



# MINUTES

## Planning Committee

<b>Date:</b>	Wednesday, 26 April 2023
<b>Venue:</b>	Town Hall, St Annes Road West, St Annes, FY8 1LW
<b>Committee Members Present:</b>	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Frank Andrews, Alan Clayton, Noreen Griffiths, Gavin Harrison, Jayne Nixon, Linda Nulty, Liz Oades, Ray Thomas, Stan Trudgill.
<b>Officers Present:</b>	Matthew Taylor, Rob Buffham, Anita Elliott, Mark Evans, Jennifer Simpson, Andrew Stell, Christine Wood
<b>Other Attendees:</b>	3 Members of the public

A recording of the meeting can be viewed online at the following link: [Planning Committee, Wednesday, 26 April 2023](#)

### Public Speaking at Planning Committee

No requests to speak relating to applications had been received.

### Procedural Items

#### 1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. No interests were declared on this occasion.

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 5 April 2023 as a correct record for signature by the Chairman.

#### 3. Substitute Members

The following substitutions were reported under Council Procedure Rule 24:

Councillor Frank Andrews substituted for Councillor David O'Rourke.

Councillor Alan Clayton substituted for Councillor Heather Speak.

Councillor Noreen Griffiths substituted for Councillor Tim Armit.

Decision Items

4. Planning Matters

The Committee considered the report of Mr Mark Evans (Head of Planning) which set out various planning applications.

The planning applications were determined by the Committee in the following agenda item order:

4.1 – Application reference – 23/0042

4.2 – Application reference – 23/0136

4.3 – Application reference – 23/0143

4.4 – Application reference – 21/0811

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

5. Exclusion of the Public

**This report was considered and determined by the Committee prior to consideration and determination of item 6 as detailed below (exempt item: not for publication) and prior to consideration and determination of planning application 4.4 (21/0811).**

Cllr Fiddler introduced the report and in doing so highlighted the grounds for the Committee to consider before passing the resolution. In accordance with the provisions of Section 100A (4), the Committee was invited to consider passing the 'Exclusion of the Public' resolution.

**Following consideration of this matter, it was RESOLVED to exclude the public.**

6. Additional Advice – Outline Application for Residential Development of up to 52 Dwellings, Land at Roseacre, Wildings Lane, Lytham St Annes (Application Reference 21/0811) – (exempt item: not for publication)

Mr Evans introduced the report prepared by Mr Ian Curtis, referring to the meeting of the Planning Committee held on 1 March 2023 in which the Committee had resolved to defer the determination of planning application 21/0811 to allow proposed reasons for refusal to be tested and discussed in accordance with paragraph 10.7 of the Member/Officer Protocol for Planning.

Appended to the report at Appendices 1 and 2 were two documents providing planning and legal advice about the Council's position should the application be refused for the suggested reasons.

**Following detailed discussion and consideration of the report, it was RESOLVED:**

**That the Planning Committee notes the advice contained within the report and that planning application 21/0811 be determined in accordance with the recommendations set out in the public part of the agenda.**

Following consideration of item 6 as detailed above, 3 members of the public returned to the meeting prior to consideration and determination of planning application 4.4 (21/0811).

Councillor Linda Nulty requested that it be recorded that she had voted against approval of the recommendations with regard to planning application 4.4 (21/0811).

Information Items

The following information items were received and noted by the Committee.

7. List of Appeals Decided

It was reported that the Council had received three appeal decisions between 18 March 2023 and 14 April 2023.

