



Agenda

Planning Committee

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| Date: | Wednesday, 18 April 2018 at 10:00am |
| Venue: | Town Hall, St Annes, FY8 1LW |
| Committee members: | <p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Jan Barker, Michael Cornah, Neil Harvey, Kiran Mulholland, Linda Nulty, Liz Oades, Sandra Pitman, Heather Speak, Ray Thomas.</p> |

Public Speaking at the Planning Committee

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

| | PROCEDURAL ITEMS: | PAGE |
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| 1 | Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided. | 1 |
| 2 | Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 14 March 2018 as a correct record. | 1 |
| 3 | Substitute Members: Details of any substitute members notified in accordance with council procedure rule 23. | 1 |
| | DECISION ITEMS: | |
| 4 | Planning Matters | 3 - 43 |
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| 10 | List of Appeals Decided | 85 - 95 |
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The code of conduct for members can be found in the council's constitution at
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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Background Papers

In accordance with Section 100D of the Local Government Act 1972, the background papers used in the compilation of reports relating to planning applications are listed below, except for such documents that contain exempt or confidential information defined in Schedule 12A of the Act.

- Fylde Borough Local Plan (As Altered) October 2005 (Saved Policies)
- Joint Lancashire Minerals and Waste Local Plan
- Fylde Local Plan to 2032 (Submission Version) December 2016
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Strategic Housing Market Assessment (SHMA) 2014 and Addendum I and II November 2014 and May 2015 and Housing Market Requirement Paper 2016
- Five Year Housing Land Supply Statement at 31 March 2017 (as amended July 2017)
- Strategic Housing Land Availability Schedule (SHLAA)

- Consultation on Additional Evidence in Support of Fylde Local Plan to 2032 – August 2017
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available either at www.fylde.gov.uk/resident/planning or for inspection by request at the Town Hall, St Annes Road West, St Annes.

Planning Committee Schedule

18 April 2018

Item Number: 1

Committee Date: 18 April 2018

| | | | |
|-------------------------------|--|-----------------------------|-------------------------|
| Application Reference: | 16/0621 | Type of Application: | Discharge of Conditions |
| Applicant: | Mill Farm Ventures | Agent : | PWA Planning |
| Location: | MILL FARM SPORTS VILLAGE, FLEETWOOD ROAD, MEDLAR WITH WESHAM | | |
| Proposal: | APPLICATION TO DISCHARGE DETAILS ASSOCIATED WITH CONDITIONS ON PLANNING PERMISSION 13/0655 RELATING TO CONDITION 11- MAINTENANCE OF THE COMMUNAL AREAS, CONDITION 33- CAR PARK MANAGEMENT PLAN, CONDITION 34 - AFC FYLDE EVENT MANAGEMENT PLAN, CONDITION 34 - TRAFFIC MANAGEMENT PLAN AND CONDITION 46 - HOURS OF OPERATION | | |
| Ward: | MEDLAR WITH WESHAM | Area Team: | Area Team 2 |
| Weeks on Hand: | 87 | Case Officer: | Andrew Stell |
| Reason for Delay: | Negotiations to resolve difficulties | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7964955,-2.890898,554m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Discharge of Details be Issued

Summary of Officer Recommendation

The application relates to the discharge of details associated with planning conditions attached to the original planning permission under which the Mill Farm development was constructed. The conditions relating to the management of the communal areas and the hours of operation of the football stadium facilities are uncontentious and it is considered that the details provided are acceptable. The other conditions covered by this application relate to the parking arrangements and the stadium associated with AFC Fylde home matches and have attracted considerable attention from local members, residents Town Councils and consultees in the time that the Club has played at the stadium. This has resulted in a series of revisions being made to the submitted information.

The Plan takes the approach that the level of on-site parking associated with the stadium should be provided based a ratio of 1 space for just under every 9 spectators which is the ratio that was used when the permission was first granted. This ratio is then applied to the current capacity of 4,250 to ensure that a minimum of 483 spaces are provided on site at all times. It then sets out where those spaces are currently located around the site, and how their use is to be managed. Details are also provided about how the off-site environment is to be managed and sets a review process in the event of significant changes around the operation of the Stadium such as some of the parking areas currently utilised not being available, the capacity increasing, or the Club achieving a promotion.

Officers have considered the content of the Plan carefully and viewed the operation of the

stadium on a number of occasions. Having done that it is officer view that the parking levels proposed on site is an appropriate number, and that these are provided and appropriately managed on site. It is also officer view that the off-site management arrangements are appropriate and that the review mechanism is a viable and proportionate approach to deal with the issues associated with the condition.

The Mill Farm site provides a high quality sporting facility that will alter the character of the area north of Wesham on match days. However, these are relatively infrequent and it is considered that the parking and management arrangements proposed in the submitted Plan are now of an appropriate quality and breadth that they allow the details of the relevant conditions to be discharged.

Reason for Reporting to Committee

The discharge of details reserved by planning condition is a type of application that falls within the Approved Scheme of Delegation. However, due to the planning history on this site and the views of Wesham Town Council and Kirkham Town Council on aspects of the submission the Head of Planning and Housing has concluded that the application should be determined by the Committee. This also reflects an earlier Committee request to be presented with a report on the parking arrangements at Mill Farm.

Site Description and Location

The application site is part of the Mil Farm development that lies north of Wesham and is accessed from Fleetwood Road. The site is a mixed use allocation in the emerging Fylde Local Plan to 2032, but was formerly Countryside in the Fylde Borough Local Plan 2005. The site was principally developed as the home of AFC Fylde, but also contains a number of other employment, leisure, retail and commercial operations. The application under consideration here relates to the Football Stadium aspect.

Details of Proposal

The application relates to the discharge of details required to satisfy four conditions that were imposed on the original hybrid planning permission for the site under reference 13/0655 that was granted in February 2015.

The conditions in question are listed below with the wording from the decision notice. The submitted information is described and assessed in the Comments section of this report.

Condition 11 relating to the Maintenance of Communal Areas

Prior to the first occupation of any building on the site or the first use of the sports provision, whichever is the sooner, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of internal access roads and footways, areas of landscaping and all associated features such as streetlighting, signage, drains and boundary treatments that lie within these areas. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

Reason: To ensure that the development is implemented and maintained to a satisfactory degree into the future.

Condition 33 relating to a Car Park Management Plan

Prior to the first occupation of any phase of the development hereby approved, a fully detailed Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory car parking management strategy is implemented for the development.

Condition 34 relating to an Event and Traffic Management Plan

Prior to the first use of the football stadium hereby approved, a fully detailed Event Management Plan (covering events at AFC Fylde Football Stadium) shall be submitted to and approved in writing by the local planning authority. The Event Management Plan shall also include a detailed Traffic Management Plan. The management of events shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that there are satisfactory event management procedures in place for the development in order that reliability and safety of the local highway network are maintained and to ensure the amenity of the adjacent (new and proposed) residential areas will not be adversely affected.

Condition 46 relating to the hours of operation of the Stadium

Prior to the first occupation of the proposed sports stadium, details of the hours of operation of the stadium and its buildings shall be submitted to and approved in writing by the Local Planning Authority. Any change from the approved scheme shall require the written consent of the Local Planning Authority.

Reason: In the interests of residential amenity

The Parking Management Plan has been the subject of various iterations in an attempt to address concerns expressed by officers from Fylde Council and Lancashire County Council, and by local residents and Town Councils. These revisions have been the subject of consultations.

Relevant Planning History

| Application No. | Development | Decision | Date |
|-----------------|--|----------------------|------------|
| 17/0690 | CHANGE OF USE OF SECOND FLOOR OF MAIN STAND TO USE AS A 19 BEDROOM HOTEL (USE CLASS C1) WITH ASSOCIATED ALTERATIONS TO EXTERIOR OF STAND | Application Deferred | |
| 17/0016 | CONSTRUCTION OF PERMANENT CAR PARK BETWEEN STADIUM AND FLEETWOOD ROAD (60 SPACES) AND TEMPORARY CAR PARK ON PROPOSED HOTELAND BULKY GOODS SITE (95 SPACES) FOR AFC FYLDE FOOTBALL CLUB | Granted | 28/07/2017 |
| 16/1016 | ERECTION OF TWO-STOREY BUILDING TO PROVIDE COMMUNITY SPORT (CHANGING AND FUNCTION ROOM FACILITIES) AND EDUCATION CENTRE TOGETHER WITH ALTERATIONS TO APPROVED CAR PARKING ARRANGEMENTS. | Granted | 16/03/2017 |
| 16/0397 | DISCHARGE OF CONDITIONS ON APPLICATION 13/0655 FOR CONDITION 33 (CAR PARKING | Advice Issued | 07/03/2017 |

| | | | |
|---------|---|-----------------------------|------------|
| 15/0898 | MANAGEMENT STRATEGY), AND CONDITION 46 (HOURS OF OPERATION) ASSOCIATED WITH USE OF BRADLEY'S SPORTS BAR AND AROMA CAFE PROPOSED EXTENSION.OF CAR PARK TO NORTH OF STADIUM TO PROVIDE NET INCREASE OF 95 SPACES | Granted | 21/03/2016 |
| 15/0742 | DISCHARGE OF CONDITION 3 ON APPLICATION 15/0309 FOR A SCHEME (DRAWING NO. 2255 - 13) IS SUBMITTED WHICH SHOWS A BUND / CHANNEL TO CONNECT THE APPROVED ATTENUATION POND WITH THE ADJACENT BROOK | Advice Issued | |
| 15/0733 | CONSTRUCTION OF 11 NO. ALL WEATHER FLOODLIT FOOTBALL PITCHES, 1 NO. ALL WEATHER FLOODLIT HOCKEY PITCH, 1 NO. HOCKEY PITCH SPECTATOR STAND PROVIDING SEATING FOR 256 SPECTATORS AND TEMPORARY CHANGING FACILITIES. | Approved with 106 Agreement | 11/07/2016 |
| 15/0365 | PROPOSED VARIATION OF CONDITION 20 OF PLANNING PERMISSION 13/0655 TO SET NOISE LIMITS WITHOUT ADDITIONAL INFORMATION BEING SUBMITTED. | Granted | 20/08/2015 |
| 15/0309 | APPLICATION FOR APPROVAL OF ALL RESERVED MATTERS RELATING TO THE SURFACE WATER ATTENUATION POND LOCATED TO THE NORTH OF THE SITE APPROVED UNDER OUTLINE PLANNING PERMISSION 13/0655 | Granted | 13/10/2015 |
| 14/0772 | ADVERTISEMENT CONSENT FOR ERECTION OF NON-ILLUMINATED HOARDING SIGN FOR TEMPORARY PERIOD | Granted | 04/02/2015 |
| 13/0655 | HYBRID PLANNING APPLICATION (PART FULL / PART OUTLINE) | Approved with 106 Agreement | 17/02/2015 |
| | <p>FULL PLANNING APPLICATION – 6,000 CAPACITY FOOTBALL STADIUM, 11,431m2 WAREHOUSE AND DISTRIBUTION CENTRE (CLASS B8), 1,518m2 NEIGHBOURHOOD RETAIL STORE (CLASS A1), INTERNAL SPINE ROAD WITH ACCESS FROM A585 ROUNDABOUT, ASSOCIATED PARKING, LANDSCAPING, DRAINAGE AND INFRASTRUCTURE</p> <p>OUTLINE PLANNING APPLICATION (ACCESS SOUGHT WITH OTHER MATTERS RESERVED) – , 8 X OUTDOOR FLOODLIT ALL WEATHER PITCHES, CHANGING ROOM BLOCK, PETROL FILLING STATION, 785m2 NON-FOOD BULKY GOODS RETAIL UNIT (CLASS A1), HOTEL (CLASS C1), PUB / RESTAURANT (CLASS A4), DRIVE THRU RESTAURANT (CLASS A3/A5), 492 SPACE OVERFLOW CAR PARK & THE FORMATION OF A SURFACE WATER ATTENUATION POND.</p> | | |

Relevant Planning Appeals History

None

Parish/Town Council Observations

The site is within the area of **Medlar with Wesham Town Council** who comment on a version of the Parking Management Plan from March 2018 as follows:

Medlar-with-Wesham Town Council met on Tuesday 20th March 2018 and discussed the Car Parking Management Plan for Mill Farm Development. The comments are:

- *The Plan is not future proofed e.g. using land that designated for a hotel and takes no account of AFC Fylde's aspirations for promotion into higher leagues*
- *Included within the plan are areas for car parking which belong to private businesses and hence outside the control of those submitting the plan*
- *The plan includes in the numbers areas which are coned off by AFC on match days i.e. Coronation Way*
- *Designating other car park areas for football supporters only will only move vehicles of other users of the development off site causing problems on nearby roads e.g. hockey club members*
- *There are only facilities for 2 Coaches. If AFC Fylde are encouraging coach travel by visiting supporters more dedicated coach parking areas are needed*
- *The lack of parking which this plan does not address causes chaos and damage in Town. This would have been partially alleviated if the original conditions were enforced*
- *The plan show 2 areas designated as car park which have not been built*

The site is close to the area of **Kirkham Town Council** and so they were consulted and commented on a version of the Parking Management Plan from March 2018 as follows:

“Kirkham Town Council object to the discharge of the details of this planning condition as the submitted Car Park Management Strategy is flawed in fulfilling the conditions in that:

- *It is based on the current capacity of the stadium (4,250) when the development is for a 6000 capacity stadium with no future proposal of parking facilities for the extra 1,750 visitors.*
- *There is now an application for a hotel, the residents and staff of which will be using the 20 car parking spaces on match days so those spaces cannot be included in the provision for the stadium.*
- *The 90 Aldi spaces cannot be included in the provision for the stadium as they are all full during opening hours. The store is open during match days.*
- *The B8 Warehouse 102 spaces may not be used presently during matches (unconfirmed) but the warehouse could change hands at any time in the future and visitor parking prohibited. These spaces should not be considered in the strategy.*
- *The original 6000 capacity stadium was planned with the intention of the taking the club up the league. Stating the capacity has a maximum of 1,930 at this time is short sighted. The self-regulating commitments for readdressing the parking strategy if triggered are not enforceable by authorities.*
- *The proposed overflow car park is not considered.*

However the numbers are jiggled in the Strategy it is a fact that Kirkham Town Council and Elected

Members receive a constant flow of complaints around parking issues on match days. Cars park indiscriminately along the A585 grass verges from Wesham roundabout to the M55 with visitors flocking across the busy A585 in droves. It is an accident waiting to happen. Wesham Town pavements suffer end to end parking with reports of the fire station forecourt being blocked on match days. Residents report leaving the area totally or remaining in their homes during match days as mobility is so restricted by traffic.

It is obvious there is not enough parking provision now when according to the Management Strategy the capacity is less than 33% and the Hotel or other profitable ventures have not yet been built. The strategy should look at additional parking provision not a reduction."

The site is close to the area of **Greenhalgh with Thistleton Parish Council** and so they were consulted and commented on the original scheme as follows:

"At its last meeting, Greenhalgh with Thistleton Parish Council requested that I write to you to express concerns of both residents and Councillors over access and parking on match-days at the new AFC Fylde Stadium on the A585. Issues identified were:

- *Congestion around the roundabout causing queuing and delays on the A585 when vehicles are stopped or turned away from access to Stadium Way*
- *Lack of the car parking capacity indicated in the Master Plan submitted with the Planning Application for the site*
- *The introduction of parking charges by the Club on match-days on its own (limited) parking areas, together with the coning-off of both sides of Stadium Way forcing many to seek free car parking on residential streets with consequential disruption to the network and inconvenience to neighbours.*

The Parish Council requests that Planning Officers and staff of LCC Highways enforce the conditions made when the AFC Fylde site was approved."

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

They highway authority have been consulted on a number of the versions of the Car Parking Management Plan and have also attended meetings with officers and with the Club and others.

The Plan under consideration at Committee is a revision to that which the highway officer's comments are available for, with the revisions made being influenced by those comments. A further consultation has been undertaken and will be available to consider at Committee.

The highway officer's comments on the March 2018 version of the Car Parking Management Plan are summarised as follows:

- Expresses disappointment that the matter is outstanding despite the stadium being operational for some time
- Concludes that the Car Parking Management Strategy (dated March 2018) is unacceptable to LCC Highways

- Comments that the simplistic representation of the parking requirements in that Plan differs from that taken at the time of the original permission
- Advises that LCC were concerned at that time that the level of traffic generation from the stadium was underestimated
- Comments that the level of movements to the new Stadium is well in excess of that which was anticipated in that Transport Assessment, and so the impacts on the local transport network that can now be observed are much greater than the TA suggested.
- Refer to the provision of an overspill car park being included in the scheme at the request of LCC as it was their position that this would be necessary to meet future needs of the stadium with a 6000 capacity.
- Highlight that the Club have not had the expected success with modal split (use of non-car based journeys to the site) claimed within the original Transport Assessment. This means that traffic generation is greater than was predicted at the time of the outline.
- Explain that the CPMS needs to be based on a realistic understanding of current and future impacts based on evidence which should be available as the ground has operated for almost two seasons.
- Raise some criticism of the availability of parking on site as shown in the Plan as they feel that there is some double-counting and inclusion of spaces that are not actually available.
- Refer to the potential for some of the parking that is provided may not be available long-term, and that greater parking levels may be required in the future should crowds increase through promotions or other reasons.

The comments conclude by stating

“The latest CPMS (dated March 2018) as passed to LCC is considered wholly inadequate to address the full requirements of the Mill Farm site and in particular the AFC Fylde Football Stadium requirements. The Latest CPMS continues to make no reference to the on-site overflow car park set out at the outline approval stage (other than to state that they do not intend to deliver this element 'at any time in the near future') which was considered necessary by LCC at the outline stage.

I have set out on a number occasions that until an adequate and acceptable Car Park Management Strategy is presented and agreed with the LPA (with appropriate coherent links to the Traffic Management Plan and the AFC Fylde Event Management Plan), then LCC Highways will not recommend the discharge of the Car Park Management Strategy condition. The information provided within the March 2018 CPMS is not considered acceptable to satisfy the discharge of the condition. The Car parking Management Strategy does not adequately address all uses of the site current and future (approved) to ensure that a safe and reliable highway network can be maintained;

Therefore, I must recommend that approval is not given for the discharge of condition.”

Comments on the latest version of April 2018 under consideration are expected to be available to report to Committee at the meeting.

Environmental Protection (Pollution)

Raise no objection to the proposed details for the hours of operation of the stadium.

Whilst noting that it is outside of his remit, the officer express reservations over the initial operation of the Stadium given his observations that the off-site parking on residential roads and side streets was causing some obstruction of driveways and restrictions of access by large farm vehicles.

Neighbour Observations

| | |
|-----------------------------|--|
| Neighbours notified: | No Neighbours Notified but some comments received |
| Number of Responses | 2 |
| Summary of Comments | <ul style="list-style-type: none">• The parking levels are inadequate• There is a £5 charge for parking on site, and this is pushing parking onto surrounding residential areas• The parking ratio proposed is inadequate and without scientific basis. This should include surveys of those that drive to the ground and how many cars to work out the parking levels needed, with this then provided free of charge to ensure it is used.• The level of coach parking is inadequate and survey should be undertaken to establish demand for this• Then extent of train use and walking/ cycling is surely over-estimated given that the level of parking provided is so low. |

Comment and Analysis

Given the nature of the application it is appropriate to look at the details for each condition separately:

Condition 11 – Maintenance of Communal Areas

The application explains that the operators have employed a facilities team which “*will be adequate resource to ensure that grounds and landscaped areas are well presented, at all times. We have also employed a full-time landscaper who is responsible for looking after all the communal areas.*”

Whilst the submitted maintenance details are generic in nature, the confirmation that the operator is to maintain the communal areas around the site is considered to be an acceptable position given that these areas are not to be adopted by LCC or any other public body. As the majority of construction work has been completed at the site a site visit has been undertaken and it seems that the communal areas are all in a satisfactory condition where they have been completed. Should that not remain the case then the confirmation provided over the maintenance responsibility provides the clarification needed to satisfy the condition and allow any unsatisfactory elements to be pursued in future. Accordingly the details of this condition are discharged.

Condition 33 Car Parking Management Plan / Condition 34 AFC Fylde Traffic Management Plan

Background

Condition 33 requires that details of the parking management strategy across the site is provided for approval and then implemented. Condition 34 relates to the football stadium use only and requires that a parking and event management plan is submitted prior to the football stadium use commencing. The reason for this condition confirms that this is required to ensure that AFC Fylde matches are undertaken without impact on the reliability and safety of the local highway network and that the amenity of local residents is not adversely affected.

The initial submission provided was inadequate and in attempt to address that there has been significant discussions with the Club and their agents involving your officers, LCC highway officers, the Town Councils, representatives of Lancashire Constabulary, local councillors and residents. This has resulted in several revisions to the Plan with a version presented in early March 2018 and subject to consultation with the Town Councils and LCC Highway officers. They have raised some negative comments which the applicant's agent has sought to address with a revision version of the Plan (version 3.6 of April 2018) which is the Plan that is under consideration now. This has been the subject of consultation with the Local Highway Authority (although their comments are not yet available) but not with the Town Council's due to the timing of Committee and the clarity of their opposition to any Plan that specifically does not provide an overflow parking area to the north of the site which remains an aspect that the Plan does not provide.

The conditions were drawn up in 2014 when the phasing of the development of the site was unknown. Since that time the various non-stadium uses that were approved have largely been developed. As each have their own parking arrangements that meet their needs it is considered appropriate to assess the acceptability of these two conditions together as the main concerns expressed relate to the management of the traffic and parking associated with the AFC Fylde use of the site, and the levels and availability of parking areas across the site are inherent to the assessment of the acceptability of that.

To assist the legibility of this assessment it is broken down into a series of sections below, which reflect the areas raised by the key consultees.

Level of Parking Required

The planning permission for the Stadium approved in 2014 provided 1,050 spaces across the whole of the site to meet the needs of all elements. This provision was based on an assumption of the end uses in some areas given the outline nature of part of the application, but referred to 683 spaces being provided for the stadium. These were provided in a 130 space car park adjacent to the 5-a-side pitches, 61 were adjacent the stadium itself and 492 spaces were in an overflow parking area to the north of the site. This overflow parking area has not been provided and the operators confirm that they do not intend to provide it in the near future as they believe that the parking arrangements are acceptable and this area is not required at this time.

That level of parking provision was based on the 6,000 capacity of the stadium and so resulted in a parking ratio of 1 space per 8.8 spectators.

The Car Park Management Plan identifies that the Stadium has a licensed capacity at present of 4,250, which is well below the 6,000 capacity identified in the planning permission. This is a consequence of the stadium only accommodating spectators on 3 sides at present with the north stand not built. This is well in excess of the average attendances in recent seasons of 1,416 and 1,930, with 3,351 attending an FA Cup First Round game against Wigan earlier this season and 2,310 attending the Good Friday game against Halifax as the most recent home fixture.

The April version of the Car Park Management Plan suggests that parking levels be set utilising the 1 space per 8.8 spectators ratio as previously accepted by the highway authority and planning authority at the time that the planning permission was granted would be an appropriate method to secure the on-site parking needs of the Stadium. They then base the total number of spaces provided on the 4,250 current stadium capacity, to give a figure of 483 spaces being required on site to meet the parking needs at the same ratio as was previously accepted.

The Plan also highlights that the LCC Parking Standards provide an alternative approach and have been adopted by Fylde Council for Development Management purposes irrespective of the Structure Plan which they formed part of being revoked. The Parking Standards confirm that a 1:15 ratio should be used for sports stadiums, which would require 400 spaces on a 6,000 capacity basis or 283 on a 4,250 capacity basis.

Your officers consider that with the previous acceptance of the 1:88 ratio of spaces that this is an appropriate approach that allows a significant increase in parking provision over that which would apply should the LCC standards be used. It is also considered appropriate to utilise the existing 4,250 capacity of the ground but with a reassessment mechanism included should circumstances change. This is addressed later in this report.

As such it is concluded that the Car Parking Management Plan should deliver 483 spaces on site.

