

## Development Management Committee



<b>Date:</b>	Wednesday, 13 November 2013
<b>Venue:</b>	Town Hall, St Annes
<b>Committee members:</b>	Councillor Ben Aitken (Chairman) Councillor Kevin Eastham (Vice-Chairman)  Councillors Tim Armit, Julie Brickles, Maxine Chew, Peter Collins, Fabian Craig-Wilson, Charlie Duffy, Dr Trevor Fiddler, Barbara Nash, Linda Nulty, Albert Pounder, Richard Redcliffe, Vivienne M Willder
<b>Other Councillors:</b>	Councillors Susan Ashton, Nigel Goodrich
<b>Officers:</b>	Mark Evans, Andrew Stell, Mike Atherton, Clare Holmes Lyndsey Lacey
<b>Members of the public:</b>	About thirty members of the public were in attendance

### Councillor Kathleen Harper

The Chairman referred to the recent and sudden death of Councillor Kathleen Harper and in doing so, advised of the funeral arrangements. On behalf of the committee, he expressed his condolences to the family.

### 1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and that any personal or prejudicial interests should be declared as required by the Council's Code of Conduct.

### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Development Management Committee held on 9 October 2013 as a correct record for signature by the Chairman.

### 3. Substitute members

The following substitution was reported under Council procedure rule 25:

Councillor Julie Brickles for Councillor Peter Hardy

**4. Development Management matters**

The Committee considered the report of Mark Evans (Head of Planning and Regeneration) which set out various planning applications. A copy of the Late Observation Schedule was circulated at the meeting.

Following detailed consideration of each application, it was RESOLVED to decide the applications as stated in the schedule attached.

(Councillors Trevor Fiddler and Vivienne M Willder were not in attendance during the consideration of planning application nos 12/0068, 12/0759, 13/0343, 13/0449, 13/0577 13/0583 and as a consequence, took no part in the voting relating thereto)

(Councillor Fabian Craig-Wilson was not in attendance during the consideration of planning application 13/0449 relating to FBC Offices, Derby Road, Wesham and as a consequence, took no part in the voting relating thereto.)

(Councillor Kevin Eastham requested that his name be recorded as having voted against planning application 13/0450 relating the development of a retail food store, Heyhouses Lane, St Annes)

-----

# Development Management Committee Minutes

## 13 November 2013

**Item Number:** 1

<b>Application Reference:</b> 12/0068		<b>Type of Application:</b> Change of Use	
<b>Applicant:</b>	Mr Threlfall	<b>Agent :</b>	CFM Consultants Ltd.
<b>Location:</b>	REAM HILLS FARM, MYTHOP ROAD, WEETON WITH PREESE, PRESTON, PR4 3NB		
<b>Proposal:</b>	CHANGE OF USE OF LAND AND BUILDINGS TO GENERAL STORAGE IN ADDITION TO EXISTING STORAGE OF ACCIDENT DAMAGED AND POLICE RECOVERED VEHICLES, AND EXTENSION OF AREA AUTHORISED FOR SUCH STORAGE		

### Decision

Change of Use: - Granted

### Conditions and Reasons

- 1        That the areas of external storage shall be as indicated on CFM consultants drawing RH/4161/0102A as submitted to the Local Planning Authority on 15 April 2013.  
  
             To appropriately identify the extent of storage hereby approved as required by Policy SP8 of the Fylde Borough Local Plan.
  
- 2        Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 1995, the land and buildings included within this application site shall be used solely for storage purposes within Class B8 of the Town & Country Planning (Use Classes) Order and not for any other purpose including vehicle repair and maintenance or as a car breakers / scrap yard.  
  
             In order to prevent the establishment of an inappropriate use in the rural area and to ensure that the development does not attract inappropriate numbers of vehicles to a site in a rural location.
  
- 3        There shall be no external storage above a height of 4 metres from ground level other than in the area hatched in green on the approved plan where storage shall not exceed 6m in height.  
  
             In the interests of visual amenity in the area, with the higher limit acceptable as views of that area are protected by being set against the backdrop of the buildings from off-site views.
  
- 4        The area of bund indicated alongside the additional external storage area on the approved plan shall be planted, in accordance with a scheme that shall be submitted to the local planning authority within one month of the date of this planning permission and then approved in writing. This scheme shall include a mix of native species to reflect the

landscaping scheme introduced on the existing bunds around the previously approved storage areas and shall be implemented no later than the end of the next available planting season (i.e. by the end of February 2014).

To ensure that the extended storage areas have an acceptable impact on the character of the rural area as required by Policy SP2 of the Fylde Borough Local Plan.

- 5 The whole of the landscape works approved under condition 4 of this planning permission shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current arboricultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

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

#### **Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

#### **Item Number: 2**

<b>Application Reference:</b> 12/0759		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	Mr Simon Rigby	<b>Agent :</b>	Croft Goode Ltd
<b>Location:</b>	GREAT CARR SIDE FARM, WREA BROOK LANE, BRYNING WITH WARTON, PRESTON, PR4 3PP		
<b>Proposal:</b>	CONVERSION OF TWO AGRICULTURAL BUILDINGS TO FORM THREE RESIDENTIAL DWELLINGS.		