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Item Number 1

<b>Application No:</b>	23/0042	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	HEALTHCARE SOLUTIONS	<b>Agent:</b>	MR LUKE GREENHALGH
<b>Location:</b>	CLOVELLY 67-69 CLIFTON DRIVE LYTHAM ST ANNES LANCASHIRE FY8 1BZ		
<b>Proposal:</b>	CHANGE OF USE OF FORMER CARE HOME BUILDING AND REAR BUNGALOW TO PROVIDE 11 SUPPORTED LIVING APARTMENTS (USE CLASS C3(B)) INCLUDING ASSOCIATED ALTERATIONS AND EXTENSIONS TO BUILDING COMPRISING A SINGLE STOREY REAR EXTENSION, EXTERNAL ALTERATIONS TO WINDOW AND DOOR OPENINGS ON ALL ELEVATIONS, REMOVAL OF EXTERNAL STAIRCASE ON EAST FACING SIDE ELEVATION, PROVISION OF ASSOCIATED PARKING AND LANDSCAPING AND FORMATION OF NEW VEHICLE ACCESS FROM CLIFTON DRIVE		
<b>Ward:</b>	Fairhaven	<b>Parish:</b>	

**Decision**

The authority is delegated to the Head of Planning to GRANT planning permission, in consultation with the Chairman and Vice-Chairman of the Planning Committee, subject to stipulation 1 below being satisfied and the suggested conditions in stipulation 2 (including any amendment to the wording of these conditions or additional conditions that the Head of Planning considers necessary to make otherwise unacceptable development acceptable), or otherwise to refuse permission

Stipulation 1:

The completion of a planning obligation entered into pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- a) A contribution of £11,000 (equivalent to a figure of £1,000 per dwelling) towards the provision of new facilities, or enhancement of existing facilities, for public open space in the vicinity of the site.
- b) A contribution of £3,292 towards addressing the expected shortfall in Primary Care capacity to serve the occupants of the development to be spent in connection with the provision and/or enhancement of healthcare facilities at Holland House Surgery, Lytham.
- c) A fee equivalent to £300 per trigger towards the Council's costs incurred in monitoring the contributions set out in a) and b) above.

Stipulation 2:

The following conditions (including any amendment to the wording of these conditions or additional conditions that the Head of Planning considers necessary to make otherwise unacceptable development acceptable):

1. The development must be begun not later than the expiration of three years from 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 relates to the following plans:

- Drawing no. 22.164\_00\_014\_A – Location plan.

- Drawing no. 22.164\_00\_012\_A – Proposed site plan.
- Drawing no. 22.164\_00\_008\_B – Proposed basement plan.
- Drawing no. 22.164\_00\_009\_D – Proposed ground floor plan.
- Drawing no. 22.164\_00\_010\_D – Proposed first floor plan.
- Drawing no. 22.164\_00\_011\_D – Proposed second floor plan.
- Drawing no. 22.164\_00\_013\_A – Proposed elevations.
- Drawing no. 22.164\_00\_015\_A – Proposed bungalow plans and elevations.

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

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 of this permission.

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

4. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order revoking and re-enacting that Order, with or without modification) the dwellings hereby approved shall only be occupied as supported housing where care is provided for adults (at a minimum age of 18 years) with learning disabilities, autism, mental health and/or physical disabilities and for no other purpose (including any other use falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any statutory instrument amending or replacing that Order).

Reasons: (i) To provide certainty as to the type and nature of care to be provided by the supported housing scheme and to prevent the use of the building for other purposes (including other uses falling within class C3), the effects of which have not been assessed by the Local Planning Authority during the consideration of the application, in order to safeguard the amenity of neighbouring residents; and (ii) to ensure that the use granted by this permission continues to fall properly within class C3(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended) as an exemption for affordable housing contribution has been made on the basis that the scheme will provide specialist living accommodation for a group of people with specific needs, and to prevent the building's future change to another use falling within class C3 where the same exemption would not apply (e.g. market housing). The condition is required in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review) policies H3, H4, GD7 and INF2, and the National Planning Policy Framework.

5. None of the dwellings hereby approved shall be occupied until a scheme for the provision of a bin store for the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

- a) the size, siting, layout, design and materials of the bin store and any associated means of enclosure; and
- b) the number and size of bins that the bin store will accommodate.

The bin store shall be constructed in accordance with the duly approved scheme and made available for use before any of the dwellings hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for the storage of refuse and recycling receptacles in the interests of the amenity of future occupiers and to achieve an appropriate appearance for these storage facilities in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7.