Level of Parking Provided

The Plan indicates the use of spaces in the following areas at present with a plan provided for reference:

| Reference | Location | Total | Other Uses | Match day |
|--------------|--------------------|------------|-----------------------|------------|
| A | North of Stadium | 65 | 20 for proposed hotel | 45 |
| B | Adj 3G pitches | 130 | | 130 |
| C | Rear of East Stand | 60 | | 60 |
| D | West of Aldi | 95 | | 95 |
| E | Trilanco | 102 | | 102 |
| F | Coronation Way | 56 | | 56 |
| Total | | 508 | | 488 |

This meets the required level from the earlier section and so the Plan contends that the level of parking provided is sufficient.

This is an area that was disputed by the highway authority and local Town Councils in their comments on the preceding version of the Plan. The key points of dispute are presented in the table below:

| Issue | Club View | Officer View |
|--|---|--|
| The parking at Trilanco is not guaranteed to be available | The Club explain that they have an annual arrangement with Trilanco to use the parking area | At officer visit at the game on Good Friday 2018 that area was fully utilised for parking. If approved, the key element of the Plan is to require the level of spaces to be provided, with the Club being responsible for ensuring their ability or face enforcement action for being in conflict with the condition. As such officers believe that this is an acceptable arrangement. |
| The parking areas on Coronation Way are not available due to the need to | The Club advise that parking is not permitted on the part of Coronation Way that leads | At the Good Friday game the whole of Coronation Way was not being used for parking, but |

| | | |
|--|---|--|
| keep it free for access | from Fleetwood Road to the stadium, but is permitted to the north of that under controlled circumstances. | at other games the area to the north of the stadium only was being used. Officer believe the extent of parking listed for this area is appropriate. |
| The use of all parking for football use will push other uses off-site | The proposed hotel use is excluded from the parking numbers on match days and has reserved spaces in Car Park A. The March version also excluded the hockey spaces but they are now to be made available for football use. | This is an appropriate arrangement, and this areas are excluded from total parking provision. Use of the hockey pitches during match periods is restricted by planning conditions on that planning permission. |
| The level of coach parking (2 spaces) is inadequate | They advise that other off-site spaces can be made available if needed, but they don't find it necessary at present. The April version makes further reference to the arrangements for accommodating additional coach parking with these parked off site and then managed using the on-site turning areas that are designed for these vehicles | At the Good Friday game there was only the team coach and a minibus in the coach spaces, but it is possible that there will be increased coach travel to other games. The revisions to the April Plan provide confirmation that these can be accommodated and so this is considered to be a positive revision to the Plan. |
| There are no mechanisms to account for promotion or the development of the hotel site (Area D) | The Plan requires that the number of spaces is provided, and provides a mechanism for reassessment in the event of a promotion. It also requires that the Club provide those spaces. | The Plan does provide these mechanisms, and they are considered to be appropriate controls. |
| The parking plan provides parking based on 4,250 spectators, but this is irrelevant when the permission is for 6,000 and the parking should be based on that figure. | The Plan is based on the rationale of 1 space per 8.8 spectators which was the case at the time that the planning permission was granted. If the capacity increases to 6,000 then the number of spaces needed will increase | The provision of spaces on the basis of a parking standard ratio is a suitable and widely used mechanism to establish parking numbers. The use of this provides appropriate control over parking levels. |
| Parking associated with Aldi and the Eurogarages site should not be included | These spaces are excluded from the calculated number of spaces in the Parking Plan | The submitted plan does not include these spaces for use by spectators. At the Good Friday game these areas were not heavily parked suggesting that they were being used by their customers. |

| | | |
|---|--|---|
| Query why the overflow parking area is not being provided | The Plan states <i>"It was always envisaged that the need for the overspill parking would be investigated and where possible, alternative arrangements would be implemented to ensure adequate parking was in place without the creation of a large overspill car park which would be used only very infrequently. For the avoidance of doubt, it is not therefore the intention of the operators to implement the overspill car park at any time in the near future as it is the operators' view that appropriate parking levels can be provided and managed without it."</i> | <p>The critical aspect of the Plan is that it provides an appropriate level of parking. Officers believe that the parking ratio proposed is an appropriate one, and as the Plan correctly identifies areas within the site where this parking level can be provided there is no justification for the provision of the overspill parking area at this time.</p> <p>The Plan includes a review mechanism and so this may require its provision should there be a future need for greater parking levels on site.</p> |
| There is no recognition of parking demands for matchday staff such as those operating the bars, stewards, players, etc. | The parking assessment is for the whole operation of the stadium on matchdays and so there is no additional parking needed for these staff. The Plan explains that they are currently required to park in Car Park C which is between the stadium and Fleetwood Road | The extent of 'corporate entertainment' provision at the stadium is perhaps higher than that provided by other clubs at this level of football, and so the staff arrangements are higher, and so some account should be taken of this. |

Having visited the site at various times since football matches commenced in August 2016 officers have been able to observe the operation of the parking arrangements, and are satisfied that the figures provided in the table produced earlier in this section are achieved. As such the parking levels currently provided do meet the level that officers believe is appropriate given the current operation of the stadium.

Location and Design of Parking Provision

The Parking Plan advises that car park A provides dedicated parking for season ticket holders who wish to use it with this managed through a season pass and is also used by corporate guests and other spectators. Car park C is restricted to staff and officials leaving the remainder of the parking for general spectator use.

These car parks are all located on the Mill Farm site and all are a convenient walk to the stadium, and so appropriately located to meet its parking requirements.

Car park C is unsurfaced at present, although planning permission is in place for it to be surfaced /

drained / landscaped under reference 17/0016. This will be an enhancement to its appearance and usability, although from officer observations this will not make any difference to its capacity.

Car park D is also unsurfaced and is the site that is being marketed for a hotel use under the original planning permission. Should that site be developed for that use then its parking provision would obviously be lost, although the Plan refers to the intention to implement planning permission 15/0898 which is an extension to the parking area to the north of the stadium that remains undeveloped and unused at present. This is a matter that could be addressed under the review mechanism that is required for the Plan to be acceptable.

Parking Management

The Plan provides details of the on-site management which is operated by stewards employed by the Club. They are to manage the staff and officials to car park C, release car park B and then car park A for general parking, and then when these are full to direct spectators to car park D and to car park E although this also provides spaces for the corporate guests. The general spectator parking is charged at £5 per vehicle. Disabled parking is available in car park A and along Corporation Way adjacent to the stadium.

From officer observations this parking management is effectively coordinated and provides a systematic basis for the management of the parking areas. The Plan advises that the charge to park in Car park D and E is intended to encourage car sharing or to use public transport, and whilst that may occur it is a way of assisting with the Club revenue both directly through receipts and by encouraging early arrival of supporters to the site so that they can utilise the refreshment areas available 'on site'. This is an understandable approach and is typical of the parking arrangements provided at the majority of sporting and other leisure venues, but will inevitably discourage some visitors from paying the charge and so park off-site.

The Parking Plan also refers to the management of the off-site environment, with this involving the coning-off of Fleetwood Road alongside the stadium and towards the M55 junction, and along Mowbreck Lane where it is narrower closest to Fleetwood Road in the event that a crowd of over 1,500 is expected as well as the forecourt to the Fire Station on Fleetwood Road.

The reason for the condition is to ensure highway safety and neighbour amenity are not compromised, and the officer observations are that the coning of the main roads is effective in ensuring that they remain free flowing other than at the time when there are peak arrivals to the stadium which appears to be within 30 minutes of kick-off for evening games when there is some congestion on Fleetwood Road as spectators arrive at the site. This congestion is an inevitable consequence of the volume of visitors attracted to the site rather than the quality of the Parking Plan and it is unlikely that any effective steps could be put in place to avoid this.

The use of cones appears effective in maintaining the highway safety requirements of the condition. It is less effective in preventing off-site parking and that clearly occurs in several of the residential areas around the site including the recent residential development on Sanderling Way, along Fleetwood Road and Mowbreck Lane and in the streets on the Crossing Gates development. From resident correspondence there have been incidences of supporter cars partially blocking driveways and there are clear amenity issues for residents from the supporter use of these areas for parking.

The officer view on this is that it is unavoidable that some visitors to the site will park in areas such as this as they will find it more convenient for them than using parking on-site for reasons including a desire to avoid any bottle-necks at the site exit at the end of the match, habit from visiting other grounds, or a desire to visit Wesham town centre for pre-match refreshments. Even if the parking

levels on site were vastly increased it is inevitable that these areas would also be used for parking due to these factors, and whilst the amenity issues for the residents is clearly an issue for consideration it is not considered that the Parking Plan could be revised to avoid it occurring.

Other Measures

The Parking Plan makes reference to the other transport measures that can be used to access the site, with these summarised here:

- Walking- they refer to the surfaced and lit routes which allow the site to be accessed from Wesham and the bus / train connections to that town, including the new crossing facilities provided as part of the development of the site. They advise that the walking routes and convenience to the train station is advertised to supporters via the website and ticket information.
- Cycling – They refer to the availability of 20 cycle spaces on site and commit to provide additional spaces should they be required.
- Bus – They highlight the improved bus stop facilities that were provided as part of the development of the site and so how this assists the accessibility of the site by this means. They also refer to the public transport contributions made at that time, and that these connections are advertised via the tickets and website.
- Car sharing – they refer to the promotion of a national football lift share scheme that is designed specifically for football fans to use to travel to games via shared lifts rather than in individual cars.
- Coach parking -They refer to the two spaces provided for this, and commit to provide additional facilities if needed, although they don't believe it is at present. The April version of the Plan expands on the operation of this method of travel which is commonly used by away supporters.
- Rail – They refer to the proximity of the station to Mill Farm and that this proximity is promoted via the tickets and website.

The inclusion of details of the sustainable travel options that are available to visitors to Mill Farm is welcomed and the comments provided are all accepted, although further clarity over the extent of cycle parking and the operation of the coach parking would be helpful.

Exceptional Events

The Plan makes reference to the potential for occasional games throughout a season where they would undertake special measures to address the parking arrangements. These are advised as being when they anticipate a large crowd (over 3,000) such as if they were to be drawn against a league club in the FA Cup or are in a key promotion game, or when games are televised and so the TV infrastructure will utilise some of car park C.

The Plan makes reference to how these would be addressed by measures such as increasing coach parking, by restricting the location of staff parking, by extending the area that is coned, by removing parking charges for those car sharing, increasing the number of parking stewards beyond the 8 normally available, etc. The recognition of these events and the potential steps listed are considered to be an appropriate element of the Plan.

Review / Enforcement

The recent success of AFC Fylde with the team progressing to the FA Cup First Round and in contention for promotion for the second successive season highlights the need for a plan of this nature to include review procedures. The March version of the Plan included reference to this, and this has been expanded and clarified in the April version by inclusion of a bi-annual review

commencing in June 2020, and also when there has been a material change in the circumstances at the site, with these being:

- a) Any increase in the capacity of the Stadium above 4,250
- b) promotion or relegation of the football club;
- c) Further development of any part of the site which currently functions as a match day car park;
- d) Changes to the availability of those areas of car parking (A – F)

Accordingly, an implementation of the planning permission for the north stand, or submission of a new application for the development in this area, would trigger a review of the Plan. The Plan also provides details of the content of a review and its timing.

This addresses previous concerns expressed by officers and is considered to be acceptable.

The Plan also needs to include a series of clear statements regarding the key milestones of the Plan such as the level of parking provided, the location of parking provision, the management of the parking, etc. These need to be aspects that can be effectively monitored and so would allow evidence of breaches to be collected and used in any enforcement action that would be necessary to ensure compliance with the Plan. The April revision provides these as follows:

- a) The club will provide at least 483 match day parking spaces within the Mill Farm site.
- b) The Club will steward the management of these to ensure they are filled in a coordinated way to avoid congestion backing onto the highway
- c) The Club will continue to operate on and off-site parking control (via the use of traffic cones) for all matches and will undertake enhanced 'coning' to include one side of Mowbreck Lane, for games where an attendance of over 1,500 spectators is anticipated.
- d) The Club will manage exceptional games in accordance with an agreed strategy to minimise congestion and off-site parking issues
- e) The Club will present a review document to FBC prior to the end of June in each even numbered year commencing in 2020 or following a material change in circumstances

These are appropriate targets that can and will be monitored and allow for enforcement action to be taken if required. As such they are an appropriate element of the Plan and address previously expressed concerns on this aspect.

Summary

Your officers believe that the April Version of the Car Park Management Plan is an effective mechanism for determining the level of parking to be provided on the Mill Farm site associated with the operation of the football stadium and of documenting the parking arrangements that are currently in place. It will also provide an appropriate review process and so enables flexibility in its content in the event that there are material changes in the parking needs or availability. It is officer view that the Parking Plan is acceptable to allow the details of the condition to be discharged.

Condition 46 – Hours of Operation of the Stadium

The application highlights the premises licences that had been granted to the various elements within the Stadium at the time of submission, and suggests that the condition should be discharged on the basis of those hours. Whilst the application does not mention the football use, it is appropriate that it should also be addressed as part of this condition, and so the hours under consideration are as follows:

- Football Use – This will be dictated by the football needs, but it is expected to involve games

on Saturday or Sunday during day-time hours with some weekday evening games that are typically completed by 22.00, with the associated works after the game ensuring that the Stadium is cleared by 23.30 hours.

- Bradleys Sports Bar – This is a ground floor Class A4 drinking venue within the main stand and is licenced 11.00 – 2300 Sun-Wed and 1100 – 0100 Thur – Sat.
- Churchill's / Milano's – These are restaurants located within the stadium that operated between 0600 – 0100 depending on bookings Aromo Café – This is a café on the ground floor of the stadium that operates 0700 – 1800 on any day

The condition was imposed in the interests of residential amenity, and given the separation of the commercial facilities from residential properties and the limited evening use of the football facilities, it is considered that the hours listed here are acceptable to avoid undue disturbance to neighbouring residents. Accordingly the details are acceptable to satisfy the requirements of this condition.

Conclusions

The application relates to the discharge of details associated with planning conditions attached to the original planning permission under which the Mill Farm development was constructed. The conditions relating to the management of the communal areas and the hours of operation of the football stadium facilities are uncontentious and it is considered that the details provided are acceptable. The other conditions covered by this application relate to the parking arrangements and the stadium associated with AFC Fylde home matches and have attracted considerable attention from local members, residents Town Councils and consultees in the time that the Club has played at the stadium. This has resulted in a series of revisions being made to the submitted information.

The Plan takes the approach that the level of on-site parking associated with the stadium should be provided based a ratio of 1 space for just under every 9 spectators which is the ratio that was used when the permission was first granted. This ratio is then applied to the current capacity of 4,250 to ensure that a minimum of 483 spaces are provided on site at all times. It then sets out where those spaces are currently located around the site, and how their use is to be managed. Details are also provided about how the off-site environment is to be managed and sets a review process in the event of significant changes around the operation of the Stadium such as some of the parking areas currently utilised not being available, the capacity increasing, or the Club achieving a promotion.

Officers have considered the content of the Plan carefully and viewed the operation of the stadium on a number of occasions. Having done that it is officer view that the parking levels proposed on site is an appropriate number, and that these are provided and appropriately managed on site. It is also officer view that the off-site management arrangements are appropriate and that the review mechanism is a viable and proportionate approach to deal with the issues associated with the condition.

The Mill Farm site provides a high quality sporting facility that will alter the character of the area north of Wesham on match days. However, these are relatively infrequent and it is considered that the parking and management arrangements proposed in the submitted Plan are now of an appropriate quality and breadth that they allow the details of the relevant conditions to be discharged.

Clearly the Plan itself is of no value if it is not implemented, and whilst the Club seem to be complying with its obligations at present the condition does provide an enforceable mechanism that can be used should future monitoring of the operation of the stadium reveal that it is not being implemented.

Recommendation

That the details be accepted as sufficient to discharge the relevant parts of the conditions as listed below, and that officers continue to monitor the operation of the site to ensure compliance with the agreed details.

11. This condition relates to the maintenance of the communal areas of the site. The application proposes that these are undertaken by landscapers appointed by the landowner.

This is an appropriate arrangement for the communal area maintenance and so the details of this condition are discharged accordingly.

33. This condition relates to the submission and implementation of a Car Parking Management Plan. The application provides a plan which is Version 3.6 dated April 2018.

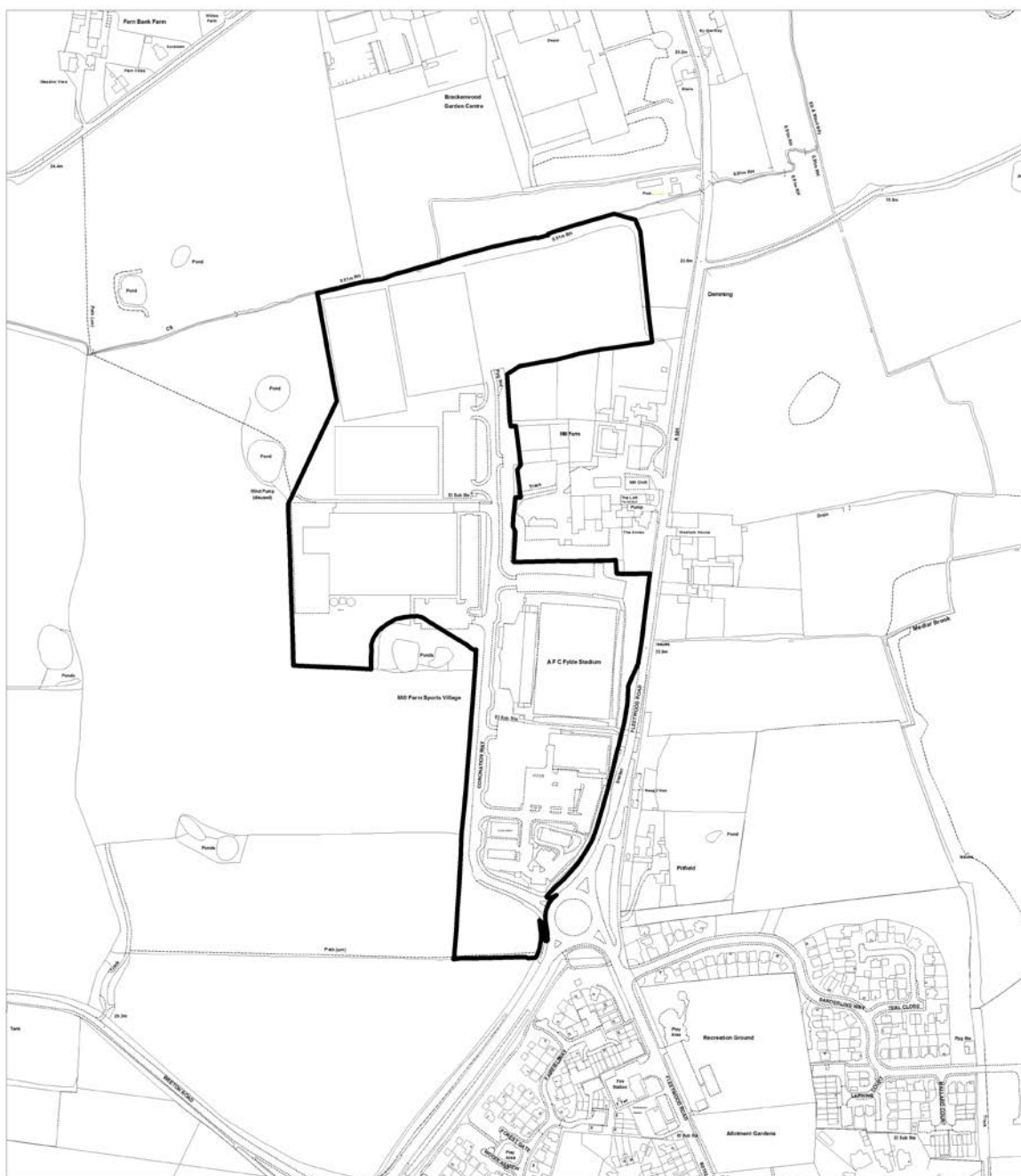
This provides an appropriate level of parking, in an appropriate location, and with an appropriate schedule of on-site and off-site management. It also provides a series of Targets / Commitments in section STR6 that are to be satisfied during the operation of the football stadium and so allows appropriate arrangements for monitoring, enforcement if necessary, and regular review.

This Car Parking Management Plan is therefore considered to satisfy the details of this condition in respect of the current circumstances that prevail at the site.

34. This condition relates to the submission and implementation of an Event and Traffic Management Plan. The details of this are provided within the documentation submitted under condition 33, and the Car Parking Management Plan is therefore considered to satisfy the details of this condition in respect of the current circumstances that prevail at the site.

46. This condition relates to the hours of operation of the Stadium, with the application submission providing details of those hours with relation to the Premises Licences that apply to the various enterprises within that part of the site.

These details are all considered to provide appropriate safeguards to the character of the area and residential amenity in that context and so the details are acceptable to allow the condition to be discharged.



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|---------------------------------------|--|--|-------------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2018). Ordnance Survey (100006084). | |
| Application No. 5/16/0621 | Address Mill Farm Sports Village, Fleetwood Road, Wesham | Grid Ref. E.3414 : N.4338 | Scale 0 25 50 75 100 m |

| | | | |
|-------------------------------|--|-----------------------------|--------------------------|
| Application Reference: | 17/0690 | Type of Application: | Full Planning Permission |
| Applicant: | Mill Farm Ventures | Agent : | PWA Planning |
| Location: | MILL FARM SPORTS VILLAGE, CORONATION WAY, MEDLAR WITH WESHAM | | |
| Proposal: | CHANGE OF USE OF SECOND FLOOR OF MAIN STAND TO USE AS A 19 BEDROOM HOTEL (USE CLASS C1) WITH ASSOCIATED ALTERATIONS TO EXTERIOR OF STAND | | |
| Ward: | MEDLAR WITH WESHAM | Area Team: | Area Team 2 |
| Weeks on Hand: | 34 | Case Officer: | Kieran Birch |
| Reason for Delay: | Application Deferred by Committee | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.7964955,-2.890898,554m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is the Mill Farm Sports Village in Wesham and specifically the main stand of the football stadium.

The application proposes the change of use of the entire second floor of the stand to provide a 19 bedroom hotel with associated supporting accommodation in a single meeting room, a linen store and a furniture store. The rooms are arranged so 12 face to the pitch and 7 to the countryside to the west.

The application is considered acceptable as it complies with the site's emerging Local Plan policy allocation as an employment and leisure site, and also with the NPPF support of economic development. The development will not have any unacceptable impact on residential amenity or car parking levels and so there are no issues with the application that should prevent its support.

Reason for Reporting to Committee

The application is 1160 square metres in size and as such constitutes a major application that needs to be considered by the Planning Committee under the scheme of delegation.

Site Description and Location

The application site is the Mill Farm development granted planning permission through 13/0655 for a number of different uses including full planning permission for a 6,000 capacity football stadium with the second floor of the main stand of this being the subject of this application. The permission included a hotel (class c1) and various other uses. The full site is a 12.6 hectare site situated due north west of Wesham and west of Fleetwood Road, the A585. The site is allocated as a Countryside

Area within the Fylde Borough Local Plan. Within the emerging Fylde Local Plan to 2032 the land is allocated as a mixed employment/leisure use. This application relates to the stadium part of the site which received planning permission in full albeit no specific use was identified for the second floor of the stand in that permission.

Details of Proposal

The application has been made in full and constitutes a change of use of the second floor of the main stand of the football stadium to that of a 19 bedroom hotel. Minor changes are proposed to the external appearance of the stadium to provide windows to the bedrooms. The 19 bedrooms would be accessed via the main stand main entrance and its lift and staircase. At the arrival point is a reception point which leads to a central corridor with the bedrooms accessed either side of this. The application proposes 20 designated hotel parking spaces in the existing car park that is located directly to the north of the stadium.

