

## Planning Committee Minutes - 5 April 2023

### Item Number 1

|                        |   |                          |                          |
|------------------------|---|--------------------------|--------------------------|
| <b>Application No:</b> | 20/0384   | <b>Application Type:</b> | Full Planning Permission |
| <b>Applicant:</b>      | Mr Turpie   | <b>Agent:</b>            | Rebecca Booth            |
| <b>Location:</b>       | COPPICE FARM LAND, WEST MOSS LANE, WESTBY WITH PLUMPTONS                            |                          |                          |
| <b>Proposal:</b>       | EXTENSION TO REAR (WEST) OF EXISTING LIGHT INDUSTRIAL BUILDING ( CLASS E (g) (iii)) |                          |                          |
| <b>Ward:</b>           | Warton and Westby   | <b>Parish:</b>           | Westby with Plumptions   |

### Decision

The authority to GRANT planning permission is delegated to the Head of Planning, in consultation with the Chairman and Vice-Chairman of Committee. The decision is subject to:

1. The decision on application 22/0362 has been made
2. The adoption of the shadow Habitat Regulations Assessment as fulfilling Fylde Council's obligation under that legislation as competent authority
3. The imposition of a series of planning conditions to secure the appropriate development and use of the site, including the implementation of the highway improvement works to Moss Hall Lane and other relevant matters.

### Item Number 2

|                        |  |                          |                          |
|------------------------|--|--------------------------|--------------------------|
| <b>Application No:</b> | 22/0254  | <b>Application Type:</b> | Full Planning Permission |
| <b>Applicant:</b>      | Mr P Ratcliffe   | <b>Agent:</b>            | Mr P Ratcliffe           |
| <b>Location:</b>       | LONGVIEW BOARDING KENNELS WHITEHILL ROAD WESTBY WITH PLUMPTONS BLACKPOOL LANCASHIRE FY4 5LA  |                          |                          |
| <b>Proposal:</b>       | CONSTRUCTION OF A SINGLE STOREY BUILDING TO PROVIDE 37 PEN BOARDING KENNELS, AND CONSTRUCTION OF A SINGLE STOREY BUILDING TO PROVIDE ANCILLARY RECEPTION AND OTHER SUPPORTING FACILITIES FOLLOWING DEMOLITION OF EXISTING KENNELS AND ANCILLARY OFFICE/ RECEPTION BUILDING. RETENTION OF EXISTING RESIDENTIAL STATIC CARAVAN TO SUPPORT OPERATION OF KENNELS, AND REVISIONS TO ACCESS AND PARKING AREAS. |                          |                          |
| <b>Ward:</b>           | Warton and Westby  | <b>Parish:</b>           | Westby with Plumptions   |

### Decision

Granted

### Conditions

## Planning Committee Minutes - 5 April 2023

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 - Drawing no. White/001a
- Proposed Site Plan - Drawing no. White/004
- Proposed Elevations - Drawing no. White/002b

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, on the submitted application form, and in the email from 'KG Planning', dated 15 March 2023.

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 any details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works of development shall take place until a soft landscaping scheme for the whole of the area tinted green on the approved site plan listed in condition 2 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs.

The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed 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 enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

5. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, no above ground works of development shall commence until a scheme for the

## Planning Committee Minutes - 5 April 2023

construction of all hard surfaced areas of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the layout, design and construction of all hard surfaced area, and the facilities that are to be located in those areas including a cycle storage facility, a dog waste / refuse storage facility and any other equipment store that is to be utilised to support the kennel facility hereby approved.

The hard surfaced areas and all associated facilities shall thereafter be laid out and made available for use in accordance with the duly approved scheme prior to the first use of any of the kennel building hereby approved.

Reason: To ensure satisfactory treatment of hard surfaced areas and an appropriate standard of engineering works in the interests of visual amenity and the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7.

6. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul 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 Building Research Establishment 365 (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 promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework

7. The development hereby approved shall not be brought into use until a scheme for the layout, design and construction (including surface treatment) of the vehicle parking, servicing and

## Planning Committee Minutes - 5 April 2023

manoeuvring areas shown on drawing no. White/004 has been submitted to and approved in writing by the Local Planning Authority. The vehicle parking, servicing and manoeuvring areas shall be laid out and made available for use in accordance with the duly approved scheme before any part of the development is first brought into use, and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for vehicle parking, servicing and manoeuvring, to achieve an appropriate surface treatment and an adequate standard of engineering works to hardstanding areas in the interests of highway safety and visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T5, and the National Planning Policy Framework.