6. None of the dwellings hereby approved shall be occupied until details of the siting, size, materials and design of a covered bicycle store and the number of bicycle parking spaces to be provided within it have been submitted to and approved in writing by the Local Planning Authority. The bicycle store and bicycle parking spaces shall be constructed and made available for use in accordance with the duly approved details before any of the dwellings are first occupied, and shall be retained as such thereafter.

Reason: To promote modal shift and to encourage travel to the site by more sustainable modes of transport in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T4, and the National Planning Policy Framework.

7. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before any of the dwellings hereby approved are first occupied a hard and soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) details of the layout, design and construction (including sub layers and surfacing materials) of all hard surfaced areas; and
- b) details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs (including identification of those which are to be retained as part of the development).

The duly approved hard and soft landscaping scheme shall be carried out before any of the dwellings hereby approved are first occupied and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to ensure adequate provision of amenity space for future occupiers, to enhance the character of the street scene, to provide biodiversity enhancements and to ensure that appropriate vehicle parking and manoeuvring areas are laid out in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7, T5, ENV1 and ENV2, and the National Planning Policy Framework.

8. The new vehicular access onto Clifton Drive and 9 car parking spaces indicated on drawing no. 22.164\_00\_012\_A shall be constructed and marked out in accordance with the details shown on the approved plan and made available for use before any of the dwellings hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure a safe and suitable means of access to the site and adequate provision for off-road vehicle parking in the interests of highway safety and in the interests of the amenity of existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H3, GD7 and T5, and the National Planning Policy Framework.

**Informative(s)**

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

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

2. Highways:

The new/modified vehicle access points within the adopted highway at the front and rear the property will need to be constructed in accordance with a specification approved by LCC Highways. The applicant is required to apply for a vehicle crossing on the LCC Highways website. Approved contractors will be under agreement with Lancashire County Council to ensure the use of appropriate materials and workmanship, the safety of any walking surfaces and the protection of pipes and cables under the footway from damage. The Highway Authority reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. Further information and advice can be found at [www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings](http://www.lancashire.gov.uk/roads-parking-and-travel/roads/vehicle-crossings)

<b>Application No:</b>	23/0136	<b>Application Type:</b>	Householder Planning Application
<b>Applicant:</b>	MR J ROBINSON	<b>Agent:</b>	MR MARTIN SMITH
<b>Location:</b>	8 SUMMIT DRIVE FRECKLETON PRESTON LANCASHIRE PR4 1PP		
<b>Proposal:</b>	EXTENSION AND ALTERATION OF THE DWELLING: 1) REMOVAL OF CHIMNEY, 2) REMOVAL OF BAY WINDOWS TO FRONT AND SIDE ELEVATIONS AND REPLACEMENT WITH WINDOWS, 3) SINGLE STOREY REAR EXTENSION, 4) RENDER OF ENTIRE PROPERTY, 5) CLADDING OF FRONT AND REAR DORMERS, 6) REPLACEMENT OF ALL WINDOWS.		
<b>Ward:</b>	Freckleton East	<b>Parish:</b>	Freckleton

## Decision

Granted

## Conditions

1. The development must be begun not later than the expiration of three years from 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 relates to the following plans:

- Location Plan - Job 23-011 Drawing 1001
- Proposed Elevations and Floor Plans - Job 23-011 Drawing 1100 Rev A

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

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 of this permission.