Relevant Planning History

| Application No. | Development | Decision | Date |
|------------------------|---|-----------------------------|-------------|
| 17/0551 | APPLICATION FOR INSTALLATION OF ATM AND LAMINATE PANEL SURROUND. | Granted | 04/09/2017 |
| 17/0016 | CONSTRUCTION OF PERMANENT CAR PARK BETWEEN STADIUM AND FLEETWOOD ROAD (60 SPACES) AND TEMPORARY CAR PARK ON PROPOSED HOTELAND BULKY GOODS SITE (95 SPACES) FOR AFC FYLDE FOOTBALL CLUB | Granted | 28/07/2017 |
| 16/1016 | ERECTION OF TWO-STOREY BUILDING TO PROVIDE COMMUNITY SPORT (CHANGING AND FUNCTION ROOM FACILITIES) AND EDUCATION CENTRE TOGETHER WITH ALTERATIONS TO APPROVED CAR PARKING ARRANGEMENTS. | Granted | 16/03/2017 |
| 16/0397 | DISCHARGE OF CONDITIONS ON APPLICATION 13/0655 FOR CONDITION 33 (CAR PARKING MANAGEMENT STRATEGY), AND CONDITION 46 (HOURS OF OPERATION) ASSOCIATED WITH USE OF BRADLEY'S SPORTS BAR AND AROMA CAFE | Advice Issued | 07/03/2017 |
| 15/0898 | PROPOSED EXTENSION.OF CAR PARK TO NORTH OF STADIUM TO PROVIDE NET INCREASE OF 95 SPACES | Granted | 21/03/2016 |
| 15/0742 | DISCHARGE OF CONDITION 3 ON APPLICATION 15/0309 FOR A SCHEME (DRAWING NO. 2255 - 13) IS SUBMITTED WHICH SHOWS A BUND / CHANNEL TO CONNECT THE APPROVED ATTENUATION POND WITH THE ADJACENT BROOK | Advice Issued | |
| 15/0733 | CONSTRUCTION OF 11 NO. ALL WEATHER FLOODLIT FOOTBALL PITCHES, 1 NO. ALL WEATHER FLOODLIT HOCKEY PITCH, 1 NO. HOCKEY PITCH SPECTATOR STAND PROVIDING SEATING FOR 256 SPECTATORS AND TEMPORARY CHANGING FACILITIES. | Approved with 106 Agreement | 11/07/2016 |
| 15/0365 | PROPOSED VARIATION OF CONDITION 20 OF PLANNING PERMISSION 13/0655 TO SET NOISE | Granted | 20/08/2015 |

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|---------|---|-----------------------------|------------|
| 15/0309 | LIMITS WITHOUT ADDITIONAL INFORMATION BEING SUBMITTED. APPLICATION FOR APPROVAL OF ALL RESERVED MATTERS RELATING TO THE SURFACE WATER ATTENUATION POND LOCATED TO THE NORTH OF THE SITE APPROVED UNDER OUTLINE PLANNING PERMISSION 13/0655 | Granted | 13/10/2015 |
| 14/0772 | ADVERTISEMENT CONSENT FOR ERECTION OF NON-ILLUMINATED HOARDING SIGN FOR TEMPORARY PERIOD | Granted | 04/02/2015 |
| 13/0655 | HYBRID PLANNING APPLICATION (PART FULL / PART OUTLINE) | Approved with 106 Agreement | 17/02/2015 |
| | FULL PLANNING APPLICATION – 6,000 CAPACITY FOOTBALL STADIUM, 11,431m2 WAREHOUSE AND DISTRIBUTION CENTRE (CLASS B8), 1,518m2 NEIGHBOURHOOD RETAIL STORE (CLASS A1), INTERNAL SPINE ROAD WITH ACCESS FROM A585 ROUNDABOUT, ASSOCIATED PARKING, LANDSCAPING, DRAINAGE AND INFRASTRUCTURE | | |
| | OUTLINE PLANNING APPLICATION (ACCESS SOUGHT WITH OTHER MATTERS RESERVED) – , 8 X OUTDOOR FLOODLIT ALL WEATHER PITCHES, CHANGING ROOM BLOCK, PETROL FILLING STATION, 785m2 NON-FOOD BULKY GOODS RETAIL UNIT (CLASS A1), HOTEL (CLASS C1), PUB / RESTAURANT (CLASS A4), DRIVE THRU RESTAURANT (CLASS A3/A5), 492 SPACE OVERFLOW CAR PARK & THE FORMATION OF A SURFACE WATER ATTENUATION POND. | | |

Relevant Planning Appeals History

None

Parish/Town Council Observations

Medlar with Wesham Town Council notified on 29 August 2017 and comment:

“The Council were concerned regarding the legality of considering this application when the conditions on original application (13/0655) have not be met. If the committee have a mind to consider this application, the Council would wish to make the following comments:

- *There are no additional car parking spaces as part of this proposal*
- *Currently car parking is insufficient and number required have not be built*
- *Parking bay shown on application have not been built*
- *What will the land originally designated for hotel what is happening to it/ what alternative use?*
- *Concerns were expressed regarding possible variations in licensing of the premises due to the residential nature of the change in use.”*

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

Initial comments were provided which raised concerns over the parking arrangements for this application whilst the Car Parking Management Plan for Stadium was outstanding. They were concerned that the parking needs for the Stadium would impact on the provision of spaces for this hotel.

The latest version of the Car Park Management Plan which is under consideration on this agenda incorporates the parking arrangements for both, and so the views of LCC Highways have been sought on this application again.

It is expected that these comments will be received in time to be reported to the Committee in the late observations schedule.

Neighbour Observations

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|-----------------------------|-------------------|
| Neighbours notified: | 29 August 2017 |
| Site Notice Date: | 05 September 2017 |
| Press Notice Date: | 21 September 2017 |
| Number of Responses | None |

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|------|---|
| EMP3 | Business & industrial uses outside defined area |
|------|---|

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

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 2011 as amended.

Comment and Analysis

Introduction

This application was previously on the 8 November 2017 agenda, but the late observations recommended that the application be deferred as a consequence of the potential conflict between the parking needs of the proposed hotel and the parking needs of the football stadium as the Car Parking Management Strategy associated with the Stadium had not been agreed.

The deferral was intended to allow time for this issue to be resolved and allow the applicant to demonstrate that the allocation of 20 parking spaces for the hotel site would not reduce the amount of parking necessary to serve the stadium. Officers are now satisfied that is the case given the recommendation to support the discharge of the condition relating to the Car Parking Management Strategy elsewhere on this agenda and so this application is re-presented for a decision.

The main issues when considering this proposal are;

The principle of the development
Highways and parking

Principle of the development

Application 13/0655 was the hybrid planning permission for the whole site which included the second floor of the main stand subject to this application. This area was labelled as a 'future fit-out space' on approved drawing 4884 10C and condition 15 of the permission stated that; *"Prior to the fitting out or use of the second floor of the main stand an application for the use of this area shall be submitted to and approved in writing by the local planning authority"*. Subsequently application 15/0899 was submitted which approved the use of the second floor as class B1 office space. This permission has not been implemented and it is now being proposed that this area be used as a 19 bedroom hotel. As alterations are required to form windows in the elevations the application has been submitted as a full application.

The applicants have submitted a supporting statement with the application that outlines that whilst the wider site benefits from outline planning permission for a hotel (within a parcel of land to the south of the stadium and west of the ALDI supermarket as identified on drawing no. 4884_06 Rev G as approved under 13/0655), due to a lack of market interest it is unlikely that this site will come forward. This is reinforced by the fact that the site owners recently obtained full planning permission for the use of this land as car parking for the football stadium (application 17/0016), and the timescale for submission of the reserved matters expired in February 2018.

However, the impact of a 2196 sqm hotel on the site was considered as part of the original application which concluded that this non-retail use was ancillary to and dependent upon the football stadium to ensure its viability. This proposal is for 1160 sqm and as such the impact has already been considered acceptable. If a full application was made for a hotel on the site elsewhere then the impact of anything beyond the 2196 sqm approved taking into consideration the 1160 sqm proposed by this application would need to be considered. As such the application complies with the NPPF part 2 'ensuring the vitality of town centres'. This application outlines how the 19 bedroom hotel within the stadium will mean the hotel will play an ancillary role to the football club and that it is likely that most of the hotel's custom will be derived from spectators of AFC Fylde's football matches, especially in light of the club's recent promotion to the Conference League in which games will be played against clubs from across England, with supporters of said clubs travelling longer distances to the site than has the case previously when the Club was in regional leagues.

This development therefore relates to use of space which already exists but is without a current productive use within a football stand. The proposal is an effective use of an existing space to provide a 19 bedroom hotel. In addition the Football Club as well as the football/leisure side of the site offers several commercial functions including a sports bar and restaurant. The proposal can be considered sustainable development as it results in a mixed use development on a commercially used site which will provide a source of income/economic growth to the Football Club which as stated above is something supported by the NPPF. There will also be some trade draw to nearby towns from those staying at the hotel.

Another material consideration as outlined by NPPF paragraph 216 is the emerging Fylde Local Plan to 2032 which allocates the land under Policy SL4 as part of the Kirkham and Wesham Strategic Location for Development, comprising MUS3 – Mill Farm Sports Village, Fleetwood Road, Wesham. This allocates the site as a mixed use site, stating that it is a mixed use site for employment, leisure and retail. The proposed hotel use complies with the sites allocation in the emerging Local Plan. Furthermore the use is considered an appropriate one located in a football stadium as such developments often incorporate a hotel within them to broaden the range of their use and take wider advantage of the facilities they offer than has traditionally been the case. This includes at neighbouring football club Blackpool. This is supported by Policy GD6 –Promoting Mixed Use Development, which states that mixed use development will be encouraged on Strategic Sites to provide local retail centres, commercial, leisure and recreational opportunities close to where people live and work. The application is therefore acceptable in principle.

Highways and parking

The highways issues surrounding the application site as a whole were considered by LCC Highways at that time and a number of conditions were placed on that permission which will apply to this application, these include conditions requiring the submission of a delivery management plan, car parking being in place, a Car Parking Management Strategy and a Travel Plan being submitted. The car parking management strategy submitted is now acceptable and the details subject to another report in this agenda.

The changes proposed to parking levels on site with the allocation of 20 spaces to the hotel will not have a significant impact above what has already been assessed, and because the hotel use during match days is likely to be taken up by people who would be attending the match anyway there will be no real loss of car parking at the site. The application site plan shows a designated 20 spaces for the 19 rooms that will be made available to users of the hotel. At the time of writing the report LCC have not commented on the application nor the revised Car Parking Management Strategy but these will be made available in the late observations.

Other issues

Given that the proposal is for the change of use of part of a building that is already in situ there are no issues in relation to drainage, ecology or residential amenity. With regard to the design and appearance of the football stand the application proposes the inclusion of additional windows / areas of glazing to the two side elevations and the front elevation of the stand. These changes are minor and complement the existing design of the stadium and will have no visual impact.

Conclusions

The application as proposed is an acceptable given the sites allocation in the emerging Local Plan and the NPPF's support of economic development. The development will not have any unacceptable impact on the Town Centre or car parking. There are therefore no issues with the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission / consent relates to the following details:

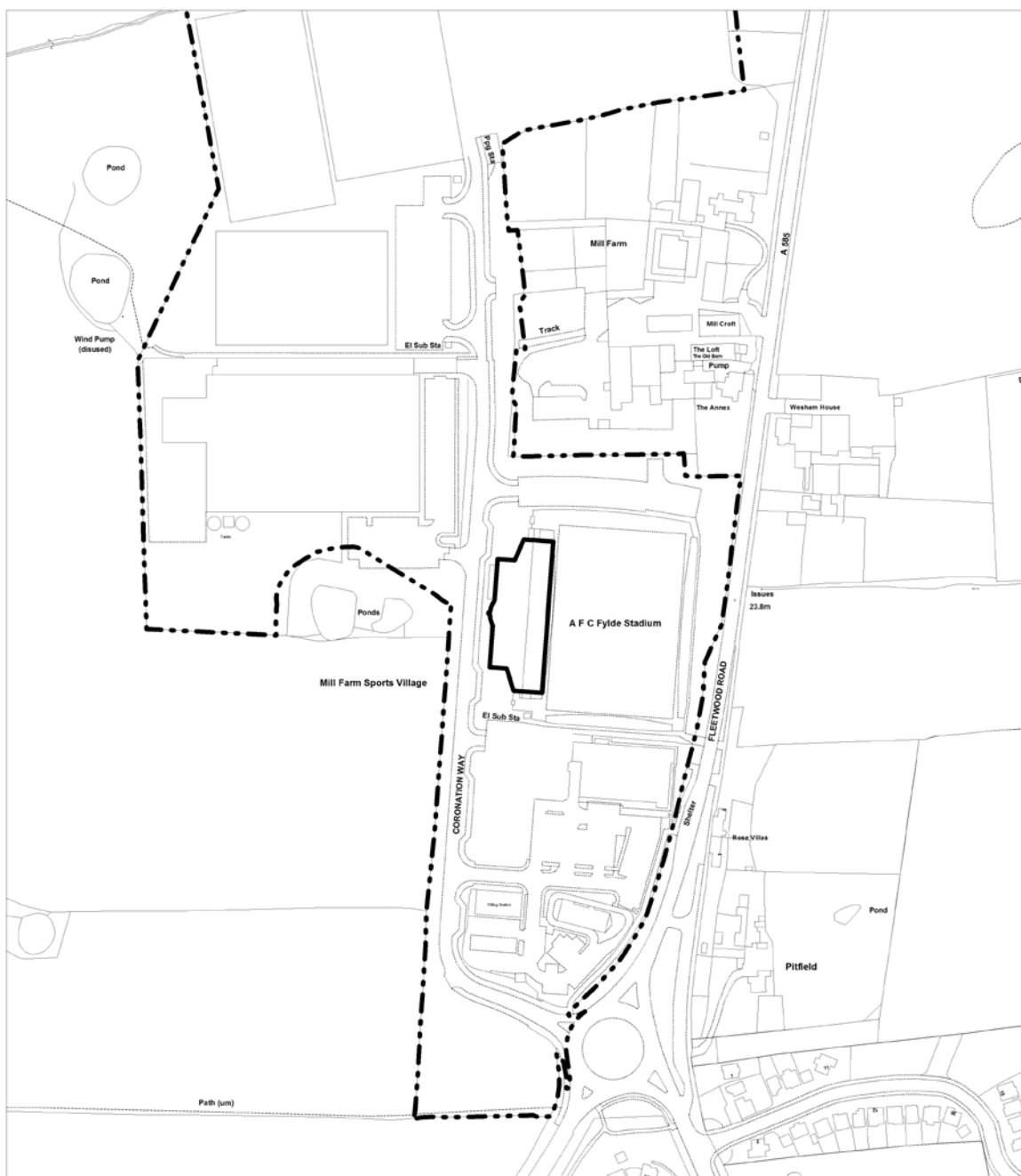
Approved plans:

- Location Plan -5949_L100
- Existing and proposed site plan - 5949_L101
- Proposed window details - 5949_L108
- Proposed second floor plan 5949_L103

Reason: To provide clarity to the permission.

3. That prior to the first use of the second floor area as a hotel the 20 parking spaces indicated on the site plan approved under condition 2 of this planning permission shall be made available for the use of patrons at the hotel. These spaces shall remain available at all times thereafter other than when there is inadequate demand from hotel guests for their use when they are to be made available to help meet the parking requirements of other activities on the wider Mill Farm site.

Reason: To ensure that an appropriate level of parking is made available for the hotel use, but that this parking is available for other site activities if needed.



| | | | |
|---------------------------------------|--|--|------------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2018). Ordnance Survey (100006084). | |
| Application No. 5/17/0690 | Address Mill Farm Sports Village, Coronation Way, Wesham | Grid Ref. E.3414 : N.4338 | Scale 0 15 30 45 60 m |

Item Number: 3

Committee Date: 18 April 2018

| | | | |
|-------------------------------|--|-----------------------------|--------------------------|
| Application Reference: | 18/0144 | Type of Application: | Full Planning Permission |
| Applicant: | Mr & Mrs Chew | Agent : | Shepherd Planning |
| Location: | GREENWAYS, 77 MAINS LANE, SINGLETON, POULTON-LE-FYLDE, FY6 7LD | | |
| Proposal: | DETACHED BUNGALOW WITH VEHICLE ACCESS AND TURNING POINT. | | |
| Ward: | SINGLETON AND GREENHALGH | Area Team: | Area Team 2 |
| Weeks on Hand: | 8 | Case Officer: | Ruth Thow |
| Reason for Delay: | Not applicable | | |

If viewing online this is a Google Maps link to the general site location:

<https://www.google.co.uk/maps/@53.8502455,-2.9591985,553m/data=!3m1!1e3?hl=en>

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application is submitted in full and seeks permission for the erection of a detached dwelling on land forming part of 'Greenways Nursery' on Mains Lane.

The site is in the designated countryside where planning policies restrict such development. However, regard should be had to recent Inspector's decisions for residential development in this area which have concluded that the area is an accessible location, and have supported developments where there has not been an overriding harm to the character of the countryside.

In this case it is not considered that such harm exists, and there are no highway safety, neighbour amenity or other technical reasons to resist development. Accordingly it is considered to comply with the definition of 'sustainable development' as set out in the National Planning Policy Framework and the relevant local plan policies and so is recommended for approval.

Reason for Reporting to Committee

This application is on the agenda as the applicant is an elected member of the council, and under the council's scheme of delegation such applications are to be determined by the Planning Committee.

Site Description and Location

The application site is at 'Greenways', 77 Mains Lane, Singleton. In particular the site forms part of the larger site known as 'Greenways Nursery', a small horticultural site carrying out the growing of plants with the retail sales of plants and the sale of children's play equipment. Trade from the site has now ceased.

The area proposed to be developed in this application is located on the north western boundary of Greenways and measures 874 square metres and is currently a mix of grassed lawn and gravel.

To the east of the site is the two storey dwelling at 'Greenways' with residential properties situated to the north. To south is the greenhouses belonging to the horticultural use of the site with open fields beyond to the west are open fields and stable buildings.

The site is located in countryside as designated on the Fylde Borough Local Plan, as altered (October 2005) and this is carried forward in the submission version of the Local Plan to 2032.

Details of Proposal

This application seeks permission for the erection of a detached single storey bungalow with dormers.

The bungalow measures 8.5 metres in overall width by 12.6 metres (including a bay to the front elevation). There is a conservatory to the rear adding an additional 3.3 metres in length by 3.6 metres in width.

The dwelling provides a combined kitchen/dining room, utility, WC, lounge, conservatory and bedroom ensuite to the ground floor with two further bedrooms and a bathroom in the roof space.

It is proposed that the dwelling is constructed in a red rustic brick under a grey tiled roof with UPVC windows and fascias.

The site is to be separated from the existing dwelling with a low 'picket' fence at the front section of the site leading to the highway with a 2 metres high solid timber fence enclosing the rear garden areas of the new dwelling.

Access to the dwelling is proposed from the existing access off Mains Lane with parking for two vehicles to the rear of the new garden area.

Relevant Planning History

| Application No. | Development | Decision | Date |
|------------------------|---|-----------------|-------------|
| 04/0787 | CREATION OF HARDSTANDING FOR OFF ROAD PARKING AND A HARDSTANDING OUTSIDE STABLES | Granted | 08/11/2004 |
| 04/0277 | PROPOSED FREE STANDING DOUBLE SIDED ANGLED POST SHOP SIGN | Granted | 26/05/2004 |
| 01/0852 | PROPOSED CONSERVATORY TO REAR | Granted | 03/01/2002 |
| 98/0711 | CHANGE OF USE OF LAND FOR THE DISPLAY OF CHILDREN'S PLAY EQUIPMENT | Granted | 02/12/1998 |
| 96/0797 | CHANGE OF USE OF PART OF PLANT NURSERY TO DISPLAY AND SALE | Granted | 03/01/1997 |
| 96/0306 | SITING OF CARAVAN FOR TEMPORARY ACCOMMODATION | Refused | 17/07/1996 |
| 94/0751 | 2 SHEET METAL CLAD BUILDINGS (GREEN) FOR USE AS STABLE BLOCK & TACKROOM/FEEDSTORE | Granted | 01/03/1995 |
| 93/0651 | OUTLINE APPLICATION FOR ERECTION OF ONE DWELLING | Refused | 10/11/1993 |

Relevant Planning Appeals History

None

Parish/Town Council Observations

Singleton Parish Council notified on 23 February 2018 and comment:

The Parish Councillors of Singleton would prefer to leave the decision up to the planners as they all know the applicants personally.

Statutory Consultees and Observations of Other Interested Parties

Greater Manchester Ecology Unit

"While the application site is within 1km of the European protected site the Morecambe Bay Special Protection Area (SPA) and the Wyre Estuary SSSI I would not consider that the proposed development will have any direct or indirect effects on the designated sites.

The application site is within 30m of a large pond. Ponds in this area are known to sometimes support the specially protected species great crested newt. Although there has been an ecological assessment of this pond I would not entirely agree with the conclusion of this assessment that the pond is of low suitability for supporting great crested newts; the survey was conducted in mid-December, not the best time of year to carry out ecological surveys. The assessment also claims that the pond was clearly used by waterfowl, although no evidence of this was presented. But I would not disagree with the assessment that the application site itself is of negligible value to amphibians, comprising close-mown grassland and hard standing.

Nevertheless there is a potential risk to amphibians, including great crested newts, during the construction phase of any development. Given the highly protected status of great crested newts I would recommend that a precautionary approach to the conservation of amphibians is taken; the reasonable avoidance measures described in section 7.2.2 of the ecological assessment prepared by 'envirotech' and dated December 2017 for the avoidance of harm to amphibians should be required to be implemented during the course of construction by means of a Condition placed on any permission that may be granted to the scheme.

The plans shown that the hedgerow forming the north-western boundary of the site is to be retained; the hedgerow should be suitably protected during the course of any construction works. If at any time any length of hedgerow is damaged or removed to facilitate the scheme replacement hedgerow planting should be required.

Lancashire County Council - Highway Authority

They comment on the merits as follows:

"LCC Highways does not have any objections regarding the proposed erection of detached bungalow with vehicle access and turning point and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site."

They then ask that the applicant provides a drawing to confirm that the required sight line is available over land within the applicants control and/or over the adopted highway and to fully show all works which would be required to provide the sight lines. They also request that the driveway be provided at a minimum width of 5.6m to allow for vehicles to pull clear of the carriageway when entering and exiting the site to ensure vehicles are not waiting on Mains Lane when a vehicle is exiting the driveway. They then request a series of standard conditions relating to wheel washing, provision of sight lines, and on-site turning are included.

Regeneration Team (Trees)

"I have no objection to this proposal.

There's a fine mature tree in front of the existing house but this isn't implicated by the proposal, and those few irregular saplings to the front boundary of the development site are of low value and will come into conflict with the overhead lines at some future date."

Highways England

They have provided comments as the access is to a Trunk Road which state:

"The addition of this development is not expected to have a severe impact upon traffic flows and usage of the A585 trunk road, and so we have no objection in principle to the proposals.

It should be noted by Fylde Council that each new access point that is created on Mains Lane increases the likelihood of shunt-type accidents caused by turning manoeuvres. A proliferation of these accesses also increases this risk, not just because of an increase in turning traffic, but also as a result of confusion amongst drivers using the A585(T) as to which access a driver in front may be intending to turn into.

In this case, the development of the bungalow is proposed to utilise the existing access, and we welcome the fact that there is space available within the site to allow vehicles to turn within the property and thus both enter and leave the A585(T) front first (i.e. avoiding the need for vehicles to reverse onto the A585(T)).

Whilst the addition of the development traffic is not expected to materially alter the safety dynamic, in view of the existing use of the remainder of the site, there is now a greater potential for one vehicle to be seeking to leave the site at the same time as another is seeking to enter the site, which could cause conflict. We would therefore advise that consideration is given to widening the access point to the premises. The application does not contain any details of highway access improvement works for Highways England to comment on.

In terms of visibility for vehicles leaving the site, in our view, whilst the site is located close to a curve of the A585(T), the required visibility distance of 90 metres in either direction is available."

They conclude by requesting that conditions relating to the construction of the access and its drainage are imposed.

Natural England

“Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.”

