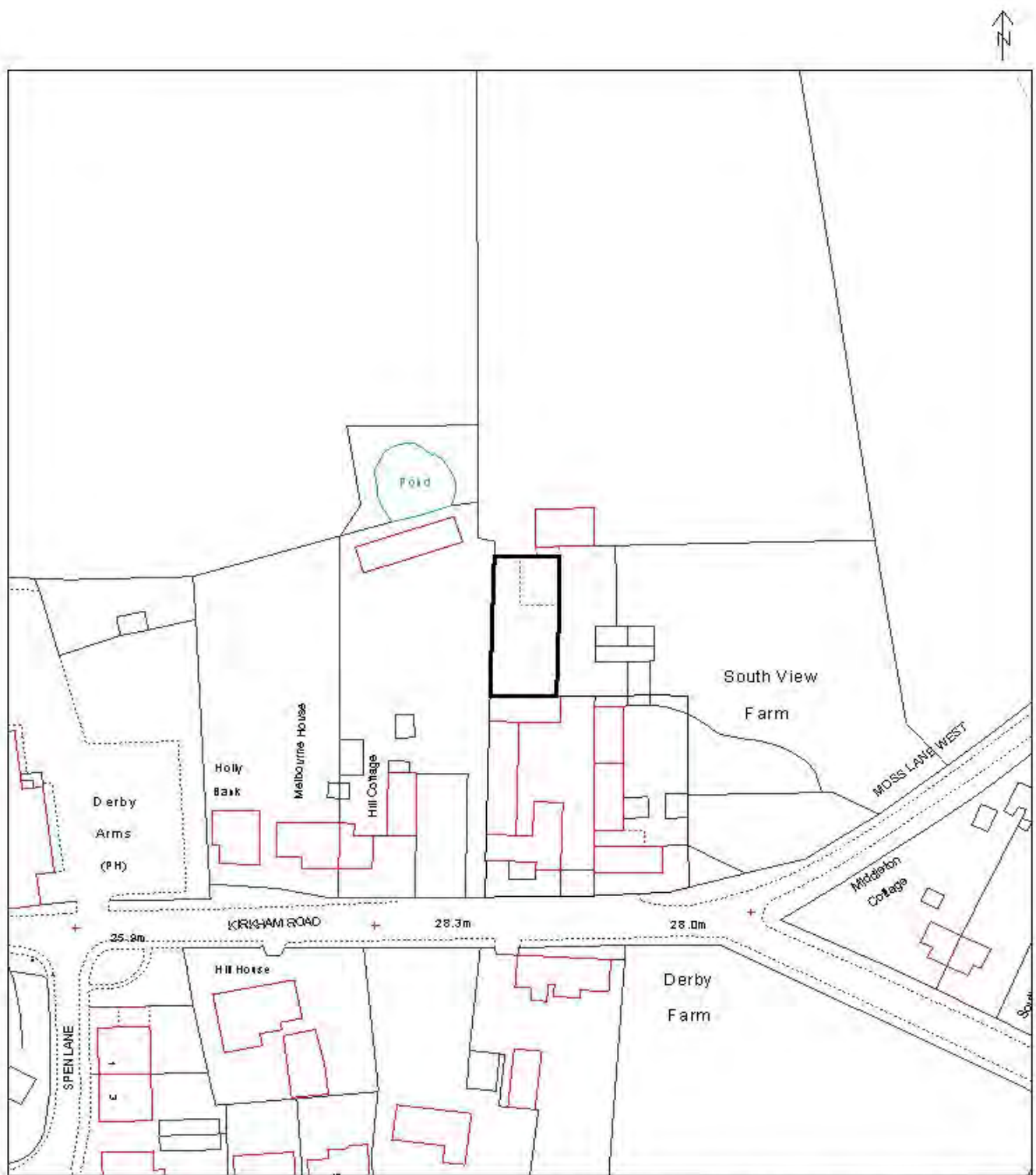
That Planning Permission be GRANTED subject to the following conditions:

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 roofing and facing materials 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.



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Application No. 5/08/0813	Address South View Farm Kirkham Road, Treales	Grid Ref. E.3443 : N.4329	Scale N.T.S.	Item No.