#### **Decision**

Full Planning Permission: - Granted

#### **Conditions and Reasons**

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

commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

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

2 The development hereby approved shall relate to the works shown on the following plans;

- Proposed Site Plan - Croft Goode Architects drawing no. 08-1328-P10 Rev D
- Unit 3 Existing - Croft Goode Architects drawing no. 08-1328-P04
- Unit 3 Proposed - Croft Goode Architects drawing no. 08-1328-P13 Rev B
- Units 4 & 5 Existing - Croft Goode Architects drawing no. 08-1328-P05
- Units 4 & 5 Proposed - Croft Goode Architects drawing no. 08-1328-P15 Rev E
- Garage Plan & Elevations - Croft Goode Architects drawing no. 08-1328-P18 Rev B
- Proposed Parkland Fencing - Croft Goode Architects drawing no. 08-1328-P16
- Barn Owl Nesting Box Detail - Croft Goode Architects drawing no. 08-1328-P19

For clarity in defining the permission.

3 No construction of any dwelling hereby approved shall be commenced until the vehicle passing places along Wrea Brook Lane (as indicated on the submitted drawing 'Access Road Plan', drawing no. 08-1328-P02) have been constructed in accordance with a specification to be submitted to and agreed in writing by the Local Planning Authority.

To ensure the provision all necessary highway improvements in the interests of highway safety as required by Policy HL2 of the Fylde Borough Local Plan

4 Notwithstanding any denotation on the approved plans samples of the facing materials, render, roof treatment and wall cladding shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

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

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

6 Prior to the installation of new doors and windows detailed drawings of those doors and windows, at scale 1:20, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only those approved details shall be used in the development. All window frames shall be set in no less than 100mm reveal and thereafter maintained as such to the satisfaction of the Local Planning Authority.

To secure appropriate materials and details of fenestration given the special interest of the former agricultural building.

- 7 The development hereby approved shall be implemented in full accordance with the recommendations set out in the following documents produced by LOBO Ecology and submitted with the application:
- Bat Method Statement - Great Carr Side Farm, dated March 2013
  - Method Statement - Barn Owl & Breeding Birds - Great Carr Side Farm, dated July 2011
  - Letter dated 29 July 2013 - addressed to Mr Alan Pinder and commencing "Thank you for sending through LCC comments relating to ecology at Great Carr Side Farm"

To safeguard the habitat and population of protected species around the site during the development in accordance with Policy EP19 of the Fylde Borough Local Plan as Altered (October 2005)

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

[CLASS VARIABLES

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

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

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

[CLASS VARIABLES

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

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

- 10 Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include grass highway verge, car parking and shall include plans and written

specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

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

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

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

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

To ensure the provision of a satisfactory drainage scheme.

- 13 The extent of the repair and rebuilding works to be undertaken as part of the conversion of the building hereby approved shall be strictly limited to the works identified in section 3 - 'Conclusions and Recommendations' of the structural appraisal produced by Graham Schofield Associates and authored by Graham Schofield, dated February 2011 (project no. 2010.206).

To ensure that the building is appropriately converted without excessive rebuilding elements.

#### **Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:

1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
  2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
  3. Securing revised plans during the course of the application which have overcome initial problems
2. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Lancashire County Council as Highway Authority will carry out these works at the developer's expense and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning 01772 538800 or writing to Lancashire County Council Customer & Business Support, Palatine Hall, Dalton Square, Lancaster LA1 1PW quoting the planning application number.

**Item Number: 3**

<b>Application Reference:</b> 13/0343		<b>Type of Application:</b> Change of Use	
<b>Applicant:</b>	SHMS (UK) Ltd	<b>Agent :</b>	Haydon Environmental Consultants
<b>Location:</b>	DOBBIES GARDEN CENTRE, BLACKPOOL ROAD, NEWTON WITH CLIFTON, PRESTON, PR4 0XL		
<b>Proposal:</b>	CHANGE OF USE OF PARKING SPACES AND FORMER PLANTED AREA TO HAND CAR WASH AND VALET FACILITY, INCLUDING SITING OF 8M X 4M CANOPY, AND 4.9M X 2.5M PORTABLE OFFICE/STORE BUILDING.		

**Decision**

Change of Use: - Granted

**Conditions and Reasons**

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.  
  
This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.
- 2 This consent relates to the revised plan[s] received by the Local Planning Authority on the 4th October 2013.  
  
For the avoidance of doubt and as agreed with the applicant / agent.
- 3 No vehicle shall use the facility until such time as the vertical Flow Reed bed System as



detailed in the plans submitted to the Local Planning Authority on 4th October 2013 has been constructed and all contaminated run-off from the car wash will subsequently be disposed of via this system.

To ensure that the development does not increase the risk of pollution to the water environment.

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

**Item Number: 4**

<b>Application Reference:</b> 13/0448		<b>Type of Application:</b> Reserved Matters	
<b>Applicant:</b>	Heyhouses 1 Ltd and Trillium UK Ltd	<b>Agent :</b>	TURLEY ASSOCIATES
<b>Location:</b>	ELECTRONIC DATA SYSTEMS, HEYHOUSES LANE, LYTHAM ST ANNES, FY8 3RG		
<b>Proposal:</b>	APPLICATION FOR THE APPROVAL OF ALL RESERVED MATTERS (LANDSCAPE, LAYOUT, ACCESS, APPEARANCE, SCALE) PURSUANT TO APPLICATION 12/0465 FOR THE DEVELOPMENT OF 162 RESIDENTIAL DWELLINGS		

**Decision**

Reserved Matters: - It was noted that the s106 TCPA Agreement (12/ 0465) relating to this site continued to apply and required the provision of affordable housing on site and other infrastructure provision. It was resolved that the power to grant planning permission be delegated to the Head of Planning & Regeneration subject to holding further discussions with the highway authority in order to resolve off-site highway improvements and sustainable transport measures in consultation with the Portfolio Holder, Chairman and Vice Chairman and subject to the following conditions:

**Conditions and Reasons**

- 1 This consent relates to the revised plans received by the Local Planning Authority on the 29th October 2013.