Neighbour Observations

| | |
|-----------------------------|------------------|
| Neighbours notified: | 23 February 2018 |
| Site Notice Date: | 02 March 2018 |
| Press Notice Date: | N/A |
| Number of Responses | None received |

Relevant Planning Policy

Fylde Borough Local Plan:

| | |
|------|--|
| SP02 | Development in countryside areas |
| HL02 | Development control criteria for new housing proposals |
| EP14 | Landscaping new development |
| EP19 | Protected species |

Fylde Local Plan to 2032:

| | |
|------|---|
| GD4 | Development in the Countryside |
| H1 | Housing Delivery and the Allocation of Housing Land |
| H2 | Density and Mix of New Residential Development |
| GD7 | Achieving Good Design in Development |
| ENV1 | Landscape |
| ENV2 | Biodiversity |

Other Relevant Policy:

| | |
|-------|-------------------------------------|
| NPPF: | National Planning Policy Framework |
| NPPG: | National Planning Practice Guidance |

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 2011 as amended.

Comment and Analysis

This application is a full application which seeks permission for a detached single storey dwelling with dormers in the roofspace.

Policies

Policies SP2, HL2, EP14 and EP19 of the Fylde Borough Local Plan, as altered (October 2005) Policies GD4, H1, H2, GD7, ENV1 and ENV2 of the submission version of the Local Plan to 2032 are relevant to the determination of this application together with the aims and guidance of the National Planning Policy Framework (NPPF).

Principle of Development

Planning legislation requires that planning applications are determined in line with the development plan unless there are material considerations that dictate otherwise. This has been reinforced by the National Planning Policy Framework (NPPF) which refers, at paragraph 14, to the need for applications that accord with the development plan to be approved without delay.

Under the Fylde Borough Local Plan, as altered (October 2005) and the submission version of the plan to 2032 the land proposed for development in this application is outside of the settlement boundary and allocated as Countryside under Policies SP2 & GD4. These Policies restrict the majority of development to preserve the rural character, with the exceptions generally limited to agricultural or other such uses. New residential development is clearly contrary to this Policy and so it is important to assess whether there are any material considerations that would justify overruling this policy objection. If there are not, then a reason for refusal on the conflict with the Local Plan allocation would be appropriate.

The Need for Residential Development

The NPPF requires that local planning authorities provide for housing land equivalent to at least a 5 year supply of the council's housing target. Para 47 of the NPPF states that "*local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing land against their housing requirements*", and then refers to additional amounts being required where there has been consistent under-delivery.

The council is currently in a position where it is able to demonstrate a five year housing supply, but it is appropriate that sustainable residential development schemes are supported to ensure that that supply level is maintained. It is therefore essential to establish if this scheme does deliver sustainable development and if there are any other relevant factors to outweigh the development.

Does the Proposal Deliver Sustainable Development?

The NPPF sets out three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating*

development requirements, including the provision of infrastructure;

- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

With regard to applications for residential development in countryside locations such as this the main issues to consider are the accessibility of the site, the scale of the development and its visual impact on the landscape setting it is within.

Accessibility of Site

This site is allocated as Countryside on the Local Plan. A core planning principle of the NPPF is to focus development in locations which are, or can be made, sustainable. With the aim of promoting sustainable development in rural areas, paragraph 55 directs housing to area where it will enhance, or maintain, the vitality of rural communities, and isolated new homes are to be avoided unless there are special circumstances. In general the pattern of development should seek to minimise the length of journeys to work, schools and other services by other means than the private car.

In this instance the application site is centrally located between the centre of Singleton Village (1.8 miles) and Poulton Town Centre (1.9 miles) in either direction. Poulton Town Centre having a far greater range of facilities than the limited facilities in Singleton.

Whilst it is understood that the bus services along Mains Lane has ceased, there are well lit pavements on both sides of Mains Lane and on the north side of Garstang Road East where there are bus services to Poulton and further afield. The distance to Poulton from the application site is also within a reasonable cycling distance.

Therefore, despite not being within a settlement, future occupiers of the dwelling would not need to travel far to access services for their day to day needs. As a consequence the site is considered to be accessible in terms of key services.

Scale of Dwelling and Impact on Landscape Character

The application introduces a bungalow property to the western boundary of the site on land forming part of the garden area to the existing dwelling.

Much of Mains Lane is lined with a mixture of hedgerows, timber post and rail fences and some formal walled boundaries behind which is a mix of dwellings of a variety of ages, styles and scales with some evidence of commercial uses. The overall character is provided by sporadic residential development interspersed with open fields which cannot be described as traditional open countryside.

Whilst the proposed development would result in a modest erosion of the open landscape it would be situated close to the existing dwelling at No. 77 thereby contributing to the coalescence of built development and limiting the amount of visual harm. It is not the case that it involves encroachment into any agricultural land or any key visual breaks in the pattern of development.

The design of the dwelling is of a modest bungalow which is in keeping with the style of many of the properties on Mains Lane. As a consequence the proposed dwelling will not appear incongruous or dominant in the street scene.

Accordingly the proposal is considered to comply with the Policy HL2 of the Fylde Borough Local Plan, as altered (October 2015); Policies GD7, H1 and H2 of the submission version of the Local Plan to 2032 and the aims of the NPPF.

Impact on neighbour amenity

The dwelling is to be sited on land forming the side garden area to 'Greenways' (no. 77) as a result there is the potential for loss of privacy for occupiers of the existing and the proposed dwelling due to windows in the side elevation of the existing dwelling and the windows in front elevation of the new dwelling facing the existing property.

This will be overcome by the proposed 2 metre high close boarded timber fence along the boundary of the proposed site which will screen the ground floor windows on both properties. In regards to the dormer windows on the proposed dwelling, one will overlook the front garden of the existing dwelling which are views in the public domain and from the other there would be limited views due to separation distance and the oblique viewing angle.

There are no other nearby neighbours likely to be affected by this proposal.

A condition to remove 'Permitted Development Rights' will form part of the recommendation on this application to ensure that the domestic use of part of the site will not result in a proliferation of outbuildings and domestic paraphernalia which could potentially be harmful to the visual and neighbour amenity.

Access Arrangements

Access is proposed via the existing access off Mains Lane and will be shared with the occupiers of no. 77 and any users of the horticulture site to the rear, should this business be reinstated in the future.

Comments were received from Highways England and LCC in respect of widening the access to avoid conflict between users and provision of visibility splays. However, the plans as submitted confirm that the existing access is already wider than the width that the highway officers request with good visibility available, and so no further alterations to this are required. Any such works would potentially have a harmful impact on the rural character of the area and so given that the officer are not raising objection to the additional use of the existing access point, which has been used for the residential and commercial use of the site for many years, it is not considered that any further works are appropriate to allow a safe and suitable access to be available to serve the development. There is therefore no conflict with Policy HL2 or GD7 in this respect.

Drainage Matters

The application site is within Flood Zone 1. A condition requiring the site to be drained in accordance with sustainable drainage principles will be imposed with details of ground conditions to be investigated to ensure adequate drainage of the site.

Impact on SSSI and ecology issues

Natural England have advised that the proposal is unlikely to affect any statutorily protected sites or landscapes.

An Ecological Appraisal was submitted with the application which concluded that in respect of:

- Amphibians - the survey concluded that there were no suitable breeding sites on or near the site but precautionary measures should be adopted.
- Badger - Badger sets are known to occur within 2 km of the site. These setts will be undisturbed by work but in order to minimise impacts on badgers precautionary measures should be adopted.
- Bats - work at night should be restricted and roosting provision should be incorporated into the building.
- Birds - birds may nest within the periphery of the site and vegetation clearance should be avoided in the March - September period without first checking over the site by a qualified individual.
- Brown hare - no indication of brown hares was recorded on site. Not working at night and leaving open trenches with means of escape for badgers are applicable to this species.
- Invertebrates - landscaping should include native or wildlife friendly to these species.
- Reptiles - again not leaving trenches open is applicable.

The report has been considered by the council's ecological consultants who did not entirely agree with the conclusion in respect to newts due to the timing of the survey outside of activity phases and advised that there is a potential risk to amphibians, during the construction phase of the development. It was recommended that a precautionary approach is taken during construction to avoid any harm to amphibians. This will form a condition of this recommendation.

Conclusions

This application is submitted in full for a detached dwelling in a countryside location. The proposal does not accord with the countryside policies SP2/GD4 which seeks to restrict where housing can be located and so it is important to assess any other material considerations that would justify overruling this policy objection.

In this instance regard should be had to recent Inspector's decisions which have determined that Mains Lane is an accessible location (decisions relate to 29 Mains Lane and Land between 185 and Rycroft Farm) in respect of its proximity to local services and so the proposal is 'sustainable' in regards to the NPPF and the need to satisfy the economic and social roles.

The dwelling is of a scale and design that will not harm neighbour amenity and the proposal can adequately mitigate for any potential harm in respect of the character and visual amenity of the countryside area and it will bring added benefits to the housing supply in the borough. Given that the development will ensure no harm to the natural environment it is considered to satisfy the environmental role.

Accordingly the application is considered to comply with Policies HL2, EP14 and EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policies GD4, GD7, HL1, HL2, ENV1 and ENV2 of the submission version of the Local Plan to 2032 and the aims and guidance of the National Planning Policy Framework (NPPF).

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This consent relates to the following details:

Approved plans:

- Proposed location, floor and elevation plans - drawing no. PL01 REV. B (March 18)

Supporting Reports:

- Planning, Design and Access Statement - Shepherd Planning (February 2018)
- Ecological Appraisal - Envirotech (December 2017)

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

3. Prior to the commencement of any development a schedule of all materials to be used on the external walls and roof of the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwelling and only varied with the prior written consent of the Local Planning Authority.

Reason: To secure a satisfactory standard of development. In accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.

4. Prior to the commencement of development a drainage scheme for the treatment of foul and surface water shall be submitted to the Local Planning Authority for approval. Thereafter the approved system(s) shall be installed prior to first occupation of the dwelling and thereafter retained in the approved form.

Reason: To secure proper drainage and to manage the risk of flooding and pollution. In accordance with Policy EP25 of the Fylde Borough Local Plan, as altered (October 2005), Policy INF1 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.

5. Prior to construction works taking place on site measures shall be in place to protect the existing Hawthorn hedge to the roadside frontage. The extent of hard surfacing on the site shall be limited to those areas indicated on drawing no. PL01 REV. B (March 18).

Reason: To enhance the quality of the development in the interests of the amenities of the locality in accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework. and in the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework, Section 11.

6. The development hereby approved shall not be first occupied or brought into use until the fencing shown on the approved plans PL01 REV. B has been erected. Thereafter the fencing shall be retained in its approved form and the domestic curtilage areas shall not be altered or used for any purpose other than in association with the residential occupation of the dwelling.

Reason: To ensure that adequate amenity areas are provided to serve the dwelling approved and to define and separate the domestic curtilage from other uses on the adjacent site. In accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005) and criterion p of Policy GD7 of the submission version of of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework.

7. No site preparation, delivery of materials or construction works, other than quiet internal building operations such as plastering and electrical installation, shall take place other than between 08:00 hours and 18:00 hours Monday-Friday and between 08:00 hours and 13:00 hours on Saturdays.

Reason: To safeguard the amenities of occupiers of surrounding properties during the course of construction of the development and to limit the potential for unacceptable noise and disturbance at unsocial hours. In accordance with Policy EP27 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.

8. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety. In accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.

9. 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 the approved plan and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles. In accordance with Policy HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policy GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.

10. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

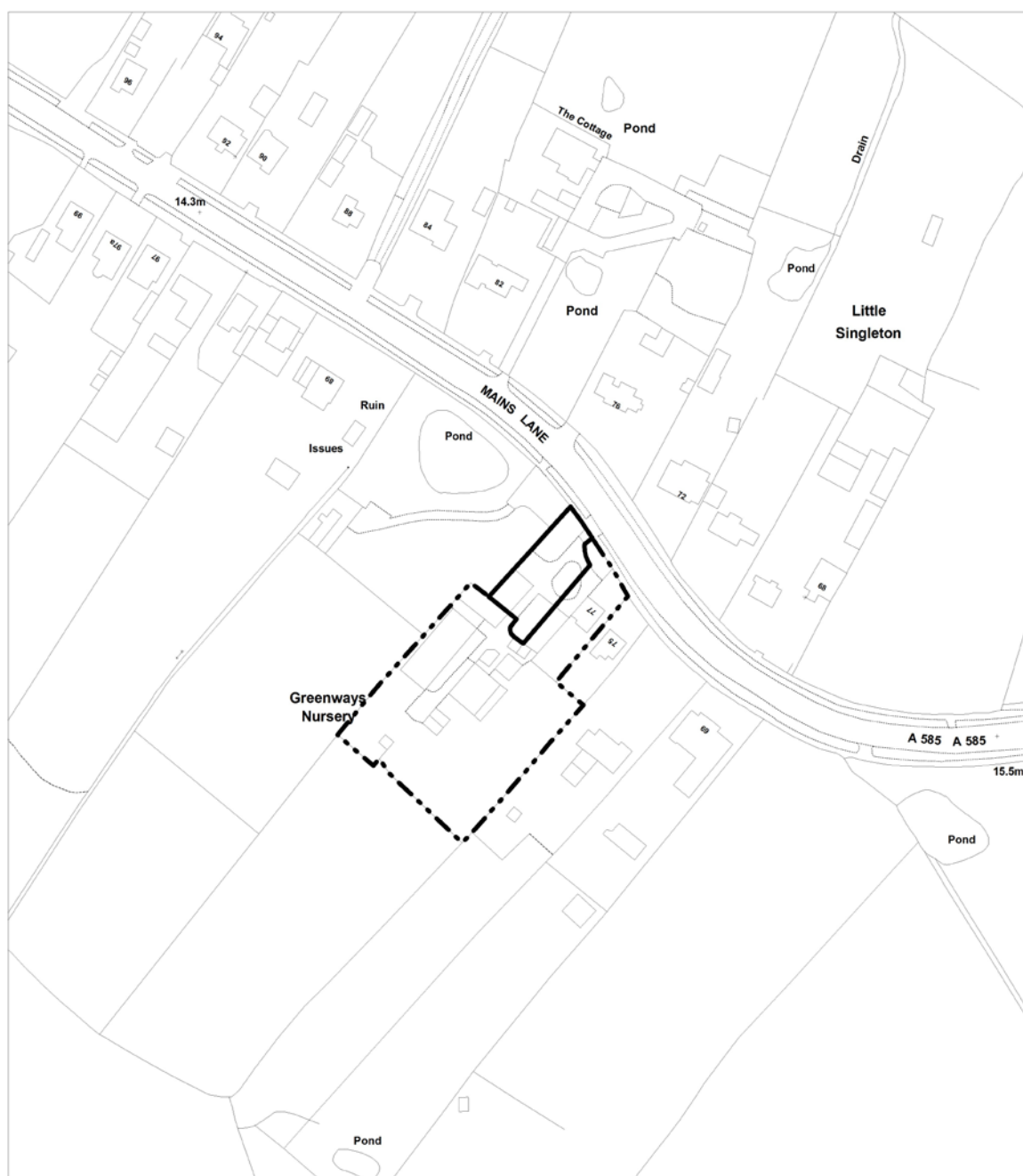
Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Policy EP19 of the Fylde Borough Local Plan as altered (October 2005), Policy ENV2 of the submission version of the Local Plan to 2032, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

11. The development hereby approved shall be implemented in full accordance with the Mitigation Measures described in section 7.2.2 of the ecological assessment prepared by 'envirotech' and dated December 2017.

Reason: For the avoidance of harm to amphibians during the course of construction in accordance with Policy EP19 of the Fylde Borough Local Plan, as altered (October 2005), Policy ENV2 of the submission version of the local plan to 2032 and Paragraph 118 of the NPPF.

12. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E and Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: In order to prevent overdevelopment of the site, to safeguard the amenity of adjoining occupiers and to prevent further encroachment into the countryside in accordance with the requirements of Policies SP2, EP12 and HL2 of the Fylde Borough Local Plan, as altered (October 2005), Policies GD4, ENV1 and GD7 of the submission version of the Local Plan to 2032 and the aims of the National Planning Policy Framework.



| | | | |
|---------------------------------------|--|--|--------------------------|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2018). Ordnance Survey (100006084). | |
| Application No. 5/18/0144 | Address Greenways, 77 Mains Lane, Singleton | Grid Ref. E.3368 : N.4398 | Scale 0 10 20 30 40 m |

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|---|--------------------|---------------|---------|
| HEAD OF PLANNING & HOUSING | PLANNING COMMITTEE | 18 APRIL 2018 | 5 |
| A585 - SKIPPOOL TO WINDY HARBOUR RELIEF ROAD | | | |

PUBLIC ITEM

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

SUMMARY

Highways England are currently consulting on proposals to improve the A585 between Windy Harbour and Skippool ahead of submitting a planning application to the Planning Inspectorate in line with the Nationally Significant Infrastructure Projects (NSIP) provisions. This report considers the representations to that consultation to be made on behalf of Fylde Council and seeks to establish a small group of members with delegated authority to comment on the proposal during the determination process.

RECOMMENDATIONS

1. That the Council respond to Highways England's consultation to advise that Fylde Council support the principle of the construction of the proposed A585 Skippool – Windy Harbour relief Road subject to:
 - Appropriate mitigation being incorporated to minimise the impact of the proposed development on the amenity of neighbouring residential properties.
 - The provision of an ecological mitigation scheme that incorporates further blocks of woodland planting in order to offset the impacts of the loss of woodland resulting from the scheme.
 - The provision of a "Heritage Improvement Scheme" in order to offset any adverse impacts on the setting of locally, nationally and non-designated heritage assets.
 - Consideration of any consequential impacts of the proposed relief road along the remainder of the A585, particularly within Fylde Borough.
2. That a small group of members be established to oversee the council's case to be presented to the NSIP examination of the proposed development.
3. That authority is delegated to the to the group referred to in recommendation 2 above to prepare the council's case and respond to third party representations as appropriate.

SUMMARY OF PREVIOUS DECISIONS

No decisions directly relating to this project have been made by the Council, although the general area of search and general support for the provision of an A585 Windy Harbour – Skippool relief road is included in the Fylde Local Plan to 2032 which has previously been approved by the Planning Committee and Council.

| CORPORATE PRIORITIES | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | |
| Delivering the services that customers expect of an excellent council (Clean and Green) | |
| Working with all partners (Vibrant Economy) | ✓ |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | ✓ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | ✓ |

REPORT

1. Highways England are currently consulting on proposals to improve the A585 between Windy Harbour and Skippool ahead of submitting a planning application to the Planning Inspectorate in line with the Nationally Significant Infrastructure Projects (NSIP) provisions contained in The Planning Act 2008. Details of the NSIP process are available on the Planning Inspectorates website at:

<https://infrastructure.planninginspectorate.gov.uk/application-process/the-process/>

Although Fylde Council will not be responsible for deciding whether the project will go ahead or not, it has been identified as a “Host Authority” and so will have a central role to play in the determination process.

2. The A585 is the main road in and out of Fleetwood and surrounding areas. It is heavily congested between Windy Harbour and Skippool and drivers currently suffer from significant delays during peak periods. The road also has a poor safety record. Congestion is particularly severe at the junction with the A586 at Little Singleton and the signalised junction with the A588 at Shard Road. A high number of accidents are reported at these junctions and the volume of traffic is also a concern for local people, pedestrians, equestrians and cyclists. Highways England consider that, without improvements to this three-mile section of road, it is likely there will be a rise in traffic levels and the potential for the number of accidents, and delays to journey times, to increase.
3. By delivering the scheme, Highways England aims to improve:
 - Reliability: by reducing congestion especially around Little Singleton, Shard Road and Skippool junctions, which will improve journey times.
 - Socio-economic: by supporting the economic growth potential in both Wyre and Fylde and supporting planned residential developments in the local area.
 - Safety: by improving the safety of pedestrians, equestrians and cyclists around the existing A585.
4. Full details of the proposed improvements are available on the Highways England website at: <http://roads.highways.gov.uk/projects/a585-windy-harbour-to-skipool/>. In summary the proposed improvements would include:
 - a. Alterations to Breck Road Roundabout to produce a traffic light controlled junction (within Wyre Borough).
 - b. A new junction where the proposed bypass would leave the existing line of Mains Lane and swing to the south of existing dwellings on Mains Lane to meet Garstang Road East between Little Poulton and Little Singleton. This new stretch of road would essentially follow the line of the “Blue Route” as set out in the Fylde Borough Local Plan (2005) and Fylde Local Plan to 2032.
 - c. The provision of a new 4 way roundabout on Garstang Road East.
 - d. The provision of a highway that would proceed along a new alignment to the south of the 5 Lane Ends Junction and to the north of Singleton Hall before returning to meet the existing alignment of the A585 between Windy Harbour and 5 Lane Ends.
(All of the above works would provide a 4 lane dual carriageway.)
 - e. A new pedestrian footbridge would be provided close to the point where the new road meets the existing line of the A585.

- f. In the vicinity of Singleton Hall, a deep cutting is proposed for the new road and Lodge Lane would be elevated to cross over the new road. A new roundabout would be provided to replace the existing traffic light junction at 5 lane ends.
 - g. The existing road between 5 lane ends and the point where the new road re-joins the existing line of the A585 would be decommissioned.
5. Policy T1 of The Fylde Local Plan to 2032 acknowledges the need to improve this section of highway and supports the provision of the A585 Skippool – Windy Harbour improvements. However the economic benefits of delivering the road must be balanced against its potential environmental effects. Accordingly, the justification for Policy T1 (as modified) sets out that proposals for new roads and strategic highway improvements will need to comply with the requirements of Policy GD7 – Achieving Good Design in Development, ENV1 Landscape, ENV2 Biodiversity and Policy ENV5 on Historic Environment. The justification goes on to say that “The Council will work with LCC, as the Highway Authority, to minimise landscape, biodiversity, drainage, severance and noise impacts. There will be a commitment to environmentally sensitive design, mitigation and habitat restoration.” These policies contain the context against which the proposed works need to be assessed.

Amenity

- 6. The proposal would bring both positive and negative amenity impacts to the local community. The residents along the length of Mains Lane which is to be bypassed by the new road will experience a drop in traffic levels which will bring reductions in noise and pollution.
- 7. Those residents who will be in close proximity to the proposed bypass will be impacted as a result of potential generators of noise and pollution being in closer proximity to their homes. As most of these homes will currently enjoy very low levels of background noise due to the absence of any major traffic routes in their immediate vicinity any impacts are likely to be significant.
- 8. Overall the balance of the impact on local residents is difficult to assess, but it is likely that more residents will gain than be adversely affected. That said, it is vital to ensure that any adverse impacts of the new road on residential properties are mitigated as far as is practically possible.

Trees and Landscape

- 9. To the south of Garstang Road East, the proposed road would cross open fields to the north of Singleton Hall. In doing so, it appears that 3 established blocks of woodland protected by Fylde Council TPO 1974.01 (Singleton) would be needed to be felled to accommodate the works. A deep cutting and underpass that would allow the road to pass under Lodge Lane would potentially impact on a further area of woodland. These are lowland deciduous woodlands, mature, with in some cases very large trees approaching veteran status for their species. Most have a regenerative layer, so are self-sustaining. Species composition is mainly native – oak, beech and ash. Management of these woodlands has been minimal, if any. A residual stream divides one of the woodlands, possibly increasing its biodiversity value, and is perhaps a natural drain from the nearby pond.
- 10. These are trees of tremendous stature and maturity, visually-dominant, and integral to the Little Singleton landscape. The woodlands are possibly contemporaneous with Singleton Hall. The woodlands are not shown on the 1845 map, and although the area was probably once wooded it's likely the land was cleared of trees for farming before AD1600. This need not detract from the woodlands' importance, either in landscape, functional or biodiversity terms. Remediation and mitigation for their loss cannot be immediate, and like-for-like replacement is impossible. Compensation to ensure a gain is desirable if the loss cannot be avoided.
- 11. All woodlands in Fylde borough form components of its urban forest and any losses should be resisted or, where unavoidable because other interests are overriding, compensated for. Protection and enhancement by addition help Fylde Council to deliver its corporate goals, principally: A Clean and Green Borough, A Great Place to Live and A Great Place to Visit.
- 12. Government guidance introduced in April 2016 identified the significance of Green Infrastructure in planning and development issues
“Green infrastructure provides multiple benefits, notably eco-system services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. Green

infrastructure should, therefore, be a key consideration in both local plans and planning decisions where relevant."