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



Item Number 3

<b>Application No:</b>	23/0143	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	CORBENYAH PROPERTIES LIMITED	<b>Agent:</b>	Mr Wallis
<b>Location:</b>	J R TAYLORS BUILDING 4 -12 GARDEN STREET & HSBC BUILDING 11 ST ANNES ROAD WEST, LYTHAM ST ANNES LANCASHIRE FY8 2AA		
<b>Proposal:</b>	CHANGE OF USE OF JR TAYLOR & HSBC BUILDING FROM RETAIL (USE CLASS E(A)), OFFICES (USE CLASS E(G)(I)) AND BANK (USE CLASS E(C)(I)) TO A MIXED USE COMPRISING OF A SPA (USE CLASS SUI GENERIS) AT BASEMENT LEVEL; A RESTAURANT, BAR & SPA ENTRANCE (USE CLASSES E(B) AND SUI GENERIS) AT GROUND FLOOR; ANCILLARY OFFICES, STAFF ROOMS, MASSAGE ROOMS & SPA DINING (USE CLASSES E(E) AND SUI GENERIS) AT FIRST FLOOR; A VIP BAR AT SECOND FLOOR (USE CLASS SUI GENERIS); AND ROOF TOP BAR (USE CLASS SUI GENERIS) AT THIRD FLOOR, INCLUDING THE FOLLOWING EXTERNAL ALTERATIONS: 1) INSTALLATION OF GLAZED ENCLOSURE OF 1ST, 2ND & 3RD FLOORS TO GARDEN STREET/ ST ANNES ROAD WEST AND THIRD FLOOR EXTENSION TO CORNER TURRET; 2) REPLACEMENT OF EXISTING HIPPED ROOF WITH GLAZED FLAT ROOF AND CURVED CANOPY TO ROOF TOP BAR; 3) ALTERATIONS TO EXISTING GROUND FLOOR EXTENSION, SHOP FRONT AND CANOPY TO CREATE NEW ENTRANCES; 4) REPLACEMENT OF FIRST AND SECOND FLOOR TIMBER WINDOWS ON FRONT AND SIDE ELEVATIONS WITH UPVC WINDOWS; 5) BLOCKING UP OF EXISTING WINDOWS AND PARTIAL OVERCLADDING OF EXTERNAL WALL TO REAR ELEVATION; 6) ROOF TOP PLANT TO REAR EXTENSION OF BANK; 7) CREATION OF BIN STORE WITH ACCESS FROM BACK STREET; 8) PARTIAL RECONSTRUCTION OF 2ND FLOOR SIDE ELEVATION TO GARDEN STREET; 9) ALTERED ENTRANCE DOOR TO EXISTING BANK/SPA ENTRANCE; 10) PART DEMOLITION OF REAR OF BANK AT GROUND FLOOR & EXTENSION OF BASEMENT WITH ASSOCIATED WORKS TO REAR OF EXISTING BANK, INCLUDING - LIVING GREEN WALL, NEW BRICK FEATURE WALL ADJACENT TO BACK STREET, GLAZED ROOF TO SPA AND REPLACEMENT REAR STAIRS TO BRITISH RED CROSS.		
<b>Ward:</b>	Ashton	<b>Parish:</b>	St Anne's on the Sea

**Decision**

The decision to GRANT Planning Permission be delegated to the Head of Planning, with that decision issued when he is satisfied that a schedule of Planning Conditions and Reasons have been drawn up to facilitate the appropriate control over the development.

<b>Application No:</b>	21/0811	<b>Application Type:</b>	Outline planning application
<b>Applicant:</b>	Rowland Homes Ltd	<b>Agent:</b>	Smith & Love Planning Consultants
<b>Location:</b>	LAND AT ROSEACRE, WILDINGS LANE, LYTHAM ST ANNES, FY8 3RJ		
<b>Proposal:</b>	OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 52 DWELLINGS INCLUDING ASSOCIATED INFRASTRUCTURE FOLLOWING DEMOLITION AND REMOVAL OF EXISTING DWELLING, STABLES AND PADDOCKS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		
<b>Ward:</b>	Park	<b>Parish:</b>	St Anne's on the Sea

## Decision

The decision to GRANT Planning Permission be delegated to the Head of Planning, in consultation with the Chairman and Vice-Chairman of the Planning Committee, with that decision being subject to the satisfactory completion of a Section 106 agreement and a schedule of appropriate conditions.