8. No above ground works of development shall take place until full details (location, height, materials, colour, density of construction material) of an acoustic barrier to be erected along the shared (northeast) boundary of the site with No.2 Whitehill Cottage, has been submitted to and approved in writing by the Local Planning Authority. The approved acoustic barrier is to be installed prior to the first occupation of the approved kennel building and thereafter retained and maintained for the lifetime of the approved development.

Reason: To limit the potential for noise generation and to prevent noise nuisance arising in order to safeguard the amenity of the occupiers of surrounding residential properties in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

9. The static caravan hereby approved shall be of a scale and nature that satisfies the definition of a static caravan as set out in s29 (1) of the Caravan Sites and Control of Development Act and s13(1) of the Caravan Sites Act 1968 (as amended). It shall be located as shown on the site plan listed in condition 2 prior to the first use of the kennels hereby approved, and shall remain in place and available for occupation at all times that the kennel use is undertaken from the site.

This caravan shall only be used to provide overnight accommodation only for those involved in providing for the security, care and general animal welfare needs of the site, and shall not be let, sold or otherwise occupied as permanent residential accommodation or for any other purpose.

Reason: The availability of a suitable form of overnight accommodation is essential to satisfy the animal welfare needs of a facility of this scale and nature, and so the conditions is required to ensure its provision, to confirm its scale and location, and to control the nature of its accommodation. These requirements are to ensure compliance with Policy GD1 and GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review)

10. The kennel facility hereby approved shall be used as a dog boarding kennels only, with the ancillary facilities hereby approved (veterinary room, grooming room, and external areas of the site) all used solely by, or for the care of, animals that are being boarded within the kennels. Additionally, there shall be no 'communal doggy day care', dog training, or 'dog exercise field' uses undertaken at the site.

Reason: in order to provide an appropriate control over the number of vehicle movements that are attracted to the site, and to restrict the potential for external dog exercise which could compromise highway safety and residential amenity respectively. These restrictions are required

## Planning Committee Minutes - 5 April 2023

to ensure compliance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review)

11. The dog boarding kennels hereby approved shall only be open for handling dog arrival or departures between the hours of 0730 and 1830 on any day. There shall be no dog arrival or departures outside of those hours.

Reason: To limit the potential for noise generation from the activity at the site in order to safeguard the amenity of the occupiers of surrounding residential properties and so ensure compliance with the requirements of policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

12. All external windows and any other openings to the kennel building hereby approved shall be kept closed between the hours of 1830 and 0730 on any day.

Reason: To limit the potential for noise generation from the activity at the site in order to safeguard the amenity of the occupiers of surrounding residential properties and so ensure compliance with the requirements of policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

13. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, the kennel use of the building shall not commence until details of the siting, height, design, materials and finish of all fencing or other means of enclosure within and around the perimeter of the site have been submitted to and approved in writing by the Local Planning Authority. Only the approved means of enclosure shall be constructed at the site, and these shall be in full accordance with the duly approved details.

Reason: To achieve clear demarcation of the site boundary and to ensure that the design of boundary treatments is sympathetic to the character and appearance of the area in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 (incorporating Partial Review) and the National Planning Policy Framework.

14. Prior to the first operation of the kennel facility hereby approved a scheme for the restoration of the western access point to the site from Whitehills Road to its lawful state as a field gate only shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the reduced width of the access, the extent and nature of any solid surface treatments that are to be retained or implemented, the design and materials of any gate or other means of enclosure, the extent and species of any hedge planting used in the restoration of this access, and the phasing for the implementation of these works.

The approved works shall be undertaken in accordance with the approved scheme within the agreed timescale, and shall then be retained and maintained at all times thereafter.

Reason: In order to minimise the number of operational vehicular access points to the site that are associated with the use hereby approved in the interests of highway safety and to restore the rural character of the area in the interests of visual amenity in accordance with the requirements

## Planning Committee Minutes - 5 April 2023

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 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. Bat Precautionary Informative

Whilst the site has been assessed as low risk for bats, the applicant is reminded that under the Habitat Regulations it is an offence to disturb, harm or kill bats. If a bat is found during the development all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed as a protected species license may be required.