13. Trees and woodlands have a presence on the skyline that provides an amenity to the wider public and local residents in particular. Any net loss of woodland cover can only hold negative outcomes for Fylde. Since the proposed relief road may present a range of public interest benefits for the borough, compromise and compensation may have to be the outcome of the development.
14. The two woodlands that are the most prominent are open to view from Lodge Lane, not only to drivers, but to the increasing number of residents, and from the wide junction at Five Lane Ends.
15. The height and maturity of the trees adds to their visibility and increases their magnitude in the Singleton landscape. The loss of these will be experienced as a new gap in the skyline. While other woodland may be visible – ie at Singleton Hall - it will be at an increased distance, lacking immediacy.
16. Culturally and historically, the woodlands to be removed are linked with Singleton Hall, where they would have been used for leisure, hunting, firewood and possibly timber for construction and repair. The hall itself is now home to multiple residents after conversion to apartments in the mid-1990s. The woodlands offer seclusion and quietude to the development by separating the historic entrance drive from the highway to the north.
17. Submitted plans indicate the replanting is intended mainly as highway buffer strips, rather than as areas of woodlands. The land acquisition seems to be minimal, yet this offers an opportunity to replace lost woodlands and restore some element of the screening and sequestration given by existing woodlands.

Heritage

18. The area contains Singleton Hall, a non- designated heritage asset, and the proposed road will adversely affect the special historic and architectural interest of the asset. The asset comprises the hall (in use as permanent residential flats), gardens, parkland and curtilage structures, including nationally listed (grade 2) ice house; also estate homes in the cluster and also further from the hall at North Lodge (350m north west of the hall) and South Lodge (600m south of the hall). The Hall dates from 1855 and presents as a largely unchanged historical residential estate. It has high heritage value. The buildings are strong candidates for inclusion on the local list of heritage assets when this area is surveyed later this year.
19. The hall cluster containing Singleton Hall, The Manor, and Bankfield Manor House has a setting of open fields to the five land ends junction and this open landscape provides an appropriate rural setting for the estate cluster. The proposed road has potential to create a harsh, urban, and highly engineered band of tarmac thus impairing the setting of the cluster. The development would adversely affect the aesthetic, historic and communal value of the cluster and would result in harm to the historic environment.
20. The road would be approximately 90 metres from the icehouse and this very short distance would adversely affect the aesthetic and historic value of the icehouse and as such would harm the setting of the nationally listed building and result in harm to the historic environment.
21. The road would be approximately 30 metres south of the dwelling of North Lodge. The house was built for the Miller family as part of the estate and the proposal would separate the house from the cluster. The separation of the house by such a harsh urban wide road combined with the shutting down of the setting would adversely affect the evidential, aesthetic, communal and historic value of the house and would result in significant harm to the historic environment.
22. The road would divorce the driveway from the lodge so the harm to the imprecise setting would be accentuated by the precise wedging through the historic driveway. The driveway is an essential element of the Lodge and to cut off the driveway is highly insensitive to the heritage asset
23. The proposal would cause harm to the cluster and to the ice house and would cause significant harm to North Lodge. The overall impact is significant harm to the historic environment and there is a clear heritage objection to the proposal.
24. The NPPF advises that the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is appreciated that the route has been chosen as the most appropriate to deliver the necessary by-pass having

regard to a number of other factors than heritage impact, however it will harm the heritage assets and as such useful compensation for the harm caused should be provided in order to mitigate against the adverse impacts.

Administrative arrangements

25. As set out above, any planning application in regard to the proposed works will be submitted to the Planning Inspectorate. They in turn will write to the Fylde Council in order to ascertain the views of the council with regard to the proposal. The responses to these consultation are required to be made in line with statutory time limits and so it is important to put in place provisions that will allow these time constraints to be met, as the normal committee timetable will not always allow this to occur, Members are recommended to establish a small working group that will be able to oversee the formulation of the council's case and have the authority to respond as necessary at the various stages of the application process.

Conclusions

26. It is accepted that the preferred route for the by-pass must lie across this parcel of land and that the wider social, logistical and economic benefits it will deliver to Wyre and Fylde are overriding. This does not remove the necessity of replacing lost habitat and the green infrastructure services. The scheme should provide twin gains by increasing woodland cover substantially. Plans showing the Highways England's land take for the relief road indicate only minimal acquisition is intended and there is potential to provide additional land for the delivery of appropriate mitigation works. Pockets of surrounding land that might be bought by CPO could be brought under woodland cover. This would augment other areas and compensate for the 2 hectares of woodland around Singleton that will be removed. Small parcels of land for borrow pits and some that will be under temporary acquisition could be bought and planted as woodland with these new woodlands potentially passing into community ownership. This seems especially appropriate for Singleton. The proposed extension of Carr Wood (behind Mains Lane) and the addition of a large adjacent water body are welcome features but these are not in the vicinity of the lost woodlands, being 1.6 km distant.
27. There are future permissive pathways in the Singleton Park area that would allow the community to better appreciate the cluster of heritage assets and it is suggest that "Heritage Improvement Scheme" could be developed by Highways England that would seek to improve the setting and community access to these heritage assets.
28. The proposed scheme will pass in close proximity to a number of residential properties and it is important that all reasonably practical means are incorporated into the scheme in order to minimise any adverse impacts on those properties and their occupiers.

| IMPLICATIONS | |
|---|------------------------|
| Finance | None |
| Legal | None |
| Community Safety | None |
| Human Rights and Equalities | None |
| Sustainability and Environmental Impact | Included in the report |
| Health & Safety and Risk Management | None |

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|-------------|--|--------------|
| Mark Evans | mark.evans@fylde.gov.uk & Tel 01253 658460 | 6 April 2018 |

| BACKGROUND PAPERS | | |
|--------------------------|---------------|---|
| Name of document | Date | Where available for inspection |
| Highways England Website | 21 March 2018 | http://roads.highways.gov.uk/projects/a585-windy-harbour-to-skipool/ |

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|---|--------------------|---------------|---------|
| LEGAL SERVICES | PLANNING COMMITTEE | 18 APRIL 2018 | 6 |
| DELEGATED AUTHORITY TO REVOKE PLANNING PERMISSIONS | | | |

PUBLIC ITEM

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

SUMMARY

1. Since April 2015, when determining planning applications, Local Planning Authorities have not been entitled to take into account a financial contribution "*for the funding or provision of an infrastructure project*" where five or more separate planning obligations have already been sought for the funding or provision of that project from other sources. Such payments are commonly referred to as "pooled contributions".
2. Officers have been looking at ways to reduce the potential impact of pooling restrictions and as part of this work have uncovered instances where alternative proposals for the same site have been approved, each with a Sn 106 agreement that contributes to the pooling.
3. Section 97 of the Town and Country Planning Act 1990 empowers a Local Planning Authority to revoke a planning permission where it considers it expedient to do so. By revoking these planning permissions, an associated Sn 106 agreement would no longer have effect and so no longer be counted towards the pooled contributions for a particular project.
4. The council's Constitution does not currently include provision to delegate authority to the Director of Development Services to revoke planning permissions and therefore committee are requested to grant delegated authority to the Director Development Services to make an order revoking planning permissions in cases where the person(s) affected by it has indicated that the order is likely to be unopposed.

RECOMMENDATIONS

1. To grant delegated authority to the Director of Development Services to make an order revoking planning permissions under section 97 of the Town and Country Planning Act 1990 in cases where the person(s) affected by it has indicated that the order is likely to be unopposed.

SUMMARY OF PREVIOUS DECISIONS

None

CORPORATE PRIORITIES

| | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | ✓ |
| Delivering the services that customers expect of an excellent council (Clean and Green) | ✓ |
| Working with all partners (Vibrant Economy) | ✓ |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | ✓ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | ✓ |

REPORT

1. Members will be aware that since April 2015, when determining planning applications, Local Planning Authorities have not been entitled to take into account a financial contribution "*for the funding or provision of an infrastructure project*" where five or more separate planning obligations have already been sought for the funding or provision of that project from other sources (i.e. financial contributions secured in other Section 106 agreements). All payments, secured through Sn 106 agreements back to 6 April 2010, are taken into account. Such payments are commonly referred to as "pooled contributions".
2. This can cause issues where multiple applications for developments are made leading to the limit of five financial contributions being sought for one infrastructure project being reached in a short space of time.
3. Officers have been looking at ways to reduce the potential impact of pooling restrictions and as part of this work have uncovered instances where alternative proposals for the same site have been approved, each with a Sn 106 agreement that contributes to the pooling, but where it is only possible to implement one of the permissions. This can arise where a developer applies for a different scheme following the approval of a previous proposal.
4. In these circumstances, once the developer has implemented the permission of their choice they are unable to implement the alternative permission, but the obligation to pay the contribution continues to be taken into account as a "pooled contribution".
5. Section 97 of the Town and Country Planning Act 1990 empowers a Local Planning Authority to revoke a planning permission where it considers it expedient to do so and it is your officers' view that in circumstances where a planning permission that can no longer be implemented, planning permission should be revoked. This means that the "pooled contribution" linked to the planning permission will fall away and there will be an opportunity to seek an alternative contribution in the future.
6. There are two procedures for revoking a planning permission – opposed and unopposed. The opposed procedure must be followed where the person benefiting from the planning permission opposes the revocation of it. In these circumstances the council must seek confirmation of the order revoking the permission from the Secretary of State. In unopposed cases the LPA must advertise the order revoking the permission and it can take effect without confirmation from the Secretary of State.
7. The council's Constitution does not include delegated authority to the Director of Development Services to revoke planning permissions and therefore committee are requested to grant delegated authority to the Director of Development Services to make an order revoking a planning permissions in cases where the person(s) affected by it has indicated that the order is likely to be unopposed.

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

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|-------------|--|--------------|
| Clare Lord | clare.lord@fylde.gov.uk & Tel 01253 658577 | 4 April 2018 |

| BACKGROUND PAPERS | | |
|-------------------|------|--------------------------------|
| Name of document | Date | Where available for inspection |
| None | | |

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|---|--------------------|---------------|---------|
| HEAD OF PLANNING & HOUSING | PLANNING COMMITTEE | 18 APRIL 2018 | 7 |
| APPEAL AGAINST ADDITION OF TWO PROPERTIES TO THE LOCAL LIST OF HERITAGE ASSETS | | | |

PUBLIC ITEM

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

SUMMARY

Appeals have been received following proposals to add two properties to the Local List of Heritage Assets. These related to: St Thomas School, St Thomas Road, St Annes and St Annes Hebrew Synagogue, Orchard Road St Annes.

In summary, the appeals were submitted on the grounds that:

1. St Thomas School Trustees criticised the photograph on the datasheet that showed the historic part of the school but did not indicate that the historic part was only a small part in a large modern school of low architectural merit. They considered that the Expert Panel, who did not visit each candidate property, could have made their decision without a full appreciation of the total building as it stands today.
2. St Annes Hebrew Congregation synagogue Trustees contended that undue emphasis had been placed on the building's rarity at the expense of a rounded consideration of evidential, historic, architectural and communal value and that the Expert Panel's decision was not properly balanced.

The two properties were placed before an appeal panel for consideration. The appeal panellists comprised the NW representation of IHBC (Crispin Edwards), the conservation officer at Rossendale Borough Council (Sebastian Pickles) and architect at Croft Goode Partnership (Mick Goode). The panellists met on 21st March to consider the heritage merits of the assets and to recommend the asset is either added to the local list or is not added to the local list, in respect of both properties. Their report is attached as appendix 1.

Members are requested to consider the report of the appeal panel and add the properties to the Local List as appropriate.

RECOMMENDATIONS

1. That St Thomas School is added to the Local List of Heritage Assets
2. That St Annes Hebrew Congregation synagogue is added to the Local List of Heritage Assets.

SUMMARY OF PREVIOUS DECISIONS

These particular assets have not been considered for inclusion on a Local List committee meeting agenda previously.

On 13 September 2017 Planning Committee resolved:

1. To approve and adopt the local list of buildings as set out within Appendix 2 of the report contained within the Ansdell and Fairhaven Heritage Zones.
2. To authorise officers to undertake further research, as appropriate, to inform whether the principle of conservation area designation, within the area as delineated on the plan, as shown at Appendix 1 of the report.

3. To grant delegated authority to officers to consider the necessity for the introduction of Article 4 Directions, as may be relevant, to each locally listed building and thereafter, and following appropriate consultation, introduce such directions.

4. To authorise the making of an Article 4 Direction to restrict the demolition of boundary walls along Commonside/ Rossall Road, as appropriate, without the requirement to obtain planning permission.

5. To extend the local listing project into the rural wards of the Borough and that the appropriate level of consultation be authorised.

On 17 January 2018 Planning Committee resolved:

RECOMMENDATIONS

1. That, with the exception of The Synagogue, Orchard Road and St Thomas School, St Thomas Road, St Annes which shall be removed from the schedule pending their consideration at appeal against local listing, the local list of buildings as set out within Schedule 1 (appendix 1) of the report contained within the seven remaining zones be approved and adopted.

2. That authority be delegated to officers to consider the necessity for the introduction of Article 4 Directions, as may be relevant, to each locally listed building and thereafter, and following appropriate consultation, introduce such directions.

CORPORATE PRIORITIES

| | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | |
| Delivering the services that customers expect of an excellent council (Clean and Green) | |
| Working with all partners (Vibrant Economy) | ✓ |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | ✓ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | ✓ |

REPORT

1. Members will note that the two properties put forward for consideration were originally proposed to be considered for adding to the Local List of Heritage Assets at the Planning Committee on 17 January 2018, but consideration was deferred pending consideration by the appeals panel.
2. The appeal panel met on 21st March 2018 and discussed the architectural and historic merit of both assets using the Protocol document, the datasheet, photographs, and OS map provided. In order to ensure the independence of the appeals panel, no Fylde Council officers have been involved in the appeals process.
3. The report of the appeals panel in respect of each property is reproduced as appendix 1 to this report, but in summary the Panel found:

Asset 1 - St Thomas School, St Thomas Road, St Annes

4. The panel noted that the design of the original school building is similar to the two golf club buildings and it had group value with the golf club. Although the extensions have dwarfed the original building the original part has not been altered and it continues to contribute to the streetscene. Indeed the modern extensions serve to highlight the detailed architectural style of the historic building and it can be argued that they allow the passer-by to appreciate the pleasing historic building and see that it is a similar style to the golf club buildings.
5. In conclusion, the panel considered that the building meets several of the selection criteria for inclusion on the Local List, although the entry could be enhanced to slightly better elucidate the historic interest, group value and setting.

Asset 2 - The Synagogue, Orchard Road

6. The panel discussed the role the asset played in the development of the town. They decided that in the case of the synagogue the building serves as a reminder that there was a large congregation in the town when it was built and a large congregation demanded a large building. It was designed to suit the congregation and not to suit the streetscape. That it jars with the buildings in the immediate area demonstrates that the congregation's design was more important than blending in and thus the significance of its role in the town is elevated. The town has no other Jewish landmark.
7. In conclusion, the panel considered that the building meets several of the selection criteria for inclusion on the Local List, although the entry could be enhanced to slightly better elucidate the historic interest, and felt that setting is not a factor which contributes strongly to its interest

Conclusions

8. The two buildings have been considered by an independent appeal panel made up of members who were not involved in the original consideration of the buildings for inclusion in the list. In regard to each property, the appeal panel considers that the buildings meet several of the selection criteria for inclusion on the local list and so members are recommended to add the buildings to the list.
9. In doing so, Members should be aware that there is currently a planning application before the council for consideration that proposes the demolition and redevelopment of the Synagogue site. Adding the Synagogue to the local list would be a material consideration in the determination of the application for redevelopment.

| IMPLICATIONS | |
|---|---|
| Finance | No direct implications arising from this report |
| Legal | none |
| Community Safety | none |
| Human Rights and Equalities | none |
| Sustainability and Environmental Impact | none |
| Health & Safety and Risk Management | none |

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|-------------|---|---------|
| Mark Evans | mark.evans@fylde.gov.uk 01253 658460 | 28/3/18 |

| BACKGROUND PAPERS | | |
|---------------------|---------|--------------------------------|
| Name of document | Date | Where available for inspection |
| Appeal panel report | 28/3/18 | Attached as appendix 1 |

Attached documents

1. Report of Appeals Panel
2. Local List Protocol document
3. Datasheet for asset 1
4. Datasheet for asset 2

Appendix 1

1. St Thomas School

Comment on historic and architectural significance

A well-designed, attractive and little-altered Edwardian school which illustrates the growth of the town and provision of facilities by the Clifton estate

Selection Criteria met

Age, architectural merit, historic interest, group value and setting.

Explanation of how asset meets selection criteria

Age:

- as a building of 1905, the school does not require the exceptional features for post-1939 buildings.

Architectural interest:

- the C17 Revival style is not thought to be particularly resonant with the period for St Annes but was a popular choice for buildings of this type and scale at the time.
- the school has uniqueness in the context of the town as a small school building.
- the school retains substantial integrity, the original form still being largely unaltered and readable; extensions are low and do not intrude substantially on the elevations, from a distance reading as potentially detached. Even on the E elevation where the extension comes forward of the midline, the upper portion of the window is readable. The replacement of the windows in uPVC is regrettable but the pattern is appropriate for the style and probably replicates the original wooden windows.
- features of interest include the palette of natural materials, shaped (Flemish) gables with kneelers, roof ventilator, stone and brick bands, blocks and hood moulds to the arched window heads, stone sill band and other dressings, use of contrasting colours in a way that reflects the Fylde tradition of cobble-galleted walls, date stone with scroll supports, windows breaking the eaves line, and buttresses.

Historic interest:

- this is felt to derive from the way in which the school, paired with the church, illustrates the growth and development of the town and provision of facilities by the Clifton estate. The description could tease this out better.
- schools also often have strong resonance with local people who attended or had friends who did so.

Group Value:

- the school forms a harmonious visual group with the nearby golf club buildings which are in similar revival styles and have a similar palette of materials, the three buildings being viewed together from several vantage points.

Setting:

- the way in which the school is set back from the road and is visible in long views from the east, and elevated views from the railway bridge to the west, contributes to its architectural interest.
- the low height of extensions and the large amount of open space around the school and golf club buildings, particularly between the road and the building line of the school, also contributes to this and the group value.

Conclusions

The school meets several of the selection criteria for inclusion on the Local List, although the entry could be enhanced to slightly better elucidate the historic interest, group value and setting.

2. Synagogue

Explanation of how asset meets selection criteria

Age:

- as a building with exceptional features that satisfies most other criteria, it has the additional requirements expected of post-1939 buildings.

Architectural merit:

- uniqueness as a visual reminder of the Jewish community in St Annes, and as a building with few comparators in terms of style and period.
- it is very little-altered since construction, inside and out (there is one minor extension)
- strong features of interest particularly in the front and side elevations and to a lesser extent the rear; tall parapets, vertical windows with concrete dressings, use of two colours of concrete, use of buff brick, stepped brick door surround. The expression of the unusual planform with the schul to the side and the ark on the same wall as the entrance. Tripartite front elevation to the synagogue, in the International style.

Historic interest: (some info included here which wasn't discussed at the meeting but was available from my assessment for statutory listing)

- A congregation was established in the area during the 1920s (following the pattern elsewhere of migration of Jews from cities to the suburbs, and possibly with links to Greater Manchester as there is a GM Jewish housing association in a nearby street), and was formally declared as St Anne's Hebrew Congregation during the early 1930s. They met in Union Bank Chambers on Park Road from this point until they moved to the Orchard Road site in the 1940s, using the former St Mary's Mission Church (previously occupied by the St Anne's Women Conservative and Unionist Association). The Mission Church was demolished and replaced with the present synagogue building between 1959 and 1964.
- The synagogue reflects the Jewish presence here and its development to a point where there was a desire to have a purpose-built place of worship, and the means to achieve this.

Rarity:

- the only synagogue in the borough

Landmark quality:

- terminates the view along Richmond Road.

Conclusions

1. The synagogue meets several of the selection criteria for inclusion on the Local List, although the entry could be enhanced to slightly better elucidate the historic interest, and we feel that setting is not a factor which contributes strongly to its interest

BUILT HERITAGE REVIEW 2016

THE PROTOCOL FOR IDENTIFYING HERITAGE ASSETS

Introduction

The Built Heritage Strategy for the Borough was adopted in November 2015, following extensive research and consultation. It is now fully updated and published, taking account of legislative changes and Historic England Practice Notes. It contains an extensive Action Plan, which describes a significant number of projects that will be implemented over the lifetime of the Strategy. One of the principal objectives of the Strategy is one of identifying, appreciating and protecting the built heritage of the Borough. There are various means of achieving this, including the national lists of buildings, conservation areas, historic parks and gardens, and archaeologically important sites. Planning policies to be contained within the emerging Local Plan set out how these historically important assets should be managed and protected.

The National Planning Policy Framework (NPPF) sets out the Government's planning policies, including those relating to the protection of heritage and the built environment. The NPPF advises that local authorities should set out a positive strategy for the conservation and enjoyment of the historic environment. The Council's Built Heritage Strategy fulfils that ambition.

The NPPF advises that local heritage can be significant and go well beyond nationally designated assets. This is probably the case as much in Fylde as anywhere else. One means of identifying such heritage assets is through the compilation of a local list of buildings. This would be in addition to other means of protection such as conservation area designation. Historic England strongly supports local listing and has published guidance on how this might be achieved. Local listed buildings would not, by definition, be as important as those contained within the national list but, nonetheless, would be valued for their importance to the local area, perhaps being good examples of a particular national style or local building tradition. Historically important buildings may be appropriate for local listing in view of their particular associations with the locality, including socially important events, notable individuals or use of the particular building.

The Borough is fortunate in that it has a wealth of heritage assets and this is already recognised through current designations including nationally important buildings, parks and locally designated conservation areas.

Within the context of the Heritage Strategy, the production of a borough-wide local list of buildings was one of the suggested early projects. The Council, by way of its Development Management Committee, has now resolved to undertake this exercise. In reaching this decision, it accepted the generous offer of the Lytham St. Anne's Civic Society (LSACS), which offered to provide some complimentary funding to the Council's in-house resources, to expedite the delivery of the project.

As the activity and interest of the LSACS is primarily confined to the two coastal towns, of necessity it was then agreed that the focus of this work should initially be confined to these areas. However, it should be noted that a major part of the work is one of creating an appropriate system for selection, which can be used for identifying particular buildings in the general sense. The advantage of this initial part of the work is that once a system and process is agreed as to how buildings can be selected for the initial area, this allows for the same system to be used across the Borough as a whole.

The early stages of the project have involved considerable thought as to how the method of implementation of the project can be rolled out. To assist in the process, established methods of establishing the criteria by which buildings might be selected have been considered. This includes taking

account of the advice of Historic England on local listing, through its publication 'Good Practice Guide for Local Heritage Listing'. This essentially lists the type of criteria that can be applied to identify heritage significance. It is, in fact, similar to that used in assessing whether particular buildings are appropriate for 'national listing'.

This document essentially sets out a narrative of the process that has emerged following discussion with individuals and groups who have been through the local listing process. In addition, the advice of Historic England has been reviewed and taken into account, particularly as regards the selection criteria, which is to be used in the process. However, it is clear from research that the process should be tailored to the individual circumstances of the locality in question. This is particularly important in assessing the issue of the 'quality bar', that is, the quality of buildings, due to their architectural or historic interest, that should be considered suitable for heritage protection. Fylde is fortunate that it contains a very extensive legacy of such buildings.

As a result, the local list of buildings will be selective and representative of particular types and styles of buildings. However, following due consideration, the scope of the review has been broadened from its original remit, which was aimed solely at assessing the scope for individual buildings. It is some time since there has been any review of the general built heritage of The Borough, including conservation area designations. Therefore, there seemed to be the potential for assessing the scope for built heritage protection on a basis that is broader than individual buildings. This will be outlined in the protocol.