The S106 Agreement is to secure:

1. At least 28 working days before the commencement of development (excluding any demolition, site clearance and preloading of the site) the owner and developer shall submit an independent technical assessment from a Chartered Civil Engineer registered with the Institution of Civil Engineers (supported by relevant drawings) to the Council demonstrating that sheet piling for all drainage infrastructure within the development is reasonably necessary in order to adequately support the loadings from that infrastructure.
2. On the basis of the evidence submitted, if the Council are satisfied that sheet piling of drainage infrastructure is not reasonably necessary, the Owner and developer shall provide a mechanism for the payment of £378,000 (index linked) financial contribution which will be put towards the provision of off-site affordable housing, in accordance with Policy H4 and the Affordable Housing Supplementary Planning Document.

The suggested Planning Conditions and Reasons are as follows, but are to be subject to final consideration and agreement by the Head of Planning as set out above:

1. The approval of the local planning authority shall be sought in respect of the following matters (hereinafter referred to as the "reserved matters") before any development takes place:
  - the appearance,
  - landscaping,
  - layout and
  - scale of the development.

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

2. Application for approval of reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. This permission relates to the following plans:

- Development Framework - Drawing No. ROW/SKL-237
- Preliminary Site Access Option 1 - Drawing No. J32/5505-PS-001 revision D
- Preliminary Site Access Option 2 - Drawing No. J32/5505-PS-002 revision D
- Interim combined highways works plan - Drawing No. J32/5505-PS-003
- Visibility Splays - Drawing No. J32-5505-PS-008 revision B
- Forward Visibility Splay - Drawing No. J32-5505-PS-009 revision A

Except as provided for by other conditions to this permission, any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with and/or not exceed the details shown on the approved plans insofar as they relate to the site area, the quantum of development and the means of access to the development.

Reason: The application is granted in outline only in accordance with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established by this permission.

5. Any application which seeks approval for the reserved matters of layout, scale or appearance pursuant to condition 1 of this permission shall provide for:

at least 50% of the dwellings as 1-3 bedroom homes.

at least 20% of the dwellings to be designed specifically to accommodate the elderly, including compliance with optional technical standard M4(3)(2)(a) (wheelchair-adaptable dwellings) contained in Part M, Schedule 1 of the Building Regulations 2010 (as amended),

Reason: To ensure that the development delivers a broad mix of types and sizes of home suitable for a broad range of age groups to reflect the demographics and housing requirements of the Borough as set out in the Fylde Coast Strategic Housing Market Assessment 2014 (or any successor document) in accordance with the requirements of Fylde Local Plan to 2032 policy H2 and the National Planning Policy Framework.

6. Prior to commencement of the development hereby approved (excluding demolition and site clearance), details of the finished floor levels for the buildings and the ground levels for the external areas of the site, above ordnance datum, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the proposed buildings and between the development and surrounding buildings before ground works to establish site levels are completed in the interests of ensuring a good standard of amenity for existing and future occupiers in accordance with the requirements of

Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

7. So far as practicable, any application which seeks approval for the reserved matter of landscaping pursuant to condition 2 of this permission shall provide for a development which retains existing trees and hedgerows located to the southern boundary of the application site sharing a boundary with 12 Wildings Lane, 1-3 Commonwealth Close (inclusive).

Reason: To ensure that a suitable landscaped buffer is introduced between the site and adjoining land in order to soften the developments visual impact to neighbouring properties, in the interests of ensuring a good standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

8. No development shall take place until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:
- i) a survey of the extent, scale and nature of contamination;
  - ii) an assessment of the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; and archaeological sites and ancient monuments.

where necessary, an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report confirming its implementation shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

Reason: In order that appropriate investigations are undertaken to determine whether the site (or part of it) is contaminated before any development takes place, to avoid any disturbance of contaminated land while carrying out the development, to ensure the safe development of the site and to secure appropriate remediation of any contamination before development takes place in order to prevent pollution of the surrounding environment in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of Fylde Local Plan to 2032 policy GD9 and the National Planning Policy Framework.