### Item Number 3

|                        |   |                          |                        |
|------------------------|---|--------------------------|------------------------|
| <b>Application No:</b> | 22/0362   | <b>Application Type:</b> | Variation of Condition |
| <b>Applicant:</b>      | MR SIMON TURPIE   | <b>Agent:</b>            | Rebecca Booth          |
| <b>Location:</b>       | COPPICE FARM LAND WEST MOSS LANE WESTBY WITH PLUMPTONS LANCASHIRE   |                          |                        |
| <b>Proposal:</b>       | VARIATION OF PLANNING PERMISSION 20/0737 FOR ERECTION OF A BUILDING TO BE USED FOR LIGHT INDUSTRIAL PURPOSES BY REMOVAL OF CONDITION 3 OF THAT PERMISSION RELATING TO PROVISION OF DETAILS OF FOUL AND SURFACE WATER DRAINAGE |                          |                        |
| <b>Ward:</b>           | Warton and Westby   | <b>Parish:</b>           | Westby with Plumpton   |

### Decision

Granted

### Conditions

1. This permission relates to the following plans:
  - Location / Site Plan - Graham Lea Drawing GL347 F
  - Side Elevations - Graham Lea Drawing GL347A/71

## Planning Committee Minutes - 5 April 2023

- Front / Rear Elevations - Graham Lea Drawing GL347A/72
- Floor Plans - Graham Lea Drawing GL347A/61
- Proposed Fence Plan - Graham Lea Drawing GL454 01 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 and National Planning Policy Framework

2. The building hereby approved shall not be first brought into any use until all the following matters have been satisfied:

a) All works indicated for the improvement of the full length of Moss Hall Lane between the access to the application site and the junction of that road with West Moss Lane that are shown on DPTC drawing 'J830 Mitigation fig 2 Rev X' have been undertaken in full accordance with the details shown on that plan, with those works only undertaken during the months of April - October inclusive to avoid the construction works causing disturbance to the use of surrounding lands by Pink Footed Geese, Whooper Swans and other internationally important bird populations.

b) That a verification report to confirm the completion of these works, and the period in which they were undertaken, has been presented to the local planning authority and approved in writing.

This length of highway shall be maintained to the standard shown on the drawing referred to here at all times that the building remains operational.

Reason: To ensure that an appropriate standard of access to connect the site to the wider highway network is constructed prior to the building being brought into use in the interests of highway safety as required by Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review).

3. Prior to the first use of the building hereby approved details of the measures to be introduced, or which have already been introduced, to limit the rate of surface water discharge from the site to 2.5 l/sec as specified in the Flood Risk Assessment by Elluc Projects (reference ELLUC-LP-20028-090620 Revision F4 dated 21.07.20) which formed part of the submission under reference 20/0737 shall be submitted to and approved in writing by the local planning authority. Any additional works that are required as part of that details shall be fully undertaken prior to the first use of the building.

Thereafter the surface and foul water drainage of the site shall be maintained in accordance with the requirements of the 'Coppice Farm – Drainage Management Plan' supplied in December 2022 with the bi-annual checks and associated repairs and maintenance tasks undertaken in accordance with the arrangements set out in that document at all times.

Reason: To ensure that the surface and foul water drainage of the site are secured, implemented and maintained to ensure they continue to operate effectively to avoid an unacceptable risk of

## Planning Committee Minutes - 5 April 2023

surface water flooding in the vicinity, and that the site will not lead to potential contamination of surface water in accordance with Policy CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, the building hereby approved shall only be used for uses falling within Class E(g)(iii) which is for light industrial purposes, and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To safeguard the amenities of the occupiers of the adjacent dwelling, and to minimise the opportunities for disturbance of the bird species utilising the surrounding land, and to reflect the capacity of the surrounding highway network. These are to ensure compliance with Policy GD7 and ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review).

5. The building hereby approved shall be utilised as a single undertaking only and shall not be subdivided into two or more individual undertakings, nor shall a mezzanine floor level be introduced to any part of the approved building other than the ancillary office element shown on the approved floor plans listed in condition 1 of this planning permission.

Reason: As any sub-division or intensification of the use of the site has the potential to generate additional vehicle movements, create additional amenity implications, and impact on the ecological and other assessments undertaken as part of the consideration of this application. As such a further application will need to be assessed should these intensifications occur so as compliance with Policy GD4, GD7 and ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review) can be undertaken.

6. No machinery shall be operated, no process shall be carried out, and no deliveries taken at or dispatched from the site outside of 07.00 to 18.00 Mondays to Fridays inclusive and 08.00 to 13.00 on Saturdays, with no activity undertaken at any time on Sundays, Bank or other Public Holidays.

Reason: To safeguard the amenities of the occupiers of the adjacent dwelling, and to minimise the opportunities for disturbance of the bird species utilising the surrounding land to ensure compliance with Policy GD7 and ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review).