Scope of the Review

In the context of the Built Heritage Strategy, the primary objective of the review is one of providing recognition and protection for the appropriate heritage assets that presently do not have such protection. As a result, the review will not, at this stage assess the scope for locally listed buildings within designated conservation areas since these buildings have the statutory protection of being within a designated area. The scope for assessing the value of individual or groups of buildings within conservation areas will be assessed when appraisals and management plans are prepared, which is also a specific action contained within the Built Heritage Strategy. However, within this specific review, the potential scope for conservation area extensions or new areas will be identified along with groups of buildings or buildings considered appropriate for 'local listing' – see below.

Project Board

The principal objective of the Project Board is one of overseeing the heritage review and ensuring the processes and procedures associated with it are applied in the correct way. It will also be a sounding board for discussing the progression of the review and making informed alterations to the way in which it operates, by for example, making the procedures more efficient. An important constituent part of the Project Board will be the inclusion of selected elected members (councillors) who can ensure that the remit granted by the parent Development Management Committee of the Council, is fulfilled. The Project Board will meet as and when required and will make the recommendations to the Council's Development Management Committee as the project progresses.

The Creation of Heritage Zones: Mapping

The first stage of the process has been one of creating a series of 'Heritage Zones'. This designation does not signify any particular status but is simply a way of sub-dividing the urban area of Lytham and St. Anne's into a series of zones that can be isolated due to their particular character. These areas or 'zones' will then be the subject of assessment to ascertain whether they have specific buildings, groups or areas within, that justify recognition and protection for their heritage value. The particular zones may be identified for a number of reasons including:

- The street plan or layout of the area
- The type of building that gives the area a particular character e.g. the properties were built around the same time or have the same form or style
- The area has a recognisable identity and contained by defining features such as open space, roads or other edges
- The area has a defined 'centre' with a recognisable form of development that surrounds it
- Areas with a particular type of use supported by building form e.g. an industrial site
- Combinations of any of the above

Discounting

As a result of this 'mapping' exercise the two towns have been divided into zones and from that point some areas will have been discounted as having the potential to become Heritage Zones for a number of reasons, including:

- The defined area contains development that does meet heritage criteria e.g. the age of the development i.e. Post 1939.
- The type of development is of a form that would not qualify for heritage zone designation in view of its use and building typology e.g. industrial and employment sites
- The areas are presently protected for their present quality i.e. conservation areas, that will be the subject of a separate review
- The areas generally lack any specific significance and anything out of the ordinary.

A map of Lytham and St Anne's has been produced that identifies a number of Heritage Zones following this mapping exercise.

Heritage Zones Identified

The term 'Heritage Zone' does not imply that the defined area has, of itself, any particular value that will necessarily result in its recognition through some form of designation. This is rather a way of isolating zones that have the potential to contain buildings, groups or areas that have heritage value. The principal reason for the recognition of the zones is so that a more detailed assessment can be made that will identify such assets. The stages in that particular process will be considered later in the Protocol.

Range of Protection and Types

Some initial analysis work undertaken in the creation of this protocol and based on experience and knowledge of the area, strongly suggests that in fact there are three types of 'heritage asset' that are likely to result from this heritage review. These are summarised as follows.

Locally Listed Buildings or other Artefacts

As a result of an analysis of the particular Heritage Zone, the initial characterisation field work, based on the *selection criteria*, will identify buildings of particular note that can be considered candidates for local listing designation. In addition to 'buildings', historic structures or artefacts might be considered suitable for protection, in the same way as national listing can include features that would not normally be referred to as 'buildings'. To be eligible, locally designated listed buildings would be required to meet at least three of the selection criteria (Appendix 1).

Conservation Area designation

As a result of the analysis of the defined Heritage Zones, the quality of individual or groups of buildings may suggest that area based protection, in the form of a conservation area (or an extension to an existing area), might be appropriate, rather than locally 'list' numerous individual buildings. This

conclusion would result from the initial characterisation study for each heritage zone where buildings are given a value. (See Characterisation below). The essence of a conservation area is that it has a particular identity as a 'place', of distinctive character where buildings enclose spaces in the form of streets or squares or form a setting for open spaces. To warrant conservation area designation, the area would need to have special architectural or historic interest. The initial characterisation work would identify areas as having the potential for designation and if this recommendation was accepted, then further detailed study should follow.

Groups of Buildings of High Townscape Value

In addition to conservation areas and potential locally listed buildings, the Borough often contains groups of buildings that have particular merit from a heritage perspective. Such groups, by definition would not be individual buildings but, perhaps a number clustered together in the form of a terrace or 'run'. As such these groups would not be appropriate for conservation area designation, but may be imposing or attractive in their own right and evocative of the stage of development associated with the locality - being good examples of a particular type or style of development. They would be required to make a significant contribution to the character of a street or location. Such buildings would be required to meet at least two of the selection criteria to be considered appropriate for the High Townscape designation.

Rapid Area Characterisation : Historic Overview

The heritage value of a particular location – and its buildings – will be determined by the characterisation study. Initially this will result from a rapid visual survey of the zone – hence the title Rapid Area Characterisation. However, prior to this undertaking, it will be appropriate to assess whether the zone in question contains any particular historic significance. This may be in view of its age, type of development, its use and layout, the origins and significance of particular streets or the area as a whole. There may be an element of significance deriving from the designer, architect or developer involved in its development. This aspect of research will draw out any historical significance, which will be in addition to the visual survey.

Rapid Area Characterisation : Visual Survey and Mapping and the Traffic Light System.

This aspect of the characterisation is essentially a visual survey of the area with the aim of mapping individual buildings (and any other features/artefacts), with the objective of assessing whether the buildings, individually or collectively are considered to have any special architectural or historic interest that would warrant their protection. This part of the process requires an on-site survey by 'walkabout', with a map. The means of recording the findings are based on a '*Traffic Light System*'.

Each property is 'scored' as either 'positive' (green) or 'neutral/negative' (red), based on an assessment of their quality by applying the Selection Criteria. Any buildings that appear to be of exceptional quality will be highlighted in yellow. This will be the first stage in the process of identifying potential local listed buildings, groups of buildings of High Townscape Value or as a potential Conservation Area, where there is a large concentration of important groups. As a general rule, buildings considered to be potentially listed should meet at least three of the Selection Criteria and those that may be amalgamated into groups or a conservation area, at least two of the criteria.

The field survey work will also allow for the boundaries of the Heritage Zone to be confirmed: namely that they reflect the appropriate boundaries for the Zone or, whether it needs minor adjustment to include buildings or land that naturally should form part of the Zone.

The Stage Following Rapid Characterisation

Following the site survey, a map will be produced highlighting the following:

- Any significant relevant aspects to the Heritage Zone that have been highlighted from the Historic Overview.
- Buildings considered to be 'positive' i.e. that have heritage value, to be coloured green on the base map.
- Buildings considered neutral or negative, to be coloured red on the base map.
- Particularly important buildings, which are likely candidates for local listing to be coloured yellow on the base map.
- As a result of this process, the map will indicate buildings to be 'put forward' for local listing, groups of buildings that are suitable for recognition as having High Townscape Value and identifying areas appropriate for potential conservation area status or, as an extension to a presently designated area, if appropriate.

LOCALLY LISTED BUILDINGS

Local Listed Buildings : Process for Designation

The potential for buildings to be locally listed will emerge from the area characterisation as described in the text. The initial field survey work will highlight particularly important buildings that will be described on a data sheet (see below) and placed before an expert panel. The Panel will consider candidate buildings and a recommendation will be made to the Project Board and subsequently to the Council's Development Management Committee, when a decision will be made. This will follow consultation with property owners and other interested parties.

Public nomination area by area basis

A major aspect of this heritage review is one of engaging the public thereby promoting an understanding and appreciation of the significant heritage value of the Borough. It follows that there should be an opportunity for the general public to input into the process. This would best be done on an area by area basis, when a particular 'Heritage Zone' was under consideration. The advantage of asking for building nominations in this way would ensure that the process would be set to a relatively short timescale; in other words, individuals nominating buildings would see a decision made on their suggestions quite quickly. In suggesting particular buildings, those nominating candidates would be required to explain their reasoning, based on the selection criteria that is applied. However, a simplified application form with a straightforward explanation of the criteria would be available so as not to discourage the public from participating in the overall project. The application form and explanatory note would be available 'on line'

Quality Bar Issue

As essential aspect of the listing of buildings will be one of verification. This part of the evaluation will be the responsibility of the Built Heritage Panel. For each of the candidate buildings a Data Sheet will be compiled by the case officer undertaking the field survey. This will be verified by the Regeneration and Design Manager. The Data Sheet will contain the following information. (An example is given at Appendix 3).

- The location of the building, the name of the Heritage Zone and the Ward.
- A brief summary of the significance of the Building i.e. why it is important in respect of the Selection Criteria, which is set out at Appendix 1.

- A more detailed description for background outlining the architectural and or historic importance of the building (or artefact).
- Photographs of the building
- Selection Criteria Checklist. This will identify the particular criteria that the building identifies (a minimum of 3 for a locally listed building).

The Expert Panel

The process provides for the use of a panel of 'experts' that will be used to assess whether the buildings suggested for the List are justified. The principal aims of The Panel are as follows:

- To provide a forum for considered debate as to whether the building proposed meets with the criteria specified. This will ensure that the merits of the buildings and their potential for listing are provided with a critical appraisal, notwithstanding a recommendation to the panel.
- To provide for a mix of expertise including architectural, planning, historic analysis and an archaeological input, where appropriate.
- To provide checks and balances to maintain a consistent approach to selection.
- To provide a forum for Member involvement both to understand the process and oversee the work of the Panel.

It is proposed that the Panel will meet as required to consider a number of buildings at a time. The Panel should provide for a minimum of 4 members. The Panel, overall, will comprise of:

- An Architect with experience if historic building issues
- An Architect with specialist local knowledge of the area or able to research, as appropriate.
- A Town planner with Conservation Experience
- A Town planner with Urban Design Experience
- A local Historian
- An Archaeologist
- An elected Member(s) from the Project Board as observers.
- Members of the Development Management Committee and Ward Councillors will be notified of Panel meetings as a courtesy, which may include buildings within their area.

Procedure Following Draft Selection

Following due consideration by the Panel, owners of the buildings and interested parties will be notified of the *intention* to locally list the particular building, citing the reasons why and what the implications are. At this point anyone who wishes to make representations in respect of the proposed listing will have 21 days to make comments. If the owner, or interested party wishes to object they will be able to do so. However, an appeal could only be made on the grounds that the building in question does not meet the Selection Criteria. The reasons for objection should be couched in these terms and a standard form will be made available for this purpose.

Appeal against Local Listing

If an interested party wishes to object to a proposal to locally list a building, they will be required to set out the reasons why. The reasons for challenging the proposed listing should be on the grounds that the building in question does not meet the selection criteria that is used by Council. In other words, the appeal would be made on the basis that the Council and its advisors may have made an error of judgement or relied on facts that are unsound, which has led to its decision to list based on the architectural or historic significance attributed to the building. In such cases, the grounds for appeal

should be clearly stated with evidence used, where appropriate to challenge that produced by the Council. It would not be sufficient simply to state that the building should not be listed and such an objection would not be treated as an appeal.

In the case of an appeal the matter will be considered by a conservation expert(s), who will take account of all of the matters that led to the conclusion of listing and then consider the reasons for objection. This will result in a recommendation to the Council's Planning Committee being made as to whether the appeal should succeed or not.

Planning Safeguards

Buildings that are locally listed would not automatically benefit from additional planning protection. As a result, it may be appropriate to consider the introduction of additional planning controls. This has been the case in some of the Borough's conservation areas. Proposals to demolish most buildings in a conservation area require planning permission. However, outside these areas planning permission is not required, rather, a simplified notification procedure of the intent to demolish. A planning authority may only object on certain grounds but this does not include reasons in respect of the architectural quality of the particular building. More recently, applications have been made to demolish buildings where the land owner may aspire to redevelop a particular site. Such applications could be made in respect of locally listed buildings or where buildings are considered to form part of a group having group value.

The means of preventing demolition would be by way of introducing an Article 4 Direction to prevent demolition, without first obtaining planning permission. The Council may consider the potential for issuing such directions when buildings or groups are first identified or on an 'emergency' basis when consent applications are made to demolish. The 'emergency' provision would probably be necessary since the local authority only has a timeframe of 28 days in which to consider the demolition request.

Development Management Committee

Ultimately, it is the duty of the Council's Development Management Committee to determine whether a building is locally listed. This decision will take account of a recommendation on each candidate building, placed before Committee as a 'block'. An accompanying report will highlight all of the buildings, including those supported by the Panel and any recommendations made as a result of an appeal. The decision of the Development Management Committee will be final.

CONSERVATION AREAS

The review points to a system whereby a series of Heritage Zones are to be created. From this evaluation, a method of historical appraisal is undertaken to assess how the particular zone might be considered to have historic merit, perhaps due to the history of the development of the area, its layout, planning and pattern of uses. The historical appraisal will then be supplemented by the Rapid Characterisation survey, which is primarily engaged with assessing the architectural quality and integrity of the buildings within the zone. This combined study will isolate particular buildings of quality, but it may also lead to conclusions about the extent of building quality where they are grouped together within a discernible area that possesses a special architectural and historic character. In such cases, it may be recommended that the particular Heritage Zone, or part of it, has the potential to be designated as a conservation area. It may also be the case that particular part of the zone adjoins an existing designated area and might form an appropriate extension.

In cases where conservation area designation has resulted from the review, a recommendation would be made that the Development Management Committee authorise a specific detailed review of the

potential designated area and undertake the appropriate appraisal, in detail and bring this matter back to Committee for further assessment. The designation of conservation areas, where they are justified is a recognition of the special value of the area and a signal of the intent of the Council, as local planning authority, to safeguard its special character into the future.

Conservation Area designations or the alteration of boundaries would be defined locally but declared through national legislation. As such the Act provides for specific planning powers in these areas as well as the potential for justifying additional planning controls by way of Article 4 Directions or additional controls in respect of outdoor advertising.

GROUPS OF HIGH TOWNSCAPE VALUE

As outlined, the characterisation stage may well identify groups, comprising of a number of buildings (in special cases as few as two) which contain buildings of quality with at least two of the Selection criteria being met, in addition to the 'age' bar. Such groups would not readily fall into what might be considered an 'area', sufficient to be a candidate for conservation area designation. Nonetheless, such buildings will be seen as important, having significant heritage merit. It may be appropriate to consider additional planning controls in the case of particularly important groups. These groups would be identified and be taken into account in the determination of planning applications.

APPENDIX 1

THE SELECTION CRITERIA

AGE

The age of a building or other notable feature should be of a particular vintage so as to fit the definition of 'architectural or historic interest' – the two generally being taken together as a measure of the potential qualification.

Buildings, artefacts or other historic features dating from before 1939 unless there are some exceptional features of a particular building e.g. a unique example of its type and that satisfies all or most of the designation criteria.

ARCHITECTURAL MERIT

The value of a building as normally recognised by the public usually includes its visual qualities that support its form and scale and is related to its purpose as designed. In the context of the Borough of Fylde – as is the case nationally – there are a number of 'styles' that are often evocative of the period in which they were commissioned and built. This factor is important as it can in turn be a reflection of the development of a particular street, neighbourhood or settlement as a whole. Architectural merit can be further illustrated as follows.

STYLE

Individual buildings, groups or a street/area that are representative of a particular 'style' that was developed in an era e.g. in a philosophical sense e.g. Vernacular, Classical, Gothic or Modern. Within these broad definitions, particular styles associated with certain 'eras' e.g. Georgian, Victorian, Inter-War or Post war can be generally identified. Large areas of particular places may have been developed during certain of these eras. Beneath these broader descriptions particular 'styles' have been developed in response to fashion or as a response to a client's design brief – more recently as a requirement of planning authorities. These may include as examples, Neo Gothic, Classical, Arts and Crafts, Queen Anne, Moderne and Art Deco. These adapted styles can be evocative of important historical events or associated with the development of particular localities. Style will, therefore, be an important consideration alongside 'age'. A compendium will be produced that will assist in the identification of particular 'styles'.

UNIQUENESS

The purpose of recognising locally important heritage assets is one of acknowledging their relative significance as a part of the heritage value of the Borough. By using this criteria as a measure, in addition to other qualifying factors, it is likely that buildings and assets that are subsequently locally listed or otherwise protected (through conservation area status for example) are of special quality and not the commonplace. Many buildings, groups or larger areas may have other virtues rather than architectural or historic interest. Uniqueness is a value that will be a determining factor in assessing merit but this should not mean that buildings that have architectural or historic quality, which are not unique are not given the necessary protection. This is where group value or conservation area status may be a more appropriate means of giving certain buildings overall protection with particularly important buildings being identified through the conservation area appraisal.

INTEGRITY

It is assumed that for a building to be worthy of local listing it should have architectural integrity, that is it has completeness, being in a relatively pristine condition expressing its style and syntax (the way the building is put together) in a largely unaltered form. That is not to say that if the building has been altered in some way that it will automatically be seen as having no integrity. However, to meet the 'tests' of integrity it should be primarily in its original form and elevation with any alterations, that are not considered to be sympathetic to the original, being relatively modest when considered against the overall character of the building. The present condition of a building can also be important but as long as the building has overall integrity, such buildings can be reinstated or repaired.

ARCHITECTURAL FEATURES

Research has shown that buildings with a high degree of visual interest are usually more highly valued than those of a simple form. Buildings associated with particular periods of history are often associated with features, decoration or ornament that are evocative of certain building types. Some buildings contain a particular form i.e. symmetrical and have a particular rhythm, for example in the pattern and proportion of window openings. Other important features can include roofs, chimneys, door cases, window detailing (fenestration), string courses, eaves detailing, bays, gables etc.

Materials are an important aspect of the analysis and potential significance of buildings or groups. This is the case as they may represent traditional forms of construction or locally sourced materials based on

the geology of the area. Conversely, the material may have been mass produced from particular manufacturers at a point in time or the mixture of facing materials may be associated with a particular style of building. The material may have a technological relevance e.g. a pioneering use for construction or for its aesthetic value.

SETTING

In traditional areas of townscape, the location of buildings was often determined by its public significance, notably its level of visibility supported by its overall form and appearance. Buildings of public significance, such as places of worship or other community buildings, tended to occupy prominent locations as a centerpiece or were located to be visually prominent i.e. on street corners, set in their own grounds, or rose above buildings that surrounded them. This planning concept is often referred to as 'building hierarchy'. Buildings of this type tend towards being seen as having particular value because they are publically accessible or their setting is accompanied by a striking form and appearance. Buildings of this type are often referred to as having 'landmark quality' although scale and importance is a relative term and depends on the context in which such buildings may be located and how they relate to surrounding development. The setting of a building may be important as it forms part of a larger group. Setting may also be wider than being considered in a purely visual issue, for example where a building or feature might be related by association or theme to other buildings some distance away. In such cases the setting may be considered to be much broader.

GROUP VALUE

All buildings have a particular setting and apart from those in isolation (which would have a landscape setting) each one will relate to neighbouring buildings. That might be as a cluster, a terrace, a street, neighbourhood, district, town etc. Such a context can be applied at a variety of scales. In considering 'Group value' the importance of buildings can be as a result of a variety of factors.

DETACHED AND SEMI DETACHED PROPERTIES

Significance may be derived by the fact that the single building forms part of a purpose built architectural composition. This could be a series of detached properties designed as a group by one developer, to a particular form and style or, as a pair (or grouping of pairs), each designed as a single architectural composition, e.g., to a symmetrical design. The setting of the group, to a building line or within frontage landscaping may add to the significance of the particular group value.

TERRACES : UNITY

The importance of a building may be the fact that it sits within a group or terrace of similar properties designed as a single composition where each component part of the terrace shares almost identical features that binds it together. In such cases, the terrace should be complete to a high degree with the key features remaining for example, roofline, specific features such as the rhythm of windows, storey heights, materials, chimneys, decoration and ornament, fenestration and door cases. Frontage landscaping and external but unifying features including boundary walls may be important.

TERRACES : ADAPTIVE - VARIETY WITHIN UNITY

In certain situations, the importance of a terrace may be the fact that it has developed not as single composition, by one commission, but as a series of individual component parts (Adaptive). Nonetheless,

in some cases the overall terrace may have significant value as a group because the individual elements of the terrace nonetheless share common characteristics that appears to give it a coherent and cohesive appearance. The terrace may have variety but overall, it has a defined unity. The unity may be the result of a number of factors that could include a common theme such as the width of plot frontage, the verticality of expression by way of window openings, fenestration, and a similarity of other features such as fascia depth, roof slope, materials, the scale and proportion of architectural elements. There is a fine balance involved where this unity is apparent. Where terraces have been altered in an inappropriate fashion, the unity is often disrupted, which devalues the principle.

SETTING

The setting of terraces is often an important feature in a particular street scene, neighbourhood or town. It will be important to recognise the value of individual buildings with a terrace and the role they play in the general character of the terrace. The value may be enhanced where the terrace itself benefits from a particular setting e.g. fronting gardens or open space. In such cases particular aspects of the setting may accentuate particular features such as the skyline, roofscape, and the symmetry of the terrace or defining features.

HISTORICAL INTEREST

The historic interest of a building may be expressed through its particular style or its importance in relation to the economic, social, environmental or cultural circumstances of the time. Historical interest may also be relevant in the context of:

- A building artefact or other feature (asset) that has strong associations with notable individuals or events.
- An asset that is important for its community associations – e.g. public building used for civic use or entertainment or market cross.
- A building or group of buildings that are important in the development of a particular place or are a good example of town planning.
- An asset that is important overall in the development of a location or in connection with an important feature of an area.
- As asset that is a good example of a particular type of development tied to a notable historical period of development.

ARCHAEOLOGY

An asset that important as it demonstrates the evolution of human activity based on the development of a particular feature, building or locality. This might include a site that contains remnants of previous development, processes and will potentially reveal information about past activity.

DESIGNED LANDSCAPES

An open space, park or garden that has historic or landscape significance. These could include:

- An asset that was designed by a notable designer.
- A landscape asset that is representational of a particular landscape style.

- A landscape that is considered important as an integral part of the development of a notable building, site or town

RARITY

The issue of rarity is a part of the process that will follow on from the evaluation of a locality through field evaluation.

It might be the case that if a building or asset is rare, having attributes that meet the criteria as set out, then its significance will be all the more pronounced. On the other hand, many buildings that are typical of an area may nonetheless, have significance. The field evaluation will identify the importance of rarity as the study progresses.

APPENDIX 2

FAIRHAVEN : HERITAGE ZONE 1

Introduction

Fairhaven is the pilot study area for testing the methodology, which can subsequently rolled out over the Borough. The objective is one of identifying the potential for local listed buildings, Groups of High Townscape Value and any conservation area potential within the zone.

Discounting

The whole of the Lytham St Annes has been reviewed by field survey, local knowledge and utilising the Lancashire Extensive Urban Study, which aims to discount areas of development that could not be regarded as having heritage value. These areas of development effectively postdate 1945, although it is possible that there could be some buildings of heritage value albeit sitting within these later areas of development.

Formation of Zones

Once the areas of discounted development are taken into account the remaining areas are deemed as having potential heritage interest. The objective is then one of characterising them into definable areas or zones which tend to have a particular character. The zone might have particular defining features such as edges (major roads, railways, open spaces, seafront etc.) or a specific character that distinguishes it from another area. It may, for example, have a particular street pattern, type of development, form of enclosure e.g. street width and building height, style of building, land uses or having a particular ambience.

It should be noted that the term Heritage Zone does not imply that it necessarily has heritage value in whole or part. This descriptions rather a definition and means of identification of the particular study area for the means of identifying any heritage assets it possesses.

The Fairhaven Heritage Zone

This zone is shown on the Map and is defined quite clearly as a distinctive area with firm edges Fairhaven Lake/Inner Promenade, King Edward fields, the railway line and Ansdell Road South.

Historical Overview

Research undertaken as part of the Heritage Lottery Bid for Fairhaven Lake identified that Fairhaven as a whole was a purpose built planned suburb/resort containing a marine lake, hotel, community facilities and recreational provision. It developed to a grid iron pattern with the Inner Promenade as a coastal road to accommodate building plots that would command views over the lake and associated parkland. The suburb was planned from the turn of the twentieth century and development commenced soon after. During the early 1920's, the noteworthy landscape architects and town planners Thomas Mawson and Sons were commissioned to undertake a review of the site – and adjoining land alongside Inner Promenade – to include a significant expansion of the lake, its parkland and recreational facilities. The outer promenade was an initial part of the overall scheme, designed as a 'marine drive', originally planned to link with St. Annes. The residential frontage fringing the lake was, in fact, developed later and contains inter and postwar development. Nonetheless this is important as it was designed as an integral part of the Fairhaven development.