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

- 2 Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

In order to ensure a satisfactory standard of development.

- 3 Tree, shrub & grass planting plans as indicated in the Landscape Design (04) Section of the Design & Access Statement as approved under this planning permission shall be implemented during the first available planting season following the completion of the development, and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current arboricultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

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

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

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

- 5 That prior to the occupation of any dwelling hereby approved, details of the on-going maintenance of the communal areas of the site, the areas of public open space and any other areas that are not part of the domestic curtilage to any dwelling shall be submitted to and approved in writing by the Local Planning Authority. These details shall then be implemented and operated thereafter.

To ensure the on-going maintenance and management of these public areas in the interests of the character of the area and the amenity of the occupiers of the development.

**Item Number: 5**

<b>Application Reference:</b> 13/0449		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Applethwaite Limited	<b>Agent :</b>	MPSL Planning & Design
<b>Location:</b>	FBC OFFICES, DERBY ROAD, MEDLAR WITH WESHAM, PRESTON, PR4 3AJ		
<b>Proposal:</b>	PROPOSED ERECTION OF 24NO. DWELLINGS FOLLOWING DEMOLITION OF FORMER COUNCIL OFFICES AND ASSOCIATED BUILDINGS		

## **Decision**

Full Planning Permission:- That the power to grant Planning Permission be delegated to the Head of Planning & Regeneration subject to:

Resolving outstanding ecological issues in order to comply with ecological protection legislation;

The completion of a s106 agreement to secure:

- The details of the delivery, management and operation of 30% of the properties on site as affordable dwellings, or some other suitable mechanism to deliver that level of affordable housing provision in the borough,
- The payment, and the phasing of that payment, of a sum of £83,163 towards the enhancement of primary school provision in the area to serve the educational requirements of the pupils that are estimated to occupy the site,
- The payment of a sum of £24,000 to be used for the upgrading of existing play areas in the vicinity of the site, and
- The payment, and the phasing of that payment, of a sum of £25,000 towards the enhancement of the public realm of Wesham town centre in accordance with Project 10 of the Regeneration Framework.

The above contributions are required unless the applicant provides sufficient financial documentary evidence to robustly demonstrate that their provision would make the development of the scheme unviable. If this demonstrates that only some of the contributions can be viably made then they shall be provided in the priority order agreed by the Head of Planning and Regeneration in consultation with the Chairman of Committee and the two Ward Members;

and subject to the following conditions:

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

## **Conditions and Reasons**

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

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

2 This consent relates to the following approved plans:

1. Location Plan (received by the Local Planning Authority on 22/07/2013)
2. Site Layout Drawing Number 01 Rev C (received by the Local Planning Authority on 16/10/2013)
3. Drawing 4B1197 Special for Plot 24 (received by the Local Planning Authority on 10/10/2013)
4. Drawing 3B900 (received by the Local Planning Authority on 22/07/2013)
5. Drawing 3B995 (received by the Local Planning Authority on 22/07/2013)
6. Drawing 4B1099 (received by the Local Planning Authority on 22/07/2013)
7. Drawing 4B1110 (received by the Local Planning Authority on 22/07/2013)
8. Drawing 4B1197 (received by the Local Planning Authority on 22/07/2013)
9. Garage Details Drawing Number 05 (received by the Local Planning Authority on 22/07/2013)
10. Drawing number D001 (in relation to FFL) (received by the Local Planning Authority on 22/07/2013)

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

3 Notwithstanding any denotation on the approved plans, details of the external roofing and facing treatments shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development, unless otherwise agreed in writing with the Authority.

Reason: In the interests of visual amenity and the appearance of the development in the locality

4 Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:

- (a) A desk study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
- (b) If the desk study identifies potential contamination and ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied buildings, on services and landscaping schemes, and on wider environmental receptors including ecological systems and property.  
The sampling and analytical strategy shall be submitted to and be approved in writing by the LPA prior to the start of the site investigation survey.
- (a) A remediation statement, detailing the recommendations and remedial measures to be implemented within the site.
- (b) On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA,

that all works were completed in accordance with the agreed Remediation Statement.

Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.

Reason: In the interests of the amenity of future occupants as the proposal is for a sensitive end use

- 5 No development approved by this permission shall be commenced until a scheme for the provision of foul and surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for separate systems, together with any necessary surface water regulation system restricting surface water runoff from the site to 5 l/s. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To secure proper drainage and to reduce the risk of flooding.

- 6 The new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before the construction of any dwellings hereby permitted commences.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

- 7 That prior to the commencement of construction of any dwelling hereby approved, a visibility splay of 2.4m x 43m in both directions shall be provided at the access point to Derby Road. These visibility splays shall be retained free from any obstruction above 900mm in height from ground level at all times thereafter.