Application Reference: 08/0827		Type of Application: Full Planning Permission	
Applicant:	Metacre Ltd	Agent :	Fletcher Smith Architects
Location:	SOUTH VIEW FARM, KIRKHAM ROAD, TREALES, ROSEACRE AND WHARLES, PRESTON, PR		
Proposal:	CHANGE OF USE FROM DERELICT MILKING PARLOR INTO STABLES AND GARAGE FOR PRIVATE USE		
Parish:	Treales, Roseacre and Wharles	Area Team:	Area Team 2
Weeks on Hand:	6	Case Officer:	Mr M Atherton
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposed development complies with policy SP2 of the Fylde Borough Local Plan as it amounts to an appropriate re-use of the building, it will not have a detrimental impact on highway safety or the character and appearance of the rural area.

Reason for Reporting to Committee

Due to the history of previous applications at this site which have been reported to Committee. Also an application at the adjoining barn, which is under the same ownership, is on the same Committee agenda.

Site Description and Location

The application site is a large barn forming part of the former South View Farm, on the north side of Kirkham Road, positioned between Garden Cottage and South View Farmhouse. The farm complex is currently vacant, with no agricultural activity now taking place as the former farmhouse has been sold privately. The site is allocated part within the settlement boundary of the village of Treales and part within a Countryside Area as designated on the Fylde Borough Local Plan, as altered (October 2005).

Details of Proposal

This application proposes the conversion of the vacant barn to form a private stables accommodating 5 horses, with a separate pen and tack room. The building will also house a double garage which is to replace a double garage which was approved on an earlier application (07/1276) to re-build South View Farmhouse. The only changes proposed to the elevations of this barn are 2 new timber garage doors.

As this is a private use and not a livery there will be nobody employed at this site.

Relevant Planning History

Application No.	Development	Decision	Date
08/0686	CONVERSION OF REDUNDANT BARN INTO SINGLE DWELLING	Minded to Approve with 106 Agreement	
07/1267	ERECTION OF NEW DWELLING AND NEW ACCESS	Granted	12/03/2008
06/0955	CONVERSION OF REDUNDANT FARM BUILDING TO SINGLE DWELLING	Refused	07/12/2006
05/0948	EXTENSION TO EXISTING FARMHOUSE	Granted	16/11/2005
05/0763	EXTENSION AND ALTERATION OF EXISTING FARMHOUSE, TOGETHER WITH THE RESIDENTIAL CONVERSION OF A REDUNDANT FARM BUILDING AND THE ERECTION OF A PAIR OF SEMI DETACHED HOUSES FOR AFFORDABLE PURPOSES	Refused	13/09/2005

Relevant Planning Appeals History

APP/M2325/A/07/2046437/WF - In respect of application 06/0955 - Conversion of redundant farm building to single dwelling. Appeal dismissed 15/11/07.

Parish Council Observations

Treales, Roseacre & Wharles Parish Council notified on 10 September 2008

Summary of Response:

The Council have the following observations:

From the information before us we are concerned that the scale and declared purpose of the development does not appear in line with the required grazing and exercise for 5 horses, storage of manure, vehicular access to and from the site for movement of horses and supplies. As such it is not in line with policy and does not fall within SP2.

We request a Land Agent report.

The detailed design of the plans does not seem consistent to the proposed use notably the width of the walkways and access to the individual stables.

We note that there is already planning approval for a very large garage development associated with the property and unless this proposed garage is a substitute we consider this further development unnecessary and not in keeping with the character and design of the existing development and in breach of policy HL5.

The Parish Council requires a development plan for the whole site to assess the development scale and design in relation to the environs of the site.

Statutory Consultees

County Highways Authority:

Response awaited

Observations of Other Interested Parties

Lancashire County Archaeology Service: I

If the Local Planning Authority is minded to approve the proposal a condition should be imposed relating to the archaeological recording of the building.

Neighbour Observations

Neighbours notified: 10 September 2008 & site notice displayed
No. Of Responses Received: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP02 Development within countryside area

Other Relevant Policy:

PPS1: Delivering Sustainable Development
PPS7: Sustainable Development In Rural Areas

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

At the meeting of Planning Committee on 23 September 2008, Members were minded to approve application number 08/0686 subject to a section 106 agreement at the same barn for conversion to a dwelling.

The Agent has informed Officers that the Applicant is unlikely to pursue that proposal if permission for the stables is granted.