Rapid Characterisation

A field study has been undertaken by mapping each property within the defined zone on a street by street basis. Using the *Selection Criteria* each building. The traffic light system has been used has been identified as 'Red' – Buildings of no architectural or historic interest based on the criteria, 'Yellow' – buildings of quality and having the potential to be locally listed and 'Green', Buildings collectively forming groups with architectural or historic interest.

Building Assessment

As a result of the characterisation field study and detailed assessment of the Selection Criteria, a number of buildings have been identified that are considered significant enough to be individually locally listed. These tend to be those of high public significance as community assets or of particular historic merit. These buildings are the subject of a more detailed assessment. The characterization stage has also identified a number of buildings identified in green. These buildings have then been reappraised to ascertain as to whether they fall into the description of Groups of High Townscape Value. In assessing the scope for such groupings the individual quality of buildings is important – each one should meet at least two of the Selection Criteria. However, the collective importance is of great relevance and in this regard the relationship of the buildings to each other as a group is important e.g. form, building line, style, materials, roofline, boundary walls, consistent architectural features, trees and landscaping. In the case of Fairhaven, the historic importance of the lake is important as a site, as outlined in the historic overview, above.

In the case of potential locally listed buildings, each candidate will be considered in more detail through the provision of a Data Sheet which contains a full description of the building identifying why in particular it is considered suitable for local listing. Each building will then be considered by the Expert Buildings Review Panel.

Evaluation

Following the process undertaken, the following conclusions can be drawn.

1. That the Fairhaven Zone is generally of historic interest as it was designed as a purpose built coastal resort complete with lake, residential and community buildings and recreational provision.
2. The street pattern is of interest in general terms but the characterization points to many of the frontage buildings being of mediocre quality or have been the subject of significant alteration such that they would not meet the criteria for local listing. In general the area as a whole would not therefore be a candidate for conservation area designation.
3. However, the frontage area to the lake (and the lake itself) can be considered to be historically and architecturally significant and the lake frontage and its setting and were an important feature of the development of the area.
4. Notwithstanding the lack of architectural or historic interest of much of the development, the characterisation study has identified a number of building groups of particular interest.
5. There are a number of individual buildings that appear to be worthy candidates for local listing, in particular, these with community significance.


Conclusion and Recommendations

1. That the buildings shown on the Heritage Zone Map be considered appropriate for Local Listing and that additional Planning control measures are considered as appropriate.
2. That the area shown be the subject of more detailed consideration for potential designation as a conservation area – designated as an area of special architectural and historic importance. In this respect, a full appraisal be carried out and public engagement be an important part of the process.
3. That the buildings shown as specific groups (G1, G2 etc.) be designated as Groups of High Townscape Value and following further consideration additional planning control measures be considered as appropriate
4. Ratification is required by the Project Board and Fylde Council's Development Management Committee.

APPENDIX 3 : DATA SHEET EXAMPLE

HISTORIC ASSET RECORD (HAR) Template version 1.0

DATA SHEET

| | | | |
|---|-----------------------------|--------------------------|-----------------------------------|
| TITLE / ADDRESS St Thomas C of E Primary School, St Thomas Road | | | Asset number HA |
| <u>National Grid Reference</u> | <u>County</u> Lancashire | <u>District</u> Fylde | zone HZ3 St Annes South |
| Grade: Local | | | |
| Summary of Significance <p>Early Edwardian primary school built to meet the needs of the rapidly growing population, and which makes a strong positive contribution to the character of the townscape</p> | | | |
| Historic Asset Description <p>Early Edwardian primary school built to meet the needs of the rapidly growing population of the new town, and which makes a strong positive contribution to the character of the townscape. Designed by Garlick & Sykes of Preston and Blackpool. The plans were approved by the Clifton Estate in Feb 1902. Opened 1905, the same year the nearby St Thomas Church was completed.</p> <p>Single storey school constructed from buff brick with red brick and stone dressings and a red clay tile roof. Lantern to ridge.</p> <p>Main elevation in five bays. Central bay with stone gabled parapet and 1902 date stone. Central bay flanked by two smaller bays with stone gabled parapets. End bays have multi-paned windows with stone lintels; stone sill band. Large multi-paned window with red brick segmental arch head and stone keystone to each side elevation with gabled parapet and stone copings.</p> <p>Extended several times from 1913; new infants department opened 1968.</p> | | | |
|  | | | |

HISTORIC ASSET RECORD (HAR) Template version 1.0



Sources: *St Annes on the Sea: A History* P. Shakeshaft

Criteria: Age [x] Architectural merit [x] Historic interest [x] Group value [] Setting []
Rarity [] Designed landscape [] Archaeological interest [] Landmark quality []

Comment: e.g. materials, features of particular note

The decision to approve for local listing is limited to only the original building not the whole curtilage.

Any further comment e.g. recommend for national listing

-

Date of expert panel decision

9/12/2016

HISTORIC ASSET RECORD (HAR)

Template version 1.0

DATA SHEET

| | | | |
|--|-----------------------------|--------------------------|-----------------------------------|
| TITLE / ADDRESS St Annes Hebrew Congregation Synagogue | | | Asset number HA |
| <u>National Grid Reference</u> | <u>County</u> Lancashire | <u>District</u> Fylde | zone HZ3 St Annes South |
| Grade: Local | | | |
| Summary of Significance Byzantine style post-war (1959) synagogue by Jewish architect, A. Maxwell Caplan of Southport, which adopts a non-standard plan form | | | |
| Historic Asset Description Byzantine style post-war synagogue by Jewish architect A. Maxwell Caplan of Southport which adopts a non-standard plan form. Constructed from brick (very pale brown for show, red elsewhere) with concrete dressings. The rectangular schul and synagogue are separated by a shared entrance corridor, with the Ark on the same wall as the entrance. Blocky tripartite front elevation with parapets and a taller centre bay containing a tall, round arched window with very wide two-tone concrete dressings, flanked by projecting bays with lesser similar windows. To the left the arched entrance to the schul has a three-stepped brick surround – the schul conceals the south side of the synagogue. The rear elevation has a shallow gable with five stepped lancets with concrete arched heads, and two very shallow buttresses. The north elevation is a regimented line of similar windows and buttresses. Internally the ceiling is barrel-vaulted, running down into the window heads. Instead of a ladies' gallery there is simply a raised area behind the men's seating, fronted by an openwork screen in flowing Festival of Britain sort of design. The Ark is flanked by curved walls clad in pink marble, and the Bimah has similar ironwork. Most windows contain coloured glass panels showing biblical landscapes, etc. set in palest pastel glazing. The chandeliers are reportedly identical with those found at Manchester's Higher Crumpsall Synagogue, built at the end of the 1920s. Cited in the 2009 edition of Pevsner's influential 'Buildings of England' series which describes it as a 'striking composition, wholly of its day,' and draws attention to the quality of material used throughout. It is also mentioned in the recent publication 'The Synagogues of Britain and Ireland' by Sharman Kadish, which emphasises the interest of the plan form. | | | |

HISTORIC ASSET RECORD (HAR) Template version 1.0



Source: Historic England Assessment Report 2016

Criteria: Age [] Architectural merit [X] Historic interest [X] Group value [] Setting [X]
Rarity [X] Designed landscape [] Archaeological interest [] Landmark quality [X]

Comment: e.g. materials, features of particular note

The building has a really distinctive architectural style and there are no other synagogues in the borough so the rarity adds to the special offer for the town. The loss of the synagogue building would be of severe detriment to the town.

Any further comment e.g. recommend for national listing

-

Date of expert panel decision

9/12/2016

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|---|--------------------|---------------|---------|
| HEAD OF PLANNING & HOUSING | PLANNING COMMITTEE | 18 APRIL 2018 | 8 |
| CONFIRMATION OF ARTICLE 4 DIRECTION: 272-280 CLIFTON DRIVE SOUTH, ST ANNES | | | |

PUBLIC ITEM

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

SUMMARY

- On 8 November 2017, Planning Committee resolved to make a direction under article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 to remove the permitted development rights granted by paragraph B of part 11 of schedule 2 to the Order in respect of the buildings at 272-280 (evens) Clifton Drive South, St Annes. The council used an accelerated procedure as it was considered that the development to which the direction relates would be prejudicial to the proper planning of the area or constituted a threat to the amenities of the area. Under this procedure, the direction came into force immediately upon service, but expires after six months unless the direction is confirmed.
- The direction has been the subject of public consultation and the owner of the building has been written to in order to advise of the making of the direction. No comments have been received and so Members are recommended to confirm the order.

RECOMMENDATION

- That the direction under article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 to remove the permitted development rights granted by paragraph B of part 11 of schedule 2 to the order in respect of the buildings at 272-280 (evens) Clifton Drive South, St Annes shown hatched in the plan to this report be confirmed.

SUMMARY OF PREVIOUS DECISIONS

On 8 November 2017, Planning Committee resolved to:

- Make a direction under article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 to remove the permitted development rights granted by paragraph B of part 11 of schedule 2 to the Order in respect of the buildings at 272-280 (evens) Clifton Drive South, St Annes.
- Make the direction with immediate effect as set out in paragraph 2 of schedule 3 to the Order.

CORPORATE PRIORITIES

| | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | |
| Delivering the services that customers expect of an excellent council (Clean and Green) | |
| Working with all partners (Vibrant Economy) | |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | ✓ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | ✓ |

REPORT

1. This report requests the committee to confirm the article 4 direction that removes certain permitted development rights in relation to the properties at 272-280 (evens) Clifton Drive South, St Annes. The permitted development rights relate to demolition.
2. The site contains the rear part of the Dalmeny Hotel which consists of three red brick buildings, two being three storey and the third two storey which front Clifton Drive South. The buildings are located outside of a conservation area and are not nationally or locally listed. The plan identifying the site is at appendix 1.
3. An outline planning application for the demolition of the three buildings and their replacement with a development of 34 apartments (16/0374) was approved in principle by the Planning Committee in March 2017. However, the application was subsequently withdrawn by the applicant prior to the completion of a Section 106 agreement and so a decision was never issued. The application as originally submitted proposed the demolition of 280 Clifton Drive South, but following negotiations with officers, that application was amended to secure the retention of 280 Clifton Drive South and the replacement of 272-278 with a new development.
4. A Prior Notification submission was lodged on 1 November 2017 seeking demolition of number 280 Clifton Drive South. Although the application was solely for the demolition of the building, a note on the submitted plan indicated an intention to leave the site open to provide a temporary car parking area for hotel guests. The Prior Notification application was subsequently refused following the making of the Article 4 Direction and 280 Clifton Drive South has now been included on the Local List of Heritage Assets.
5. The Article 4 Direction was served on the owner of the property by letter dated 15 November 2017 and a notice was published in the Lytham St Annes Express on 18 November 2017 inviting representations about the Article 4 Direction. No representations were received by the Council.
6. In its consideration of the recent planning application and the addition of 280 Clifton Drive South to the local list, Committee has acknowledged the heritage value of 280 Clifton Drive South and the importance of 272-274 Clifton Drive South to the character of the local townscape. Accordingly, and in the absence of any representations, it is considered that the Article 4 direction should be confirmed in order to prevent the demolition of this building without an application for planning permission first being made and approved.

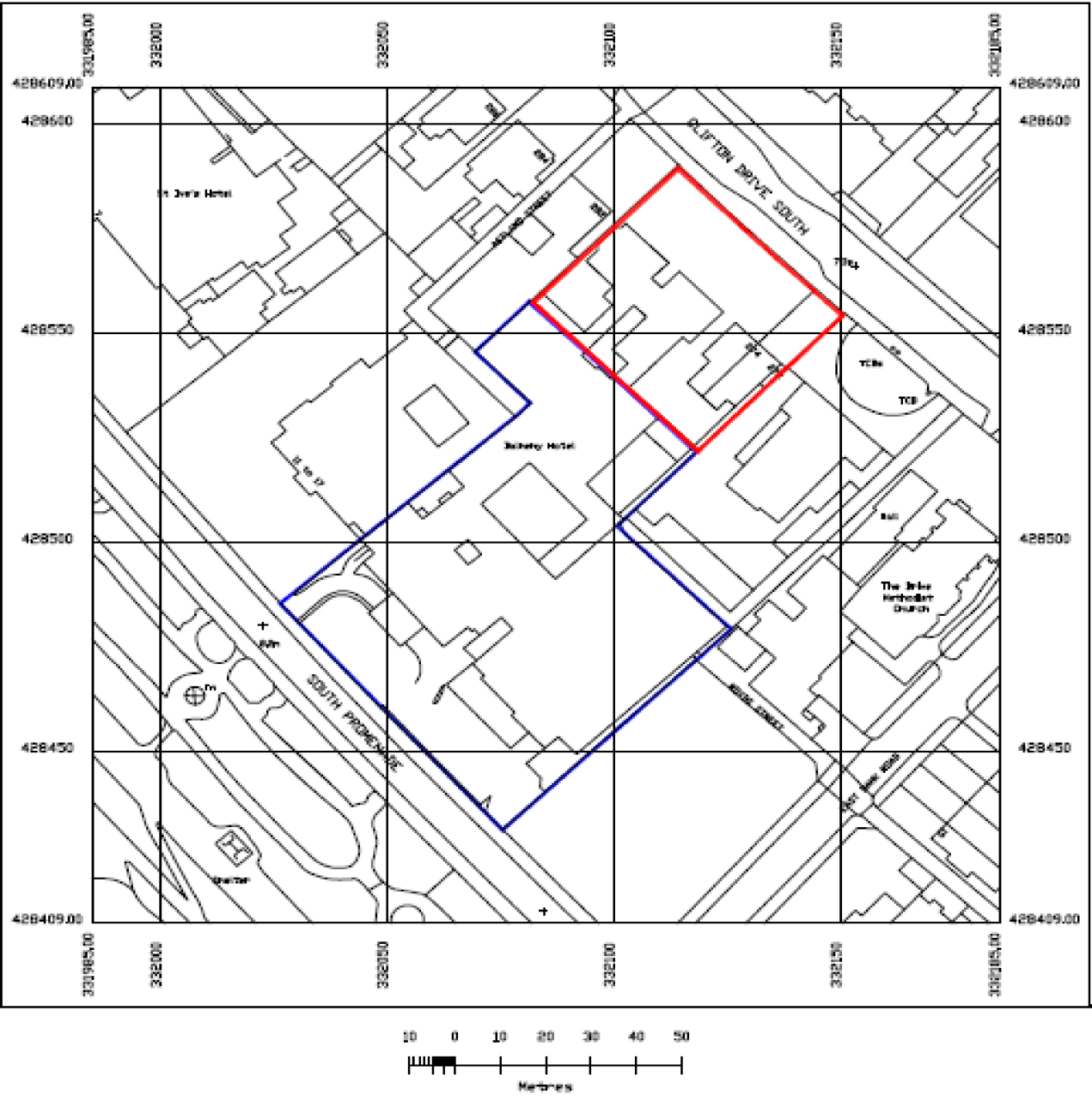
| IMPLICATIONS | |
|---|---|
| Finance | If the Council were to make an article 4 direction to withdraw permitted development rights as described in the body of this report the Council could, at some point in the future, be required to pay compensation should planning permission be refused in respect of permitted development rights that have been rescinded by the Council's actions in this regard. There is currently no approved budget for any such compensation payments should they become payable and consequently an unfunded revenue budget increase request may be made at some future date in the event of such payment being necessary. |
| Legal | Covered in the body of the report |
| Community Safety | None in relation to this report |
| Human Rights and Equalities | Article 8 of the European Convention rights is engaged, as it is by the wider restrictions imposed by the planning system as a whole. However, any interference with article 8 rights would be justified and proportionate because of the need to achieve the proper planning of the area. |
| Sustainability and Environmental Impact | None in relation to this report |
| Health & Safety and Risk Management | None in relation to this report |

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|-------------|--------------------------|--------------|
| Mark Evans | Email & Tel 01253 658460 | 5 April 2018 |

| BACKGROUND PAPERS | | |
|---|---|---|
| Name of document | Date | Where available for inspection |
| Prior Approval application 17/0920 Planning application 16/0374 | submitted 2/11/2017 submitted 14/06/2016 | Council web site www.fylde.gov.uk |

Appendix 1 – Plan identifying site

Appendix 2 – Report to Planning Committee - 8 November 2017



| | | | |
|---------------------------------------|--|--|--|
| Development Services Fylde Council | | (c) Crown Copyright and database right (2017). Ordnance Survey (100006084). | |
| | Address 272-280 Clifton Drive South, St Annes | | |



URGENT ITEM

By reason of special circumstances, which are that the article 4 direction being considered in this report would be likely to be ineffective if not made within 28 days of 2 November 2017, the chairman is of the opinion that this item should be considered as a matter of urgency.

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|---|--------------------|-----------------|-------------|
| HEAD OF PLANNING & HOUSING | PLANNING COMMITTEE | 8 NOVEMBER 2017 | URGENT ITEM |
| 272-280 CLIFTON DRIVE SOUTH, ST ANNES: ARTICLE 4 DIRECTION | | | |

EXEMPT ITEM

This item contains exempt information under paragraph 6 of schedule 12A to the Local Government Act 1972 and is likely to be considered in a part of the meeting not open to the public.

SUMMARY

The report considers the possibility of the council making a direction under article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 to prevent demolition of the buildings at 272-280 (evens) Clifton Drive South, St Annes without an application for planning permission.

The report sets out the legislative background for article 4 directions and considers whether it is expedient that demolition should not be carried out unless permission is granted on application and therefore that permitted development rights granted by article 3 should not apply. It also considers that such a direction can, in some cases, give rise to a compensation liability.

RECOMMENDATIONS

1. Make a direction under article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 to remove the permitted development rights granted by paragraph B of part 11 of schedule 2 to the order in respect of the buildings at 272-280 (evens) Clifton Drive South, St Annes shown hatched in the plan to this report.
2. Make the direction with immediate effect as set out in paragraph 2 of schedule 3 to the Order.

SUMMARY OF PREVIOUS DECISIONS

No previous decisions on this item concerning Article 4 Direction.

| CORPORATE PRIORITIES | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | |
| Delivering the services that customers expect of an excellent council (Clean and Green) | |
| Working with all partners (Vibrant Economy) | |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | ✓ |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | ✓ |

REPORT

1. This report requests the committee to authorise making an article 4 direction to remove certain permitted development rights in relation to the properties at 272-280 (evens) Clifton Drive South, St Annes. The permitted development rights relate to demolition.
2. The site contains the rear part of the Dalmeny Hotel which consists of three red brick buildings, two being three storey and the third two storey which front Clifton Drive South. The buildings are located outside of a conservation area and are not nationally or locally listed. The plan identifying the site is at appendix 1.
3. An outline planning application for the demolition of the three buildings and their replacement with a development of 34 apartments (16/0374) was approved in principle by the Planning Committee in March 2017. However, the application was subsequently withdrawn by the applicant prior to the completion of a Section 106 agreement and so a decision was never issued. The application as originally submitted proposed the demolition of 280 Clifton Drive South, but following negotiations with officers, that application was amended to secure the retention of 280 Clifton Drive South and the replacement of 272-278 with a new development.
4. A Prior Notification submission was lodged on 1 November 2017 seeking demolition of number 280 Clifton Drive South. Although the application is solely for the demolition of the building, a note on the submitted plan indicates an intention to leave the site open to provide a temporary car parking area for hotel guests. The Prior Notification application must be determined within 28 days of the receipt of a valid application, although this particular application is not currently valid as no application fee has been paid. In its consideration of such a Notification as required by the Order the relevant matters for the local planning authority are specifically: whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site. The council cannot consider the heritage value of the building.

PERMITTED DEVELOPMENT

5. Paragraph B of part 11 of schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 grants planning permission for any building operation consisting of the demolition of a building, subject to certain exceptions and conditions. None of the exceptions apply to the proposed demolition of these buildings and, while the conditions include the prior notification requirement, they would not allow the council to block the demolition on the basis of heritage value.
6. Even though the buildings in question are considered to have particular architectural and historic merit, they do not have protection against demolition because they are not nationally listed nor within a conservation area. Without an article 4 direction, the owner could use permitted development rights to demolish the buildings, thereby removing the heritage assets to the disbenefit of the built environment.
7. The retention of 280 Clifton Drive South is desirable because of the particular merits of the building which is a late Edwardian villa, constructed 1909-10, with Baroque features originally designed with a doctor's surgery by Arnold England, prominent local architect.
8. While the buildings at 272-278 Clifton Drive have less intrinsic heritage value, their presence makes an important contribution to the townscape, which would be lost if they were demolished without being appropriately replaced. This was recognised by the previous scheme, which, as amended, would have preserved 280 Clifton Drive South and ensured that 272-278 Clifton Drive South would only have been demolished on the condition that a suitable replacement building were provided. Accordingly it is considered that all the properties from 272 – 280 (evens) Clifton Drive South should be protected from demolition without express planning consent.

SCOPE OF ARTICLE 4 DIRECTIONS

9. Article 4(1) of the order allows a local planning authority ("LPA") to make a direction that development described in any part, class or paragraph of schedule 2 to the Order should not be carried out unless permission is granted for it on application. There are certain exceptions, which are not relevant to this report.

POLICY

10. Government guidance on the use of article 4 directions is given in paragraph 038 of the Government's Planning Practice Guidance. So far as relevant to this site, the guidance says:

'The use of article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified. There should be a particularly strong justification for the withdrawal of permitted development rights relating to...cases where prior approval powers are available to control permitted development.'

While prior approval powers are available in the present case, those powers are not directed to the preservation of a heritage asset and could not control the demolition of the building in this case.

PROCEDURE

11. An article 4 direction does not normally come into force until it is confirmed. The procedure requires the order to be made by the LPA and served and publicised in conformity with detailed requirements. The LPA may then confirm the direction. If there are objections to the direction, the LPA can only confirm it after taking the objections into account
12. The LPA can use an accelerated procedure if they consider that the development to which the direction relates would be prejudicial to the proper planning of their area or constitute a threat to the amenities of their area. Under this procedure, the direction comes into force immediately upon service, but automatically expires after six months unless they confirm it before then.
13. The Secretary of State does not need to confirm a direction, but has the power to cancel one.

EXPRESS CONSENT

14. It is worth emphasising that an article 4 direction does not prohibit development. It merely means that there must be an application for express planning permission to the LPA for development that would otherwise be permitted under the General Permitted Development Order.
15. An application for planning permission to demolish the building would need to be considered by the council against the background of the development plan and national policy. The application would need to be decided in accordance with the development plan unless material considerations indicate otherwise. This would include balancing the public benefits of any proposed redevelopment against the retention of the heritage value of the present building within its setting.
16. This suggests that there needs to be some consideration of the likely outcome of any such planning application. There would be little point in making a direction if it appears that the council as LPA would be unlikely to be able to refuse the anticipated development or significantly influence it by the use of conditions or planning obligations. However, in this case, as Committee has recently considered the potential redevelopment of the site, it is clear that it wishes to see 280 Clifton Drive South retained and to ensure that, if the other buildings on the site are demolished, they are replaced by a suitable building that would retain the character of the local townscape. In the absence of the Article 4 Direction there is the prospect of the site being cleared with the obvious resulting loss of the buildings.
17. Requiring the owner to seek planning permission would enable the council to properly consider the effect on the historic environment of the removal of the heritage asset from the land. Without the requirement for planning permission the owner would be lawfully permitted to demolish the heritage asset without full consideration.
18. This analysis suggests that an article 4 direction would be a valuable tool to enable the council to preserve the positive contribution made by the heritage asset building. Further, it suggests that the demolition of the building would be prejudicial to the proper planning of the council's area, such that it would be appropriate to use the accelerated procedure to bring the article 4 direction into effect.