Reason: To ensure that adequate visibility is provided and retained at the site at all times as required by Policy HL2 of the Fylde Borough Local Plan (as altered 2005)

- 8 No development shall commence until a scheme for the construction of the site access has been submitted to and approved in writing by the Local Planning Authority. No dwellings hereby approved shall be occupied until the site access has been constructed in accordance with the approved details and made available for use.

Reason: To ensure that satisfactory access is provided to serve the development.

- 9 No dwellings hereby approved shall be occupied until the existing accesses are physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing is reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

Reason: To limit the number of access points to, and to maintain the proper construction of the highway in the interests of highways safety

- 10 Prior to any on site construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. This plan shall include the location of any site compound, delivery vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction works and times of deliveries. The development shall be implemented in accordance with the approved Construction Plan.

Reason: To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

- 11 Prior to the commencement of the development hereby approved, details of the boundary treatments around the site perimeter shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatments shall be provided prior to the occupation of the dwellings and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide an appropriate finished appearance of the development and to maintain an appropriate level of privacy between dwellings as required by Policy HL2 of the Fylde Borough Local Plan (as altered 2005)

- 12 That to the southern boundary with the railway line a suitable trespass proof fence of at least 1.8 metres in height shall be provided prior to commencement of construction works, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The fencing shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of railway safety

- 13 That the development of the site shall be undertaken in accordance with the FFL of the dwellings and surrounding land indicated on the site drainage general arrangement drawing number D001, unless any deviations from these levels are submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the construction of the plot in question.

Reason: To ensure the site is constructed with a satisfactory relationship to neighbouring dwellings as required by Policy HL2 of the Fylde Borough Local Plan (as altered 2005)

- 14 Prior to the commencement of the development hereby approved, details of the external appearance of the pumping station shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development in the locality

- 15 Prior to the commencement of the development hereby approved a method statement for the demolition of existing buildings on site must be submitted to and approved in writing by the Local Planning Authority. Demolition shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Due to the proximity of buildings to trees and the railway line

- 16 No site clearance, site preparation or development work shall take place until a revised habitat creation/landscaping plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with specialist advisors. The approved plan shall be implemented in full no later than the first available planting season following the completion of the construction of the development, and subsequently shall be maintained for a period of no less than 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current silvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

To ensure a satisfactory standard of development and in the interest of visual amenity in the locality and to provide replacement habitat in the interests of nature conservation and biodiversity.

- 17 All trees, shrubs and hedgerows being retained in or adjacent to the application area will be adequately protected during construction, in accordance with existing guidelines (e.g. *BS5837: 2012 Trees in relation to design, demolition and construction- Recommendations*).

Reason: To safeguard existing trees and hedgerows.

- 18 No works shall commence until details of replacement bird breeding opportunities to be installed within the site, to include provision for Starling, House Sparrow, Dunnock and Song Thrush, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation of the dwellings hereby approved.

Reason: In the interests of nature conservation and biodiversity.

- 19 No vegetation clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected. Such surveys shall be submitted to and approved in writing by the Local Planning Authority, prior to these works commencing.

Reason: To safeguard nature conservation interests.

- 20 Prior to the commencement of works there shall be a repeat survey for badgers on the site and surrounding area. The report of the survey (together with proposals for

mitigation/compensation, if required) shall be submitted to and approved in writing by the Local Planning Authority. Any necessary and approved measures for the protection of badgers will be implemented in full, in line with the phasings outlined in the approved survey.

Reason: To safeguard nature conservation interests.

- 21 The Development should not proceed without the prior acquisition of a licence from Natural England for the derogation of the protection of bats under the Habitats Directive.

Reason: In the interests of protected species.

#### Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area
2. The applicant is directed to the consultation responses from Network Rail and Electricity Northwest

#### Item Number: 6

<b>Application Reference:</b> 13/0450		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	HEYHOUSES 1 LTD	<b>Agent :</b>	TURLEY ASSOCIATES
<b>Location:</b>	ELECTRONIC DATA SYSTEMS, HEYHOUSES LANE, LYTHAM ST ANNES, FY8 3RG		
<b>Proposal:</b>	FULL PLANNING APPLICATION FOR THE DEVELOPMENT OF A RETAIL FOODSTORE (SIZE 3,319 SQ M GROSS/ 2,230 SQ M NET) AND ASSOCIATED CAR PARKING, PUBLIC SQUARE AND LANDSCAPING		

#### Decision

Full Planning Permission :- The power to grant planning permission be delegated to the Head of Planning & Regeneration subject to the completion of satisfactory negotiations regarding off-site highway improvements and sustainable transport measures and the completion of a s106 Town and Country Planning Act agreement and variation to ensure the appropriate provision of infrastructure or commuted sums required under the original s106 as set out below and to include the provision of the sum of £70,000 to be used by the Council towards the implementation and maintenance of public realm improvements on Woodlands Road in accordance with the Scheme identified in the Regeneration Framework to ensure that the viability and vitality of the Woodlands Road area is maintained:

- a financial contribution of up to £350,000 towards securing public realm works in the vicinity



of the site,

- a financial contribution of up to £300,000 towards the improvement of public transport and/or sustainable transport initiatives in the vicinity of the site,
- a financial contribution of £17, 630 towards a travel plan;

The agreement will be expected to meet the full amounts quoted above in all cases, unless a viability appraisal has been agreed with the Local Planning Authority.

and subject to the following conditions:

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

### **Conditions and Reasons**

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

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

- 2 This consent relates to the revised plans received by the Local Planning Authority on the 23rd October 2013 & the additional amended plans received on the 8th of November 2013.

