

Planning Committee

Wednesday 15 January 2020

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
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2	19/0642	<u>Additional off-site highway works</u>
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In the event that a planning application requires a scheme of off-site highway works to make the development acceptable these are normally agreed in principle with by the local planning authority with the local highway authority at the planning application stage. These works are then secured through a condition which requires that the detailed drawings and the phasing of the construction of the works are agreed prior to the commencement of development. The works are then carried out on highway land through a section 278 agreement between the developers and the Local Highways Authority.

At the December 2019 Committee members resolved to defer determination of this application so that further details of the off-site highway works could be secured. These have now been provided and show the full scheme on one drawing, including the previously approved pedestrian link to Heyhouses Lane along Wildings Lane, and the priority change at the Wildings Lane / Jubilee Way junction. The plan also indicates a buildout gateway entry feature to inform drivers of the upcoming shared surface arrangement and an additional traffic calming buildout halfway along Wildings Lane to reduce traffic speeds. The plan also shows the site access works to the Roseacre site (if/when that were to come forward). Furthermore a series of swept path drawings have been provided that show that the proposed buildout would not be a hindrance or prevent cars entering and egressing driveways in their immediate vicinity. The specific details of these would be at detailed design stage and part of the section 278 agreement.

LCC Highways have commented on these drawings as follows;

“The plans provided demonstrate that there is a scheme that can be delivered, subject to detailed design. The plans demonstrate a solution in principle which has been the position maintained by the highway authority within our statutory comments for this current application and also the previously approved residential development on the Valentines Kennels site. I therefore can confirm that LCC would have no objection to the proposed development providing that appropriate funding (s106) for sustainable measures is secured, and that all s278 measures as set out within our statutory comments (dated 24th October 2019) are delivered by the developer in line with agreed trigger points and that suitable conditions are put in place to ensure these necessary measures are delivered.”

Officer's comments on highway plans

The submitted plans further demonstrate that access to the site for vehicles along Wildings Lane is acceptable and that it provides safe access to both vehicles and pedestrians. The Local Highway Authority have re-iterated that they have no objections to the development. As such it remains officer view that the applicants have

demonstrated that the site can be accessed without compromising highway safety and therefore there is no justified reason for refusing the development on highway grounds.

Representation from Neighbouring Landowner

Following the publication of the agenda the council has received a representation from a neighbouring landowner which is reported here in full:

"Further to our telephone inquiry to the planning department on the 3rd January 2020 we write to register our extreme disappointment that as adjoining owners we have not been formally consulted regarding the above application given that the proposal will have a significant impact upon our adjoining development.

In particular the proposal raises concerns regarding a) access and highway safety, b) appearance and landscaping and c) prematurity.

- a) Wildings Lane is a very rough unmade track of limited width with embankments giving access into the adjoining fields, and is clearly unable to safely accommodate two way vehicular traffic plus pedestrians. To construct an improved access to current LCC standards will require highway works on land outside the applicants ownership and control. These works together with details of the necessary retaining structures should be included in the application.*
- b) Appearance and landscaping. The proposal will require substantial landscape buffer zones to mitigate the impact of the development. The current landscape proposals are inadequate and could lead to potential lack of amenity and overlooking issues with the dwellings approved on our adjoining land. In order to fully assess the impacts we request that the applicant provide sections through the site showing the relative levels of the proposed and approved developments.*
- c) Wildings Lane is to be improved and widened as part of the Queensway residential development approval however if the applicant wishes to bring forward the development of the Valentines site in isolation we believe that the works necessary to improve the Wildings Lane highway should be also brought forward and funded by the applicant.*

We therefore request that we are allowed 21 days from todays date to collate the technical evidence and prepare our written submissions for consideration by the council's planning committee."

Officer response to Landowner Representation

The representation makes a comment about the council's consultation on the application and then 3 comments on its merits. In response the following comments are provided:

Consultation – Whilst there is no statutory duty to notify neighbours to a site of any revisions to an application, contrary to the comments made the landowner was notified of the application on 23 August 2019. As such the council has gone well beyond the statutory requirements on this matter and there is no reason to delay a determination further.

With regard to the highways, landscape/visual impact and amenity issues these issues are covered in the agenda and above. Off site highway works will take place entirely within adopted highway land and thus there are no issues with regard to delivering these works.

3 19/0829 Clarification on Air Safety implications

The agenda report incorporates the comments from Blackpool Airport which express concerns that the works could impact on air safety if the machinery involved is to exceed the height of the existing dune system. A condition has been included as a precaution on this (condition 4) and should be retained, although some clarification is now available to assure Committee on this matter.

The tallest existing dune in the system is at 22.5m AOD, and the tallest dune in the application site is at 13.8m. The works will mainly involve an excavator taking material from the base initially and then from the top level once that is at a manageable height. As such there is no prospect of the machinery reaching the height of 13.8m never mind the 22.5m height.

4 19/0844 Revised Condition

Having given further consideration to the amenity concerns raised by neighbours and the Town Council it is considered appropriate to limit the use of the lights to summer months only so that they are not operational for extended periods in winter when natural light levels are less and so use would be more noticeable. This can be secured by revising condition 5 as follows with the additional text in bold.

*5. The lighting affixed to the columns hereby approved shall not be operated or illuminated between 21.30 hours and 08.00 hours on any day, **and shall only be operated during the months of March – October (inclusive).***

Reason: To ensure the amenity of nearby residents is not unduly harmed by light spillage from the installed lighting columns in accordance with the requirements of para 180 of the NPPF.