9. The development hereby approved shall be constructed in complete accordance with the principles set out within the submitted Flood Risk Assessment (Ref: ELLUC Projects, ELLUC-CP-21029-FRA revision F4, 19/08/2021). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies GD7, CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

10. Prior to commencement of the development hereby approved (excluding any demolition, site clearance or preloading of the site), details of a sustainable surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

11. No development shall take place until a scheme for the management of surface water and pollution prevention during the construction period has been submitted to and approved in writing by the local planning authority. The scheme shall include the following details:

- a) Measures taken to ensure surface water flows are retained on-site during the construction period and, if surface water flows are to be discharged from the site, that they are done so at a specified, restricted rate.
- b) Measures taken to prevent siltation and pollutants from the site entering into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall thereafter be carried out in accordance with the duly approved scheme for the entirety of the construction period.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during the construction phase in order that it does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact existing or proposed water bodies in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1, CL2 and GD9, and the National Planning Policy Framework.

12. Prior to the first occupation of any part of the development hereby approved, a Surface Water Verification Report shall be submitted to and approved in writing by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme discharged by condition 10 (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing.

Reason: To ensure that agreed surface water design is implemented so that the development is not at risk of flooding and does not increase flood risk elsewhere, in accordance with the requirements of Fylde Local Plan to 2032 (Incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

13. Prior to the first occupation of any part of the development hereby approved, a site-specific Operation and Maintenance Manual for the lifetime of the development scheme, pertaining to the surface water drainage system and prepared by a suitably competent person, shall be submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained in accordance policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

14. Prior to the first occupation of any part of the development hereby approved, full details of a homeowner's pack that will be made available to new and future occupants of the development shall be submitted to and approved in writing by the Local Planning Authority. The homeowner packs shall highlight and explain the sensitivity of the surrounding areas, and include (but will not be limited to) the following information:

- a) Introduction letter to the pack, setting out the issue and providing a contents page of included documents.
- b) Description of the Functionally Linked Land (FLL) and Biological Heritage Site (BHS) and their features, this should include a map explaining the boundaries of FLL and BHS.
- c) An explanation of the sensitivities of features to recreational disturbance and key sensitive times for the features of the FLL and BHS.
- d) List any access restrictions in the local area (i.e. under the Countryside and Rights of Way Act 2000, Marine and Coastal Access Act 2009 or Byelaws).
- e) Suggestions of alternative recreational sites (i.e. parks, walking or cycling routes).
- f) Code of conduct (i.e. not disturbing flocks of feeding / roosting birds, suggested distances to keep from birds).
- g) Suggested areas for responsible bird watching and opportunities for people to get involved in the local natural environment (i.e. volunteering opportunities).

Reason: In the interests of protecting wildlife and biodiversity in accordance with policy ENV2 of the Fylde Local Plan to 2032, the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

15. No part of the development hereby approved shall be commenced until a Construction Environmental Management Plan: Biodiversity (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- a) A risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) A method statement setting out practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) If necessary, the times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) If necessary, the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The duly approved CEMP shall be implemented concurrently with the construction of the development and shall be adhered to throughout the construction period in strict accordance with the details contained therein.

Reason: To ensure that appropriate measures are put in place during the construction period to mitigate the development's potential effects on water quality, linked water-dependent nature conservation sites, habitats and species of biodiversity value in accordance with the requirements of Fylde Local Plan to 2032 policy ENV2 and the National Planning Policy Framework.

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

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

17. Prior to the first occupation of any part of the development hereby approved, a scheme for the provision of bat roosting boxes and bird nesting boxes shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not adversely affect the favourable conservation status of any protected species in accordance with the requirements of Fylde Local Plan to 2032 (Incorporating Partial Review) policy ENV2, the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

18. Prior to commencement of the development hereby approved (excluding demolition), a further precautionary inspection/survey of ditches to inform any change in the habitat quality for and use by water voles shall be undertaken. Findings of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to and approved in writing by the Local Planning Authority in consultation with specialist advisors. Any necessary and approved measures for the protection of Water Vole will be implemented in full.