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

- 3 The total gross retail floor space of the development hereby permitted shall not exceed 3,319 square metres. The total net retail floor space hereby permitted shall not exceed 2,230 square metres, of which no more than 223square metres (net) shall be used for the sale of comparison goods. There shall be no sale of clothes or footwear from the retail unit

*Reason:* In order to safeguard the vitality and viability of neighbouring town and local centres.

- 4 There shall be no sub-division of the food store hereby approved into a larger number of independent retail units without the express consent of the Local Planning Authority.

*Reason:* In order to safeguard the vitality and viability of neighbouring town and local centres.

- 5 The food store & cafe shall not be open for trading except between the hours of:

06:30 hours and 23:00 hours Mondays to Friday

06:30 hours and 23:00 hours Saturdays  
08:00 hours and 18:00 hours Sundays and Bank Holidays

Without the written consent of the Local Planning Authority

*Reason:* In the interests of residential amenity

- 6 No deliveries to the retail unit & cafe shall take place outside of the hours of 06:30 to 23:00 Monday to Saturday and 07:00 to 20:00 on Sundays and Bank Holidays.

*Reason:* In the interests of residential amenity.

- 7 Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority, prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

In order to ensure a satisfactory standard of development.

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

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

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

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

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

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

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

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

In the interests of visual / residential amenity.

- 12 The proposed development shall not commence until a scheme for the construction of the site access and the off-site works of highway improvement have been submitted to and approved in writing by the Local Planning Authority. The site accesses and off-site highways works shall be completed before the development is occupied.

Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

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

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

- 14 Prior to the commencement of any phase of the development within which the Site of Special Scientific Interest (SSSI) is located or adjacent to, a Management Plan for the Site of Special Scientific Interest (SSSI) shall be submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the continued management of the site beyond construction, including vegetation management and provide details of how the SSSI will be kept free of:

1. all development and infrastructure,
2. hard and soft landscaping including tree planting,
3. site re-profiling,
4. introduction of any foreign geological material and
5. excavations no deeper than the immediate topsoil.

*Reason:* In order to protect the special geological features of the SSSI.

15 No development hereby approved shall be commenced until:

- a) A site investigation has been designed using the information obtained from the Heyhouses Lane Phase I Desk Study for Telereal Trillium by RSK (reference 25 1 276-0 I; dated March 20II). This should be submitted to, and approved in writing by the Local Planning Authority prior to the investigation for the development being carried out on the site.
- b) The site investigation and associated risk assessment has been undertaken in accordance with details approved in writing by the Local Planning Authority.
- c) A Method Statement and remediation strategy, based on the information obtained from b) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in (c) above, and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

If during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an addendum to the Method Statement, unless otherwise agreed in writing by the Local Planning Authority. This addendum to the Method Statement must detail how this unsuspected contamination within that phase shall be dealt with.

Upon completion of the remediation detailed in the Method Statement, a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

*Reason:* To enable:

1. A Risk Assessment to be undertaken;
2. Refinement of the conceptual model;
3. The development of a Method Statement & Remediation Strategy:

To ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

16 No phase of the development hereby approved shall be commenced until a scheme for the provision of surface and foul water drainage works for that phase has been approved by the Local Planning Authority. Each phase shall be completed in accordance with the approved scheme.

*Reason:* To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface & foul water disposal

17 No phase of the development hereby approved shall be commenced until a scheme for the provision and implementation of a surface water regulation system for that phase has been approved by the Local Planning Authority. Each phase shall be completed in

accordance with the approved scheme.

*Reason:* To reduce the increased risk of flooding.

- 18 Prior to the commencement of development, details of a scheme of onsite renewable energy production shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the commencement of development.

*Reason:* In order to secure on site renewable energy

- 19 Prior to the opening of the retail store and cafe hereby approved, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Travel Plan will be audited and updated at the approved specified intervals.

*Reason:* To reduce the demand for travel to the site by private car and encourage the use of other modes of transports.

- 20 Tree felling, vegetation clearance works or other works that may affect nesting birds shall be avoided between March to July inclusive, unless the absence of nesting birds has been confirmed by a comprehensive search of the affected area for nesting birds undertaken before any development commences, by a suitably qualified ecologist.

*Reason:* To safeguard the population of breeding birds during the development as they are a protected species in accordance with Policy EPI9 of the Adopted Fylde Borough Local Plan.

- 21 Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of;

1. a construction method statement and programme;
2. contractor compounds, materials storage and soils stockpiling;
3. measures to suppress dust, noise and vibration;
4. controls in relation to construction traffic management including vehicle routing to the site and construction traffic parking;
5. construction vehicle wheel washing facilities and road sweeping measures;
6. protective measures to prevent local ground and surface water pollution and air pollution
7. measures to protect the Site of Special Scientific Interest (SSSI)

The Plan shall be implemented in full and adhered to during the construction of the development.

*Reason:* To minimise the impact of construction activity and to protect the special features of the SSSI and prevent pollution of ground and surface water.

- 22 No construction works shall take place outside the hours of 06:00 to 22:00 Monday to Friday and 08:00 to 18:00 on weekends and Bank Holidays.