The application for the stables & garage involves the conversion of the existing structure without any alteration to its form and very minor changes to its external appearance, amounting to the introduction of 2 new timber garage doors. Therefore, the design changes are considered satisfactory and in keeping with the character and appearance of the rural area.

The principle of the re-use of a former agricultural building for stabling and a garage is also considered appropriate in the rural area and will assist in preventing the proliferation of new buildings in the countryside. Therefore, the proposal is considered to comply with policy SP2 of the Fylde Borough Local Plan.

Permission was granted to re-build the adjoining farmhouse (ref 07/1267) with a condition requiring a visibility splay at the same point of access/egress as is proposed for this stable block/garage. This involves re-laying the hedge at the front of the dwelling further back in order to improve visibility for vehicles leaving the site. This highway condition should also be imposed on this application in order to achieve satisfactory sightlines.

In response to the Parish Council concerns, the Agent for the Applicant has confirmed that the garage the subject of this application will replace the free standing garage approved in the garden of South View Farmhouse on application number 07/1267 which the Applicant no longer intends to build.

Also, access for horses to the stables is available through the large cart door of the barn, in addition to 3 other smaller doors. There is an internal walkway of a width of 1.5m to each stable, however, if this is insufficient it can be altered internally without planning permission and without unduly affecting the space available to each horse. The Applicant owns fields immediately to the rear of the site, which are available and suitable for grazing horses.

Planning conditions are necessary relating to visibility improvements, drainage and the storage of manure.

Conclusions

The proposed development complies with policy SP2 of the Fylde Borough Local Plan as it amounts to an appropriate re-use of the building, it will not have a detrimental impact on highway safety or the character and appearance of the rural area.

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 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. Samples of materials proposed for all hard surfaced areas of the site shall be submitted to the Local Planning Authority for approval 14 days prior to the commencement of any surfacing work on site, and thereafter only approved materials shall be used either during the initial works or subsequently in any repairs to the surfaces.

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

4. All windows and doors shall be of a timber construction and painted or stained in a colour to the satisfaction of the Local Planning Authority; they shall all be set in reveal within their openings.

In the interests of the overall appearance of the development.

5. The garage shall be used as a private garage only and no trade or business shall be carried on, in or from the building.

To safeguard the amenities of the neighbourhood.

6. The garage door shall be constructed in timber to the satisfaction of the Local Planning Authority.

In the interests of visual amenity given the sensitive location of the site.

7. Details of a highway & pedestrian visibility splay shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The height of the wall/fence and vegetation within this visibility splay should be kept below 600mm above the carriageway height. The access shall be constructed and maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

In order to ensure adequate visibility at the site access.

8. Any gates to be erected at the vehicular access shall be inward opening only.

In the interests of highway safety.

9. No works to convert the buildings at South View Farm shall commence or be undertaken between the months of March and July.

In order to prevent disturbance to nesting birds

10. Prior to commencement of development, details of provisions for the nesting of bats or barn owls within or upon the structure shall be agreed with and subsequently implemented to the satisfaction of the Local Planning Authority.

In order not to disturb or deter the occupation by bats or the nesting or roosting of Barn Owls, as both species are protected by the Wildlife and Countryside Act 1981.

11. 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 Country 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.