Reason: In the interests of protecting wildlife and biodiversity in accordance with policy ENV2 of the Fylde Local Plan to 2032, and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

19. The precautions for avoidance of possible harm to bats as detailed in section 7.4 of the Preliminary Ecological Appraisal (Envirotech, 7113 version 2, 17/08/2021) shall be implemented in full throughout demolition, site clearance and construction of the development.

Reason: 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.

20. Prior to commencement of the development hereby approved (excluding any demolition, site clearance or preloading of the site), a scheme for the construction of the site access and the off-site works of highway improvement shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The site accesses and off-site highway works shall be completed before the development is first occupied unless otherwise agreed in writing by the Local Planning Authority. The site access and off site highway works to be covered by this condition includes:

- (i) the site access junction off Wilding's Lane and associated improvement works on Wilding's Lane, as shown in Drawing No. J32-5505-PS-001 Rev D (Access Option 1, dated 19/11/2021) and Drawing No. J32-5505-PS-002 Rev D (Access Option 2, dated 19/11/2021);
- (ii) Improvement to the westbound bus stop on Heyhouses Lane (immediately northwest of Wilding's Lane) to provide a shelter; and
- (iii) Improvement to the eastbound bus stop on Heyhouses Lane (immediately southeast of Main Drive) to provide a Disability Discrimination Act compliant raised kerb and shelter.

Note: Access Option 1 is to be progressed, unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highway Authority. Access Option 2 therefore, would only be progressed if an unforeseen, unresolvable land issue arises on Wilding's Lane.

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

21. Prior to the first occupation of any part of the development hereby approved, the access and off-site highway works set out in condition 19 should be constructed in accordance with the details approved, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the development will provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T4, and the National Planning Policy Framework.

22. Prior to the first occupation of any part of the development hereby approved, Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T4, and the National Planning Policy Framework.



23.No development shall take place (including site clearance, demolition, siting of site compound/welfare facilities and preloading of the site) until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include the following details:

- a) continued access to be maintained to and from the care home facility on Wilding's Lane, north of this development site, at all times;
- b) 24 Hour emergency contact number;
- c) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- d) areas designated for the loading, unloading and storage of plant and materials;
- e) arrangements for the parking of vehicles for site operatives and visitors;
- f) Construction vehicle routing to and from the site;
- g) arrangements for turning of vehicles within the site;
- h) swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- i) Measures to protect vulnerable road users (including pedestrians, cyclists and horse riders);
- j) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
- k) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- l) measures to control the emission of dust and dirt during the construction period;
- m) measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- n) measures to monitor and control noise and vibration during the construction period, including the management of complaints;
- o) the siting, luminance and design of any external lighting to be used during the construction period;
- o) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- q) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjacent to the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

The development shall thereafter be carried out in full accordance with the duly approved CMS.

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

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the revocation or re-enactment thereof, with or without modification), visibility splays as detailed on drawing numbers J32-5505-PS-008 Rev B and J32-5505-PS-009 Rev A shall be kept clear of:

- a) any obstructions (including buildings, walls, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.
- b) any overhanging tree branches lower than 2.4 metres in height.

Reason: To ensure adequate visibility at the junction of the development's access with the public highway and to maintain a safe and suitable means of access to the development for all users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

25.No development shall take place (including site clearance, demolition, siting of site compound/welfare facilities and preloading of the site) until a road condition survey has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed shall include as a minimum, the entire length of Wildings Lane that includes the application site up to and including the junction with Heyhouses Lane. The survey must consist of:

- a) A plan to a scale of 1:1000 showing the location of all defects identified;
- b) A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

Within 1 month of the development's practical completion (the point when all the dwellings are substantially constructed) a road survey showing the post-development condition of the same stretch of the road (The extent of the area to be surveyed shall include as a minimum, the entire length of Wildings Lane from the application site up to and including its junction with Heyhouses Lane) shall be submitted to and approved in writing by the Local Planning Authority. The survey must consist of:

- a) A plan to a scale of 1:1000 showing the location of all defects identified;
- b) A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

The post-development survey shall be accompanied by a scheme which details the extent and construction specification for the resurfacing and/or repair of any potholes or areas of the road surface which have deteriorated between the pre-commencement and post-development surveys. The works of resurfacing and/or repair set out in the scheme accompanying the post-development survey shall be implemented in full within 1 month of the Local Planning Authority giving its written approval.