*Reason:* In the interests of residential amenity.

- 23 Prior to the commencement of the development hereby approved, a Delivery Management Plan shall be submitted to and approved in writing by the Local Planning

Authority. The deliveries to the site shall take place in accordance with the plan unless the Local Planning Authority is notified in writing and agreement is reached regarding any proposed alterations.

Reason: In order to ensure highway safety is maintained.

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

**Item Number:** 7

<b>Application Reference:</b> 13/0453		<b>Type of Application:</b> Outline Planning Permission	
<b>Applicant:</b>	Mr Blacoe	<b>Agent :</b>	ML Planning Ltd
<b>Location:</b>	WARTON HALL FARM, LODGE LANE, BRYNING WITH WARTON, LYTHAM ST ANNES, FY8 5RP		
<b>Proposal:</b>	RE-SUBMISSION OF 13/0192 - OUTLINE APPLICATION FOR ERECTION OF LOG CABIN AS ADDITIONAL AGRICULTURAL WORKERS DWELLING FOLLOWING REMOVAL OF FORMER CHICKEN SHEDS (ALL MATTERS RESERVED)		

**Decision**

Outline Planning Permission: - Refused

**Reasons**

- 1 The application fails to demonstrate that there is an essential need for an additional agricultural or other rural worker to live permanently at Warton Hall Farm as the accommodation required for the operational requirements of the agricultural unit are satisfied by the existing farmhouse. The proposal is therefore contrary to paragraph 55 of the NPPF and Policy SP10 of the Fylde Borough Local Plan (as altered 2005).
- 2 The proposed siting of an additional residential unit at the site constitutes inappropriate development in the Green Belt. In the absence of any essential need for the development having been demonstrated, or the existence of any other very special circumstances to outweigh the harm caused by reason of inappropriateness, the proposal is contrary to the NPPF at paragraphs 87, 88 and 89 and to Policy SP3 of the Fylde Borough Local Plan (as altered 2005) which seek to control development in the Green Belt.

**Informative notes:**

1. The applicant was made aware of the Council's concerns with regard to the principle of development and the Council have therefore acted in accordance with the provisions of paragraphs 186-187 of the NPPF

**Item Number:** 8

<b>Application Reference:</b> 13/0507		<b>Type of Application:</b> Outline Planning Permission	
<b>Applicant:</b>	Redrow Homes Ltd (Lancashire Division)	<b>Agent :</b>	Cass Associates
<b>Location:</b>	NORTH VIEW FARM, 22 RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2NA		
<b>Proposal:</b>	OUTLINE APPLICATION FOR UP TO 49 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		

### **Decision**

Outline Planning Permission: - Refused

### **Reasons**

- 1 The scale of development proposed, in conjunction with recently approved residential developments in the village, is excessive in scale for the village of Wrea Green and the services that are available in the village to support its population. The development will also cause harm to the rural character of the area of and around the application site which forms a natural transitional between the built village and its rural surroundings. These aspects are contrary to criteria 2 and 7 of Policy HL2 of the Fylde Borough Local Plan and paragraph 17 and 58 of the National Planning Policy Framework.
- 2 The proposed development has the potential to impact on protected species (Bats) and/or habitats of ecological importance to those and other protected species. In the absence of sufficient survey work having been undertaken to establish the scale of the potential harm to these, and so investigate the need for and extent of mitigation for the impact of the development on them, the council is unable to establish whether there will be an adverse impact on any species or their habitat in and around the site. As such the proposal conflicts with Policy EP18 and Policy EP19 of the Fylde Borough Local Plan and paragraph 118 of the National Planning Policy Framework.
- 3 The proposed development fails to deliver any certainty over the provision of affordable housing as part of the development. In the absence of any on-site provision or of any legal agreement or other such mechanism being in place to secure the provision of an alternative form of affordable housing contribution there can be no certainty that the requirements of Fylde Borough Council's Interim Housing Policy will be provided. Accordingly the scheme is contrary to the provisions of the Interim Housing Policy, Policy L5 of Regional Spatial Strategy for the North West and guidance in paragraph 50 of National Planning Policy Framework.

- 4 The proposed development fails to deliver any certainty over the provision of improvements to the public realm of the village. In the absence of any legal agreement or other such mechanism being in place to secure these improvements there can be no certainty that the requirements of Fylde Borough Council's Interim Housing Policy will be provided in this regard. Accordingly the scheme is contrary to the provisions of the Interim Housing Policy, and Policy EP1 of the Fylde Borough Local Plan.
- 5 The proposal will generate an additional number of primary school aged children in the village at a time when there is anticipated to be a shortfall in capacity within local schools for their education needs to be accommodated. This is as a consequence of a combination of: the number of school places that will be available, the existing population making demands on those school places, and the granting of other planning permissions in the area that will also contribute children that will make demands on the available school places.
- Policy CF2 of the Fylde Borough Local Plan enables a developer to make contributions to enhance education capacity to meet the requirements of their development, but in the absence of any such agreement being in place the shortfall of school places and lack of any mechanism to increase their supply means that the application is contrary to Policy CF2, which is consistent with para 72 of the NPPF which refers to the need for a sufficient choice of school places to be available meet the needs of existing and new communities.
- 6 With the matters outlined in the other reasons for refusal, the proposed development fails to adequately address the three dimensions of sustainable development set out in the National Planning Policy Framework in that the proposed development is not considered to be in the right place at the right time; does not provide adequate mitigation in regard to development requirements; does not provide information relating to impacts upon the natural environment and biodiversity. Accordingly, the proposal does not represent sustainable development and there is, therefore, no presumption in favour of the proposed development, notwithstanding the current lack of a 5 year supply of housing land. The proposal is, therefore, contrary to the provisions of Policies SP2 and HL2 of the Fylde Borough Local Plan and those provisions of the National Planning Policy Framework which seek to promote sustainable development.