COMPENSATION

19. Compensation can be payable where planning permission is refused if permitted development rights for the development have been removed by an article 4 direction.
20. Compensation is assessed under section 107 of the Town and Country Planning Act 1990. It covers abortive expenditure and depreciation in the value of land directly attributable to the withdrawal of consent by the direction. The Upper Tribunal assesses compensation if agreement cannot be reached.
21. In this case the Article 4 Direction would bring the control of demolition within the scope of planning permission. In effect it would of itself only prevent demolition i.e. preventing the clearance of the site. The Council has previously indicated that it would accept the principle of the redevelopment of the site, subject to that redevelopment being of a form that preserves the local townscape. Accordingly, whilst there is a risk that a compensation claim may be made, this risk would be reduced if planning permission were to be granted for an alternative development that might enhance the value of the site. In any event, were planning permission be granted for redevelopment in the future the Article 4 Direction would become irrelevant.

CONCLUSION

22. In its consideration of the recent planning application, Committee has acknowledged the heritage value of 280 Clifton Drive South and the importance of 272-274 Clifton Drive South to the character of the local townscape. The LPA can only exercise control over whether the building is demolished by making an Article 4 Direction to remove the permitted development rights for the demolition of the building granted by of Schedule 2, Part 11 Class B to the Town and Country Planning (General Permitted Development) (England) Order 2015.

| IMPLICATIONS | |
|---|---|
| Finance | If the Council were to make an article 4 direction to withdraw permitted development rights as described in the body of this report the Council could, at some point in the future, be required to pay compensation should planning permission be refused in respect of permitted development rights that have been rescinded by the Council's actions in this regard. There is currently no approved budget for any such compensation payments should they become payable and consequently an unfunded revenue budget increase request may be made at some future date in the event of such payment being necessary. |
| Legal | Covered in the body of the report |
| Community Safety | None in relation to this report |
| Human Rights and Equalities | Article 8 of the European Convention rights is engaged, as it is by the wider restrictions imposed by the planning system as a whole. However, any interference with article 8 rights would be justified and proportionate because of the need to achieve the proper planning of the area. |
| Sustainability and Environmental Impact | None in relation to this report |
| Health & Safety and Risk Management | None in relation to this report |

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|-------------|-----------------|-----------------|
| Mark Evans | 01253 658460 | 2 November 2017 |

| BACKGROUND PAPERS | | |
|---|---|---|
| Name of document | Date | Where available for inspection |
| Prior Approval application 17/0920 Planning application 16/0374 | submitted 2/11/2017 submitted 14/06/2016 | Council web site www.fylde.gov.uk |

Appendix 1

Plan identifying site

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|--|--------------------|---------------|---------|
| RESOURCES DIRECTORATE | PLANNING COMMITTEE | 18 APRIL 2018 | 9 |
| SUBSTITUTE VACANCY - PLANNING COMMITTEE | | | |

PUBLIC ITEM

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

SUMMARY

Following the appointment of Councillor Pitman to the Planning Committee at Budget Council on 5 March 2018 there is a vacancy in the pool of planning substitutes.

In accordance with Standing Order 23(c) of the Rules of Procedure of the Constitution, the Committee is asked to nominate a member to take the place of Councillor Pitman and serve as potential substitute on the Planning Committee. It must be acknowledged that the member appointed will be required to undertake the necessary training.

RECOMMENDATION

Members are invited to nominate a member to fill the vacancy as a substitute member at the Planning Committee in accordance with Standing Order 23(c) of the Rules of Procedure of the Constitution.

SUMMARY OF PREVIOUS DECISIONS

Development Management Committee – 10 June 2015
 Budget Council – 5 March 2018
 Planning Committee – 7 March 2018

| CORPORATE PRIORITIES | |
|--|---|
| Spending your money in the most efficient way to achieve excellent services (Value for Money) | √ |
| Delivering the services that customers expect of an excellent council (Clean and Green) | |
| Working with all partners (Vibrant Economy) | |
| To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live) | |
| Promoting Fylde as a great destination to visit (A Great Place to Visit) | |

REPORT

1. Following the appointment of Councillor Pitman to the Planning Committee, at Budget Council on 5 March 2018, there is a vacancy in the pool of planning committee substitutes and the committee is asked to fill the vacancy in accordance with Standing Order 23 of the Rules of Procedure of the Constitution.
2. Council Procedure rule 23(d) allows the Committee to name up to ten councillors to serve as Reserve Planning Members.
3. Only a Reserve Planning Member can act as a substitute at a meeting of the Planning Committee.
4. The Committee can only name as a Reserve Planning Member a councillor whom they consider (i) has a sufficient level of experience or training to enable them to contribute to the work of the committee; and (ii) is willing and available to frequently attend meetings of the committee (whether or not acting as a substitute).
5. If the committee decide to appoint a member who has not had the sufficient level of experience or training, then appropriate arrangements will be put in place to ensure that the elected member concerned is offered a comprehensive 121 training package.
6. The Committee is asked to name a councillor to replace Councillor Pitman as Reserve Planning Member to bring the number of Reserve Planning members to ten.

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

| LEAD AUTHOR | CONTACT DETAILS | DATE |
|------------------------|-----------------|--------------|
| Lyndsey Lacey - Simone | 01253 658504 | 12 June 2017 |

| BACKGROUND PAPERS | | |
|---|------|--------------------------------|
| Name of document | Date | Where available for inspection |
| Development Management Committee – 10 June 2015 | | Town Hall and Website |

INFORMATION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|-------------------------------------|--------------------|---------------|---------|
| DEVELOPMENT SERVICES DIRECTORATE | PLANNING COMMITTEE | 18 APRIL 2018 | 10 |
| LIST OF APPEALS DECIDED | | | |

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The council received the following attached appeal decisions between 2/3/18 and 6/4/2018.

SOURCE OF INFORMATION

Development Services

INFORMATION

List of Appeals Decided attached.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

Appeals Decided

The council received decisions on the following appeals in the period 2 March 2018 to 6 April 2018.
The decision notices are attached.

Rec No: 1

16 November 2017 17/0534

BARRIQUE, 2 & 3 MARKET HALL, MARKET SQUARE,
LYTHAM ST ANNES, FY8 5LW
VARIATION OF CONDITION 3 ON PLANNING
PERMISSION 16/0074 TO ALLOW THE EXTERNAL AREA
TO BE USED FOR THE CONSUMPTION OF FOOD AND
DRINK BETWEEN THE HOURS OF 9AM AND 10PM ON
ANY DAY, AND THE INTERNAL AREA BETWEEN THE
HOURS OF 8AM AND 11PM SUNDAY TO THURSDAY
AND 8AM TO 12PM FRIDAY AND SATURDAY.

Written
Representations
Case Officer: RC

Fylde Dec. Level COMM

Appeal Decision: Allowed: 29 March 2018

Rec No: 2

16 February 2018 17/0669

434 CLIFTON DRIVE NORTH, LYTHAM ST ANNES, FY8
2PW
SINGLE STOREY EXTENSION TO FRONT OF GARAGE

Householder
Appeal
Case Officer: RT

Fylde Dec. Level DEL

Appeal Decision: Dismiss: 26 March 2018

Rec No: 3

16 February 2018 17/0381

3 QUEEN STREET, LYTHAM ST ANNES, FY8 5LQ

LISTED BUILDING CONSENT FOR REMOVAL OF PART OF
EXISTING BOUNDARY WALL TO PROVIDE VEHICULAR
ACCESS FROM HENRY STREET AND FORMATION OF
HARDSTANDING PARKING SPAC

Written
Representations
Case Officer: RT

Fylde Dec. Level COMM

Appeal Decision: Dismiss: 26 March 2018

Appeal Decision

Site visit made on 16 January 2018

by Katie McDonald MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2018

Appeal Ref: APP/M2325/W/17/3187493

Barrique, 2 & 3 Market Hall, Market Square, Lytham FY8 5LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Charles Furnell (Lytham Wine Company Limited) against the decision of Fylde Borough Council.
- The application Ref 17/0534, undated application, was refused by notice dated 6 September 2017.
- The application sought planning permission for change of use of existing retail unit to mixed use as bar (class a4) / retail unit (class a1). Replacement of windows to front with doors and replacement window to side without complying with a conditions attached to planning permission Ref 16/0074, dated 29 June 2016.
- The conditions in dispute is No 3 which states that:
That the external fore court area to the front of the premises shall only be used for the consumption of food and drink between the hours of 9am and 9pm on any day, with the internal area only open for customers between the hours of 8am and 11pm on any day.
- The reason given for the condition is:
In the interests of preserving the amenity of occupiers of neighbouring and nearby residential properties as required by Policy EP27 of the Fylde Borough Local Plan.

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 13 February 2018

Decision

1. The appeal is allowed and planning permission is granted for change of use of existing retail unit to mixed use as bar (class a4) / retail unit (class a1) at Barrique, 2 & 3 Market Hall, Market Square, Lytham FY8 5LW in accordance with the application Ref 17/0534, undated, without compliance with condition number 3 previously imposed on planning permission Ref 16/0074 dated 29 June 2016 and subject to the following conditions set out in the attached schedule.

Procedural Matter

2. Policy GD7 of the Fylde Council Local Plan to 2032 (submission version) is referred to in the reason for refusal. Policy EC5 of the same draft plan is also referred to in the Council's statement. The purpose of a Local Plan examination is for the Examiner to consider whether the plan is 'sound'. Accordingly, it is possible that a policy could be amended or deleted as a result of the examination or that the plan is withdrawn or found unsound. However, I note that the examinations have concluded and the Council expect to adopt their

new local plan in Spring 2018. Therefore, having regard to paragraph 216 of the National Planning Policy Framework (the Framework); I will give these draft policies some weight in my assessment.

Background and Main Issue

3. Planning permission to change the use of the appeal site to a mixed use as a bar and retail unit included a condition to restrict opening hours, both internally and externally. The Council's statement indicates that the part of the condition that controls the hours of use for the external forecourt is necessary to ensure the development would not harm living conditions at surrounding residential properties. The proposed hours of opening in relation to the internal use of the building are considered acceptable by the Council, and I have no reasons to disagree.
4. As a result, I consider the main issue is the effect of the proposed hours of use of the external forecourt on the living conditions of nearby residents, with particular reference to noise and disturbance.

Reasons

5. The site is located in the town centre of Lytham, fronting onto the War Memorial gardens and being sited within part of the former Market Hall, a Grade II Listed Building. It is also set within the Lytham Conservation Area.
6. The Market Hall contains other commercial businesses including a bank and clothes shop; closely linked to other shops, bars and services on Hastings Place and Market Square. The County Hotel public house is situated behind the building, with another bar, Zest, located to the east on Hastings Place. The area has a predominantly commercial character with residential dwellings sited to the north of Hastings Place. The residential dwellings are two storey, set back from the road by small front gardens and curve around the corner. Between the site and the residential dwellings is a two way road with parking bays and footpaths to either side.
7. The site features a modestly sized front forecourt area for outside eating and drinking. It is covered by two large umbrellas and featured heaters over 8 small tables, each seating around 3-4 people. Given the boundary treatments, the forecourt area was well defined and separated from the memorial gardens.
8. The current condition permits use of the outside seating area until 2100 and the proposal is to increase this by one hour to 2200. There are various bars, restaurants and public houses near to the site and night time activity in the area is not uncommon. Indeed, as the internal area of the appeal site is permitted to open until 2300, it would be reasonable to expect general comings and goings of customers beyond both the authorised and proposed time of use of the outside seating area. Furthermore, the width of the road somewhat ameliorates the effect due to the separation between the dwellings and the appeal site. Given these factors, I consider that the additional hour of outside customer activity between 2100 and 2200 would not make a significant difference to the noise and activity already experienced in the area.
9. Consequently, on balance, I am not persuaded that the proposal would lead to any adverse harm to neighbouring living conditions of residents on Hastings Place. I find compliance with Policy EP27 of the Fylde Borough Local Plan as Altered (October 2005) (LP), which seeks to minimise or prevent noise

pollution. Whilst not quoted in the reason for refusal, I have also had regard to Policies SH8, EP3 and SH16 of the LP. I also find that there would be compliance with these policies which seek to control uses within secondary shopping frontages, to conserve or enhance the character or appearance of the area, and protect the amenities of nearby residents, taking into account the characteristics of the area concerned.

10. I also find that the proposal would be in accordance with draft Policies GD7 and EC5 of the Fylde Council Local Plan to 2032 (submission version) of which I accord some weight. These policies seek to ensure that uses involving operational hours in the evening or night should not create unacceptable disturbance to residents.
11. I have considered the Framework and also find compliance, mainly paragraphs 122 and 123 which advises that decisions should aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

Other matters

12. Whilst I sympathise with local residents that the proposed hours of use may have been in operation for some time, it is not a matter before me and I have considered the proposal on its merits.
13. There are no physical changes taking place to the building proposed by this appeal and as such there would be little effect upon the character and appearance of the Conservation Area and the Listed Building.

Conditions

14. In terms of conditions, the guidance in the Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should repeat the relevant conditions from the original planning permission, unless they have already been discharged.
15. In view of the Council's submission, I have imposed conditions that are considered to be relevant, taking account of those already discharged. As a result, condition 1 of 16/0074 has been deleted as the development is complete and condition 4 of 16/0074 has been amended to reflect the refuse management details already approved.

Conclusion

16. For the reasons above, I conclude that the appeal should be allowed and the condition varied as proposed.

Katie McDonald

INSPECTOR

Schedule of Conditions

- 1) The external forecourt area to the front of the premises shall only be used for the consumption of food and drink between the hours of 0900 and 2200 on any day, with the internal area only open for customers between the hours of 0800 and 2300 Sunday to Thursday and between the hours of 0800 and 0000 Friday and Saturday.
- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the building shall be used for mixed Class A1 (retail) and Class A4 (drinking establishment) purposes (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) only, and for no other purpose including solely as either of the two approved uses.
- 3) That the ground floor doors and any opening windows shall remain closed between the hours of 2100 hours and 0700 hours on every day of the week, except when in use to enter/exit the building.
- 4) That the scheme of refuse management approved under condition 5 of planning permission 16/0074 which includes details of the siting, size, design and materials of the refuse storage area for the premises shall be maintained and operated in full accordance with the approved scheme at all times thereafter.

Appeal Decision

Site visit made on 13 March 2018

by Nicholas Taylor BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2018

Appeal Ref: APP/M2325/D/17/3192231

434 Clifton Drive North, Lytham St Anne's FY8 2PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs D Woods against the decision of Fylde Borough Council.
- The application Ref 17/0669, dated 6 August 2017, was refused by notice dated 3 October 2017.
- The development proposed is extension to garage at lower ground floor level.

Decision

1. The appeal is dismissed.

Procedural Matter

2. In her evidence, the appellant describes a number of alternative designs for the proposed development. However, these appear to have not been formally submitted to the Council and not consulted upon. Accordingly, I confirm that I have determined the appeal on the plans which formed the basis of the Council's decision.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a detached dormer bungalow, occupying a corner location on a main road in a residential area. The mainly detached and varied one and two storey dwellings on Clifton Drive North are, like the appeal property, within sizeable front gardens and well set back from the wide road. Although many have staggered front elevations, a consistent building line has been retained. These factors, together with few trees and shrubs of any significant scale, create an open and spacious streetscape which is a defining characteristic of this coastal locality.
5. At present, the property has a flat-roofed garage at the side which, together with part of the front garden and driveway, is partially situated below the prevailing ground level. The proposed development would comprise an extension to the existing garage, projecting 5 metres in front of it with a low-angled pitched roof culminating in a gable and ridge at a height of 3.4 metres.
6. The prominence of the garage extension would be reduced by the sunken ground level and I accept that the shrubbery around part of the front and side

boundary, which partially screens the front of the property, is likely to remain in future to afford privacy from a bus stop on the pavement. However, the pitched roof and front gable would still be visible from a number of angles, including over parts of the boundary wall and through the two driveway entrances, even if they were to have solid gates fitted. The development would be visible by pedestrians and occupants of larger vehicles on the highways as well as from the upper floors of dwellings opposite. Moreover, the pitched roof would also, visually, relate uncomfortably to the existing flat garage roof behind it and the gabled front elevation of the adjacent bungalow.

7. Overall, the proposed structure, particularly its pitched roof and gable, projecting beyond the established building line, would represent an obtrusive and uncharacteristic feature in the open and spacious streetscape, causing unacceptable harm to the character and appearance of the area. I am also mindful that, to allow such a development would risk creating a precedent which would could, if replicated, ultimately, lead to very significant erosion of this character.
8. The scheme would conflict with saved Policy HL5 of the *Fylde Borough Local Plan* and Policy GD7 of the emerging *Fylde Local Plan to 2032*, which both seek to achieve new development of good design which relates well to its context. However, as I have been given limited information regarding the progress of the emerging plan, I afford less than full weight to the conflict with it. The proposal would also fail to comply with the *Saint Anne's on the Sea Neighbourhood Development Plan*, in particular Policy DH1, which requires development to contribute to the vision of a distinctive garden town by the sea, and Policy DH2 which seeks to protect and improve the quality of the Clifton Drive North corridor. In addition, there would be conflict with the *National Planning Policy Framework's* policies for design.
9. In reaching this conclusion, I have taken account of the various arguments put forward by the appellant. As explained in my procedural matter paragraph, I am unable to take account of the appellant's suggestions for amendments to the scheme or the property generally with the aim of making it more acceptable. At this stage, these would have to be the subject of a re-application to the local planning authority. It has not been shown that drainage improvements are dependent on the proposal. Better security for valuable vehicles would be a personal benefit which carries, at best, only very limited positive weight.
10. Any dissatisfaction with the manner of the Council's handling of the application is not for me to rule on in my decision and does not have significant bearing on my conclusion. At my site visit, I was able to see the large dwelling on North Promenade, to which the appellant refers. The houses along this one-sided sea-front street are generally of a bolder and more eclectic design to those on the inland streets and this development cannot be compared closely with the appeal proposal.

Conclusion

11. For the reasons set out above, the appeal should be dismissed.

Nicholas Taylor

INSPECTOR



Appeal Decision

Site visit made on 13 March 2018

by Nicholas Taylor BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2018

Appeal Ref: APP/M2325/Y/17/3191120

3 Queen Street, Lytham St Anne's FY8 5LQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Brian Shepherd against the decision of Fylde Borough Council.
- The application Ref 17/0381, dated 11 May 2017, was refused by notice dated 26 July 2017.
- The works proposed are removal of part of existing boundary wall to provide vehicular access and creation of 1 no. parking space.

Decision

1. The appeal is dismissed.

Main Issue

2. The appeal property is a Grade II listed building and is located close to other listed buildings within the Lytham (Town Centre) Conservation Area. Consequently, the main issue in this case is whether the special architectural and historic interest of the listed building and the setting of nearby listed buildings would be preserved and whether the character or appearance of the conservation area would be preserved or enhanced.

Reasons

3. No. 3 Queen Street is a two storey house within a predominantly residential area on the edge of Lytham town centre. It is situated on the corner of Queen Street and Henry Street and the proposed vehicular access would be off the latter.
4. The list description refers to the buildings around the corner forming a group of mid-19th Century terraced houses. They possess modest, vernacular form with distinctive fenestration. The low boundary walls, surmounted by hedges, enclose shallow front gardens. The boundary walls, forming part of the buildings' curtilage, are within the listing, although not specifically mentioned in the list description, and form a distinct aspect of the fabric and setting of the group.
5. The appellant argues that the short section of low cobble wall, which would be removed, is a relatively recent addition, but this is disputed by the Council and a third party. From my site visit, it is apparent that the cobble wall is of similar appearance, albeit lower, than numerous others within the conservation area, which although not generally uniform are characteristic features of historic

interest. Indeed, there is a further, quite long section of cobble wall in Henry Street, a few metres west of the appeal property. The section of wall in dispute is capped by flat coping stones of, apparently, some age, in contrast to the newer-looking brick and concrete coping of the remainder of the boundary wall. Taking account of all the evidence before me, I am unable to agree with the appellant's assertion that the section of cobble wall is of no historic interest or aesthetic value.

6. Notwithstanding any doubt regarding the antiquity of parts of the boundary wall, the reasonably complete, prominent, modest and harmonious corner composition of domestic residential development in which it plays a positive part, encompasses, to a considerable degree, the architectural and historic significance of the appeal property and the setting of the group.
7. My attention has been drawn to a vehicular access which has been permitted to 15a Henry Street. The Council says that the property dates from the 1970's and has limited historic significance. Whilst I have not been given the full circumstances surrounding this development, I consider that it has limited bearing on the current appeal. Notwithstanding the presence of a few non-residential uses, some recent infill developments and variations in boundary treatment, including some private accesses, this part of the conservation area has a domestic, village-like character and appearance. The boundary treatments of the corner group contribute positively to this.
8. It is arguable, although I accept not certain, that the proposed development would involve the loss of historic fabric. However, of equal if not greater importance is that, no matter how careful the detailed design of piers and surface materials, it would create a prominent gap, further disrupting the sweep around the corner of the prevailing boundary treatment. The parking of a vehicle within the restricted frontage space would be incongruous, creating a cluttered appearance, diminishing the aesthetic value of the listed buildings and their setting. Although a small intervention in relation to the overall extensive conservation area, it would nevertheless be harmful to its character and appearance. Whilst, as the appellants argue, the hedge itself may not remain in perpetuity irrespective of whether the appeal proposal were to go ahead, in event of its alteration or loss, the continued presence of the wall and absence of on-site parking would retain the continuity of the boundary and frontage space.
9. Overall, therefore, the proposed works would fail to preserve the special architectural and historic interest of the listed building, its setting and that of its neighbouring buildings, and would fail to preserve or enhance the character or appearance of the conservation area. Thus, the significance of all the designated heritage assets would be harmed, contrary to the expectations of Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
10. This would also conflict with the development plan as a whole. Both main parties have referred me to a number of saved policies of the *Fylde Borough Local Plan*, including EP3, EP4 and EP6, which, in combination, seek to protect listed buildings and their settings and conservation areas. There would also be conflict with Policy ENV5 of the emerging *Fylde Local Plan to 2032*, which also seeks to protect heritage assets. As I have been given limited information

about the progress of this emerging plan, I afford less than full weight to the conflict with it.

11. Paragraph 132 of the *National Planning Policy Framework* (the Framework) states that when considering the impact of a proposal on a designated heritage asset, great weight should be given to the asset's conservation. As I have found in this case, the Framework confirms that significance can be harmed by alterations to a heritage asset or development within its setting.
12. In this case, the harm, although serious, would be less than substantial, within the meaning of the term in paragraphs 132-134 of the Framework. This requires that the less than substantial harm should be weighed against the public benefits of the proposal. I note that the Highway Authority does not object in principle to the construction of a parking space but I am not convinced that its creation would provide a significant public benefit, since it would involve some loss of kerb-side parking capacity in return for the creation of one small private space. Thus, it has not been demonstrated that the proposal would give rise to public benefits which would outweigh the harm to the heritage assets.
13. I accept that the scheme would provide a private benefit to the appellant, as parking outside the property is restricted between 09.00 and 18.00 and is generally limited in this congested area. The inconvenience of not being able to park outside one's dwelling during daytime and, potentially, facing difficulty doing so overnight should be afforded weight and that is increased by the appellant's mobility difficulty. The evidence provided to me in the form of a letter from a Nurse Clinician at the appellant's a GP practice hints at the severity of those difficulties but does not make clear whether they are likely to be temporary or permanent. Nor is the precise location or difficulty involved in accessing alternative parking arrangements fully explained. In giving careful consideration to these personal circumstances, including the guidance in the government's *Planning Practice Guidance* regarding use of conditions, I have come to the view that the harm to the heritage assets would not be readily reversible in the event that the particular personal circumstances reduced in severity or no longer applied.
14. Set against the undoubted considerable personal benefit and the very limited public benefit is the duty placed by the 1990 Act on the decision-maker, in considering whether to grant listed building consent, to have special regard to the desirability of preserving a listed building or its setting and to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Whilst the harm would be less than substantial in this case, this overarching statutory duty must be given considerable importance in weight. In all the circumstances of this case, I conclude that the duty towards the preservation of the heritage assets should prevail.

Conclusion

15. Therefore, for the reasons set out above, the appeal should be dismissed.

Nicholas Taylor

INSPECTOR