Reason: Construction traffic associated with the development has the potential to cause significant deterioration to the surface of Wildings Lane and its junction with Heyhouses Lane. The developer is required to undertake works of repair to the road surface where deterioration arises as a result of its use by heavy construction vehicles between the pre and post construction periods. The works of resurfacing and/or repair are required in order to ensure continued safe and convenient access for other road users in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

26.No above ground work shall take place (excluding site clearance, demolition or preloading) until the following information has been submitted to and approved in writing by the Local Planning Authority:

1. A detailed plan for the proposed buildings within that parcel demonstrating that there would be no detrimental impact upon the operation of St Annes Radar; or,
2. Details of a scheme to mitigate any detrimental impact upon the St Annes Radar, including any associated timescales for implementation of the mitigation works.

The approved scheme of mitigation shall be implemented in accordance with the approved details and within the approved timescales, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not have a harmful impact on the operation of the St Annes radar station in the interests of aviation safety and in order that the development does not prejudice the operation of any existing aerodrome in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies DLF1 and T3, and the National Planning Policy Framework.

27.On site works, including any heavy vehicular movements and deliveries to/from the site, shall only take place between the hours of:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

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

### **Informative(s)**

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

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

2. Habitat Regulation Assessment Adoption Informative:

In issuing this decision the local planning authority has had regard to the document titled 'Shadow habitats regulations Assessment' (Envirotech, 7113 version 3, 04/10/2021) "Ecological Assessment, Appendix 5: Information to Inform a Habitats Regulations Assessment' (Avianecology, ref: Light-068-1087 Issue V3, dated: 24/03/2022) and the comments from Natural England in their letter dated 17th November 2021 confirming that they are in agreement with the report findings that the development, either alone or in combination with other plans or projects, would not have an adverse effect on the integrity of the Ribble and Alt Estuaries Ramsar site, Special Protection Area and Site of Special Scientific Interest, nor would it damage the interest features for which those sites have been notified.

In order to fulfil its duty as a Competent Authority in accordance with the requirements of regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 (as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019), the local planning authority has adopted the abovementioned Habitat Regulations Assessment by 'Envirotech Ecological Consultants' as part of its decision.

3. Information Pack Informative

The following principles shall be applied to the homeowner information packs:

- a) The householder packs are tailored to the location of the development and the Natura2000 designated sites in the area.
- b) Tailored to the audience using clear and easy to understand language.
- c) An appropriate format is used to present and share the householder packs (i.e. print, size).

4. Highway Informatives:

a) The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

b) The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide

the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Lancashire County Council, Highways in the first instance, to ascertain the details of such an agreement and the information to be provided.

c) Traffic Regulation Orders, diversions of Public Rights of Way, Stopping Up of existing highway, changes to public transport scheduling/routing and other activities require separate statutory consultation processes beyond the planning application process. The applicant will be obliged to meet all the costs associated with these of works and ensure that any works which rely upon them do not commence until all legal processes have been satisfactorily completed.

5. Crane Height Informative

The developer is advised that in the event that the construction of the development hereby approved is to be undertaken using a crane that exceeds a height of 10m above ground level to the tip of any jib or other point, then the details of the dates that the crane is to be present at site, its specific location within the site, and the specific timing that it is to be extended above that height are to be provided to Blackpool Airport no less than 28 days before its arrival at site. This is to ensure that air safety is not compromised by this activity. Contact: [nick.bentley@blackpoolairport.com](mailto:nick.bentley@blackpoolairport.com)