#### **Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
  1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
  2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
  3. Despite advice a solution has not been reached that overcomes the principle of the development and so environmental / social / economic harm identified in the reasons for refusal.



**Item Number:** 9

<b>Application Reference:</b> 13/0577		<b>Type of Application:</b> Full Planning Permission
<b>Applicant:</b>	Kensington Developments Ltd	<b>Agent :</b>
<b>Location:</b>	WESTFIELD NURSERIES, WHITEHILL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5LA	
<b>Proposal:</b>	PROPOSED TEMPORARY SITING OF SALES CENTRE ASSOCIATED WITH RESIDENTIAL DEVELOPMENT OF SITE, WITH ACCESS FOR SALES CENTRE ONLY FROM WHITEHILLS ROAD	

### Decision

Full Planning Permission: - Granted

### Conditions and Reasons

- 1 That the sales cabin, access, parking area, fencing and other associated developments shall be removed from the site within one month of the sales date of the final property to be sold on the adjacent development should that be sooner than 30 November 2015, or by that date if properties remain unsold by then unless a further temporary planning permission for the retention of the works hereby approved has been granted.

To ensure that the development remains temporary in accordance with minimising the visual impact of the development as required by Policy SP2 of the Fylde Borough Local Plan.

- 2 That within one month of the removal of the sales cabin and associated development as required by condition 1 of this planning permission the access to Whitehills Road shall be physically and permanently closed up and the site shall be reinstated in accordance with the details for this area approved as part of planning permission 13/0213, specifically site layout drawing KD 61/ 10 rev J dated March 2013, Landscape masterplan 3946-01 Rev D dated March 2013, and boundary treatment drawing KD 61 / 26 rev A dated April 2013. Should that planning permission not be implemented then the site shall be reinstated in accordance with an alternative scheme that has first been submitted to and approved in writing by the Local Planning Authority.

To ensure the removal of the access and an appropriate on-going appearance to the site on completion of its use as a sales centre in accordance with highway safety and the character of the area.

- 3 That prior to the first use of the access to the site from Whitehills Road in accordance with the sales centre operation, a continuous close boarded fence of 2m in height shall have been erected to entirely separate this site off from the area of residential development with which it is associated. This fence shall be retained thereafter as a continuous

boundary feature throughout the time that the sales centre remains on site, and there shall be no vehicular access between the sales centre site and the residential development site at any time.

In order to prevent vehicular access to the residential development site from Whitehills Road in the interests of highway safety.

#### **Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area

**Item Number:** 10

<b>Application Reference:</b> 13/0583		<b>Type of Application:</b> Variation of Condition
<b>Applicant:</b>	Queensgate Caravan Park Ltd	<b>Agent :</b>
<b>Location:</b>	QUEENSGATE CARAVAN PARK, GARSTANG ROAD, LITTLE ECCLESTON WITH LARBECK, PRESTON, PR3 0XA	
<b>Proposal:</b>	REMOVAL OF CONDITION 1 OF PLANNING PERMISSION 00/0133 TO ALLOW THE SITE TO BE USED AS HOLIDAY CARAVAN SITE ALL YEAR	

#### **Decision**

Variation of Condition: - Granted

#### **Conditions and Reasons**

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

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

- 2 That any static caravans and other form of accommodation within the area edged in red on the approved plan shall be occupied for holiday purposes only and not as a person's permanent, sole or main place of residence.

To ensure that the site is not occupied by owners as their permanent residential home as the permission is for holiday use only, having regard to the location of the site within the countryside and in the interests of policies SP2 and TREC6 of the Fylde Borough Local Plan (As Altered) October 2005, and paragraph 55 of the NPPF.

- 3 The owners/operators of the caravan site shall maintain a register of names of all owners/occupiers of individual caravans and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

To ensure that the site is not occupied by owners as their permanent residential home as the permission is for holiday use only, having regard to the location of the site within the countryside and in the interests of policies SP2 and TREC6 of the Fylde Borough Local Plan (As Altered) October 2005, and paragraph 55 of the NPPF.

#### **Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area

#### **Item Number: 11**

<b>Application Reference:</b> 13/0635		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Heyhouses 1 Ltd, Trillium UK Ltd and Joseph Holt Ltd	<b>Agent :</b>	Turley Associates
<b>Location:</b>	ELECTRONIC DATA SYSTEMS, HEYHOUSES LANE, LYTHAM ST ANNES, FY8 3RG		
<b>Proposal:</b>	PROPOSED DEVELOPMENT OF A PUBLIC HOUSE (USE CLASS A3 / A4) AND ASSOCIATED CAR PARKING AND HARD AND SOFT LANDSCAPING		

#### **Decision**

Full Planning Permission: - The power to grant planning permission be delegated to the Head of Planning & Regeneration subject to the completion of satisfactory negotiations to secure the provision of off-site highway improvements and sustainable transport measures and subject to the following conditions

#### **Conditions and Reasons**

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

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

- 2 Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

Such details are not shown on the application and must be agreed to ensure a satisfactory standard of development.