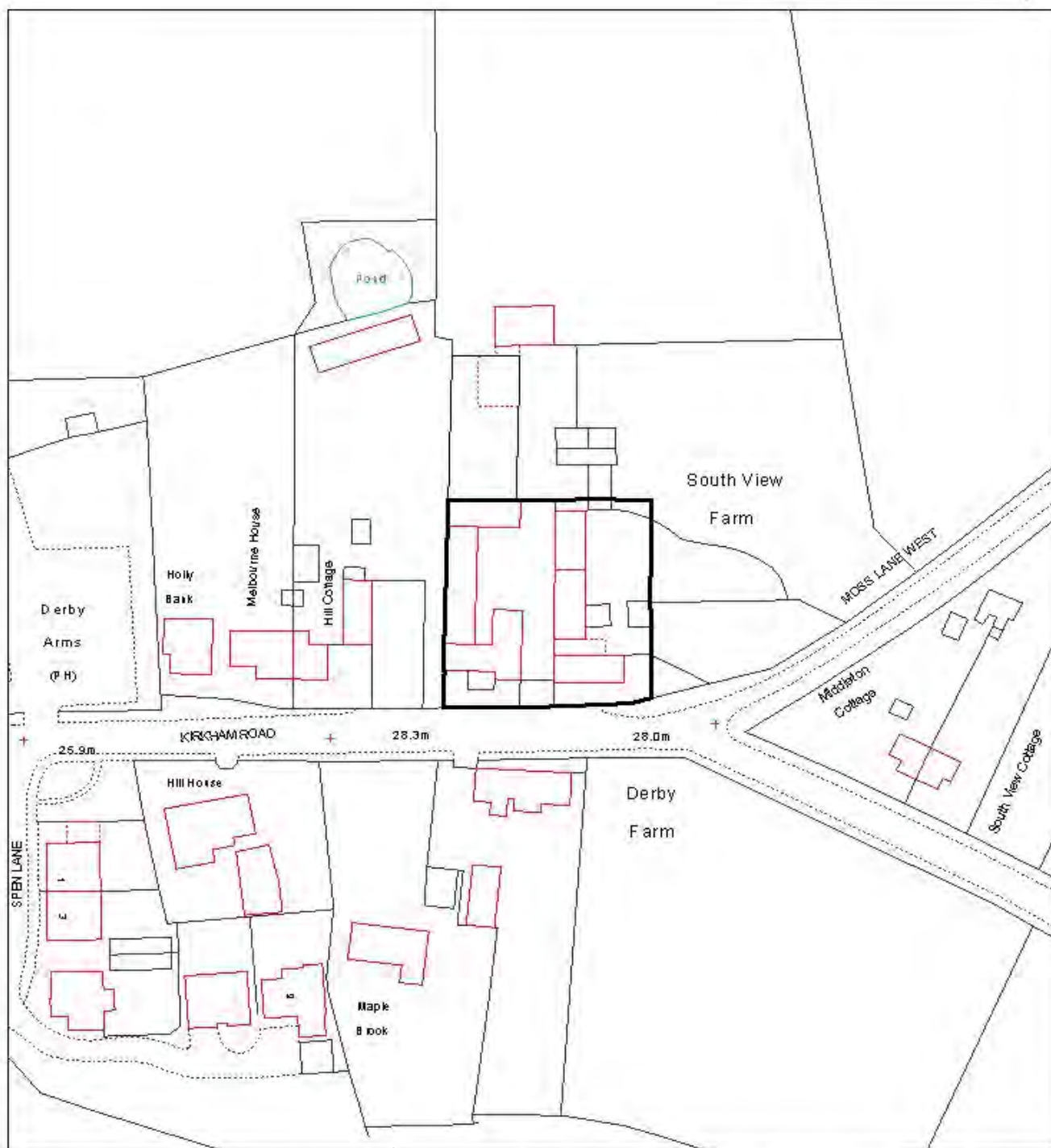
12. A full drainage scheme incorporating details of foul and surface water connections are to be submitted to the Local Planning Authority for approval prior to the commencement of development and subsequently only those works shall be implemented.

To ensure the provision of a satisfactory drainage scheme.

13. No development approved by this permission shall be commenced until a scheme for the containment and storage of manure has been approved in writing by the Local Planning

Authority. Such as scheme shall be constructed and completed, in accordance with approved plans.

In order to prevent pollution of the water environment.



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Application No. 5/08/0827	Address South View Farm Kirkham Road, Treales	Grid Ref. E.3443 : N.4329	Scale N.T.S.	Item No.

Application Reference:	08/0838	Type of Application:	Full Planning Permission
Applicant:	Mr Farman	Agent :	
Location:	18 LINDSAY AVENUE, ST ANNES, LYTHAM ST ANNES		
Proposal:	RESUBMISSION OF APPLICATION 08/0558 FOR TWO STOREY SIDE EXTENSION		
Parish:	Heyhouses	Area Team:	Area Team 2
Weeks on Hand:	5	Case Officer:	Mr A Gavan
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Refuse

Summary of Officer Recommendation

This two storey extension at this semi detached property at the corner of Haymarket would result in a large and dominant two storey side extension that would project well in front of the established building line on Haymarket. As such the proposal is considered to be contrary to Policy HL5 and the guidance contained in the Council's adopted SPD: Extending your home.