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

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

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

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

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

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

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

In the interests of visual / residential amenity.

- 7 Prior to the commencement of the use, a scheme for the installation / soundproofing of the premises shall be agreed with and then implemented to the satisfaction of the Local Planning Authority. The provisions of the scheme shall subsequently be retained for the period of the approved use.

In the interests of ensuring no noise detriment to adjacent occupiers.

- 8 The precise details of the type and method of mechanical filtration and extraction systems from the premises shall be approved, in writing, by the Local Planning Authority and this shall be installed and be operative prior to the business commencing.

In order to safeguard the amenity of the area.

- 9 The Public House shall not be open for trading except between the hours of:

11:00 hours and 01:00 hours Mondays to Saturdays  
11:00 hours and 00:00 hours Sundays and Bank Holidays

Without the written consent of the Local Planning Authority

*Reason:* In the interests of residential amenity

- 10 No deliveries to the Public House shall take place outside of the hours of 07:00 to 23:00 Monday to Saturday and 07:00 to 20:00 on Sundays and Bank Holidays.

*Reason:* In the interests of residential amenity.

- 11 The proposed development shall not commence until a scheme for the construction of the site access and the off-site works of highway improvement have been submitted to and approved in writing by the Local Planning Authority. The site accesses and off-site highways works shall be completed before first occupation of the development.

*Reason:* In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site.

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

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

- 13 Prior to the commencement of any phase of the development within which the Site of Special Scientific Interest (SSSI) is located or adjacent to, a Management Plan for the Site of Special Scientific Interest (SSSI) shall be submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the continued management of the site beyond construction, including vegetation management and provide details of how the SSSI will be kept free of:

1. all development and infrastructure,
2. hard and soft landscaping including tree planting,
3. site re-profiling,
4. introduction of any foreign geological material and
5. excavations no deeper than the immediate topsoil.

*Reason:* In order to protect the special geological features of the SSSI.

- 14 No development hereby approved shall be commenced until:

- a) A site investigation has been designed using the information obtained from the Heyhouses Lane Phase I Desk Study for Telereal Trillium by RSK (reference 25 1 276-0 I; dated March 20II). This should be submitted to, and approved in writing by the Local Planning Authority prior to the investigation for the development being carried out on the site.
- b) The site investigation and associated risk assessment has been undertaken in accordance with details approved in writing by the Local Planning Authority.
- c) A Method Statement and remediation strategy, based on the information obtained from b) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in (c) above, and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

If during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an addendum to the Method Statement, unless otherwise agreed in writing by the Local Planning Authority. This addendum to the Method Statement must detail how this unsuspected contamination within that phase shall be dealt with.

Upon completion of the remediation detailed in the Method Statement, a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

*Reason:* To enable:

1. A Risk Assessment to be undertaken;
2. Refinement of the conceptual model;
3. The development of a Method Statement & Remediation Strategy:

To ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

- 15 No phase of the development hereby approved shall be commenced until a scheme for the provision of surface and foul water drainage works for that phase has been approved by the Local Planning Authority. Each phase shall be completed in accordance with the approved scheme.

*Reason:* To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface & foul water disposal

- 16 No phase of the development hereby approved shall be commenced until a scheme for the provision and implementation of a surface water regulation system for that phase has been approved by the Local Planning Authority. Each phase shall be completed in accordance with the approved scheme.

*Reason:* To reduce the increased risk of flooding.

- 17 Prior to the commencement of development, details of a scheme of onsite renewable energy production shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the commencement of development.

*Reason:* In order to secure on site renewable energy

- 18 Prior to the opening of the Public House hereby approved, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Travel Plan will be audited and updated at the approved specified intervals.

*Reason:* To reduce the demand for travel to the site by private car and encourage the use of other modes of transports.

- 19 Tree felling, vegetation clearance works or other works that may affect nesting birds shall be avoided between March to July inclusive, unless the absence of nesting birds has been confirmed by a comprehensive search of the affected area for nesting birds undertaken before any development commences, by a suitably qualified ecologist.

*Reason:* To safeguard the population of breeding birds during the development as they are a protected species in accordance with Policy EPI9 of the Adopted Fylde Borough Local Plan.

- 20 Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of;

1. a construction method statement and programme;
2. contractor compounds, materials storage and soils stockpiling;
3. measures to suppress dust, noise and vibration;
4. controls in relation to construction traffic management including vehicle routing to the site and construction traffic parking;

5. construction vehicle wheel washing facilities and road sweeping measures;
6. protective measures to prevent local ground and surface water pollution and air pollution
7. measures to protect the Site of Special Scientific Interest (SSSI)

The Plan shall be implemented in full and adhered to during the construction of the development.

*Reason:* To minimise the impact of construction activity and to protect the special features of the SSSI and prevent pollution of ground and surface water.

- 21 No construction works shall take place outside the hours of 06:00 to 22:00 Monday to Friday and 08:00 to 18:00 on weekends and Bank Holidays.

*Reason:* In the interests of residential amenity.

- 22 This consent relates to the revised plans received by the Local Planning Authority on the 5th November 2013.

*Reason:* For the avoidance of doubt and as agreed with the Agent.

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.