Site Description and Location

The application property is a two storey, semi detached house of brick construction with a pitched tiled roof.

The site occupies a corner plot. To the rear of the property the applicant is in the process of constructing two pitched roof dormer windows under Permitted Development.

Many of the surrounding properties are characterised by hipped red tiled roofs.

In addition, the property has a reasonable sized rear and side garden with substantial hedging around the boundary of Lindsay Ave. and Haymarket.

Details of Proposal

This application is a re-submission application which proposes a two storey side extension. The extension will be approx 7.4m high x 3.2m wide x 6.4m long. It will have a hipped roof which abuts the main roof approx 1m below the ridge and bay windows in keeping with those that are existing to the front and side elevation.

Relevant Planning History

Application No.	Development	Decision	Date
08/0558	TWO STOREY SIDE EXTENSION	Refused	01/09/2008
01/0889	SINGLE STOREY EXTENSION TO SIDE ELEVATION	Granted	03/01/2002

Relevant Planning Appeals History

None.

Parish Council Observations

St Anne's on the Sea Town Council notified on 16 September 2008

Summary of Response

No specific observations

Statutory Consultees

N/A

Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 16 September 2008

No. Of Responses Received: None

Relevant Planning Policy

Fylde Borough Local Plan:

HL05

House extensions and incidental buildings

Other Relevant Policy:

PPS1:

Delivering Sustainable Development

SPD:

Extending your Home

Site Constraints:

Within urban area

Environmental Impact Assessment

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

Comment and Analysis

This application was considered at the meeting of the Development Control Committee held in August of this year. The applicant had registered to speak in support of his application at that meeting, but was unfortunately out of the room when his application was called and he did not have the opportunity to address the Committee.

The key issues for considering this application against are contained within Policy HL5 of the Fylde Borough Local Plan, as altered, October 2005 and the adopted SPD, extending your home. These issues include the effect of the proposal on the building and the character of the street scene as well as any potential impact on the amenities of neighbouring properties.

The site occupies a corner plot. As such there will be no impact on neighbouring properties in terms of loss of light or privacy. The key issues to assess are, therefore, potential impact on the character of the dwelling itself and the street scene in general.

The Council's Supplementary Planning Document advises that the bulk and scale of extensions should appear subordinate to the original property and should not change the general character of the area and should not form an overly dominant feature in the street or as seen from neighbouring homes and garden areas.

In this instance the development is to extend the living space at ground floor level and for additional bedroom space at first floor. The property is a hipped roof semi detached property. The site is bounded by substantial shrubbery along the boundary with Haymarket and Lindsay Avenue. As such the visual impact is reduced, although the roof would still be particularly prominent from the north and south of Lindsay Avenue as well as along Haymarket. The applicant has amended the application since the original submission and the width of the extension in relation to the existing property is now much reduced and in regard to its scale in relation to the existing property, the extension is now considered to be acceptable.

Despite this amendment, as the property occupies a corner plot, the extension would extend in front of the strong building line created by the existing side elevation and the front of the properties on Haymarket. Accordingly the proposed projection in front of this building line is considered to be unacceptable and it will have an adverse impact on the character of the locality. For this reason the proposal would be contrary to the guidance contained in the adopted SPD: Extending your home and the proposal would be contrary to policy HL5 of the Fylde Borough Local Plan, as altered 2005.

The proposal will not reduce the amount of garden space available to an unacceptable level nor will it impact on the safety of vehicular access to the site.

Conclusions

For the reasons outlined above the application is not considered to comply with the relevant criteria as outlined in Policy HL5 of the Fylde Borough Local Plan, as altered, October 2005 or the Council's adopted Supplementary Planning Document: Extending your home.

Recommendation

That Planning Permission be REFUSED for the following reasons:

1. A two storey extension at this semi detached property at the corner of Haymarket would result in a large and dominant two storey side extension that would project well in front of the established building line on Haymarket. As such the proposal is considered to be contrary to Policy HL5 of the Fylde Borough Local Plan, as amended October 2005 and the guidance contained in the Council's adopted Supplementary Planning Document: Extending your home, particularly Design Note 7.



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Application No. 5/08/0838	Address 18 Lindsay Avenue St Annes	Grid Ref. E.3337 : N.4286	Scale N.T.S.	Item No.

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