7. The existing close-boarded timber fence that has been erected between the building and Moss Hall Lane, and to the southern and western boundaries of the site shall be retained in the existing positions as shown on the fencing plans as approved under condition 1 of this planning permission at all times. The area of land on the outside of these fences for a separation of 750mm all around the boundaries listed here shall be planted with a native species hedge and shall be retained as such for a period of not less than 5 years from the date that the building is first operational for the use hereby approved.

Reason: To ensure that an appropriate standard of site boundary is provided in the interest of the visual impact of the development on the surrounding countryside, to provide a visual and



## Planning Committee Minutes - 5 April 2023

acoustic screen to surrounding wildlife habitat to minimise disturbance from activity on the site, and to provide biodiversity enhancement and mitigation to accord with the requirements of Policy GD4, ENV1 and ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review).

8. The building hereby approved shall not be first brought into any use until all the following matters have been satisfied:
- a) The provision of no less than four separate standard bat boxes in an appropriate location within the site
  - b) The provision of no less than two standard barn owl boxes in an appropriate location within the site
  - c) To verify that these works been fully implemented details of their location and date of installation shall be presented to the local planning authority to confirm the ecological habitat facilities are in place.

The duly installed biodiversity enhancement measures shall be retained as such thereafter.

Reason: To ensure that the development delivers appropriate biodiversity enhancements in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review). policy ENV2 and the National Planning Policy Framework.

9. The building hereby approved shall not be first brought into any use until a scheme for the distribution of information packs and the erection of information boards at the site to inform staff and visitors of the importance of surrounding designated nature conservation sites has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- a) A copy of the information pack and details of when, how and to whom these will be distributed (including provisions for future staff/visitors).
  - b) Details of the number, location, size, materials and design of information boards to be displayed within the site and the text/images to be displayed on them.

The information packs and information boards shall be distributed and erected in accordance with the duly approved scheme, and shall be maintained as such thereafter.

Reason: To ensure all staff and visitors to the development are made aware of the importance of and their potential to affect the integrity of nearby designated nature conservation sites – particularly the Ribble and Alt Estuaries Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Ramsar site and land which is functionally linked to the SPA – and to ensure appropriate measures are introduced are taken to mitigate the development's potential effects on designated nature conservation sites in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2017.

10. Any external storage associated with the operation of the building shall only be located to the north and west of the building and shall not exceed 2m in height above ground level.

Reason: To ensure that any external storage does not have a harmful impact on the rural character of the area or creates a potential source of disturbance to the bird species utilising the

## Planning Committee Minutes - 5 April 2023

surrounding land to ensure compliance with Policy GD7, ENV1 and ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review).

11. The building hereby approved shall not be first brought into any use until the parking spaces indicated on the approved site plan listed in condition 1 of this planning permission have been appropriately drained and marked out. These areas shall remain available for parking at all times that the building is in operational use.

Reason: To ensure the provision and retention of an appropriate level and location of staff and visitor parking on the site to remove the potential for off-site parking which would be harmful to highway safety and the character of the area as required by Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review).

### 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.

## Planning Committee Minutes - 5 April 2023

### Item Number 4

|                        |  |                          |                          |
|------------------------|--|--------------------------|--------------------------|
| <b>Application No:</b> | 22/0537  | <b>Application Type:</b> | Full Planning Permission |
| <b>Applicant:</b>      | MR SHAF KHAN   | <b>Agent:</b>            | DR KANADI JAGAFA         |
| <b>Location:</b>       | 64 LYTHAM ROAD FRECKLETON PRESTON LANCASHIRE PR4 1XA   |                          |                          |
| <b>Proposal:</b>       | EXTENSION AND ALTERATION OF THE BUILDING: 1) FIRST FLOOR EXTENSION TO FORM 4 NO. OFFICES AND 3 NO. STORAGE AREAS, 2) RELOCATION OF EXTERNAL PLANT AND EQUIPMENT TO GROUND FLOOR OF REAR ELEVATION, 3) DOOR INSERTION TO GROUND FLOOR REAR ELEVATION. |                          |                          |
| <b>Ward:</b>           | Freckleton West  | <b>Parish:</b>           | Freckleton               |

### Decision

Refused

### Reason for Refusal

1. Whilst the application site is located in a settlement location it is outside of the identified local centre and remote from any readily available off-street public parking areas. It is in an area where there is a limited supply of on-street parking opportunities due to the combination of the limited width of the carriageway, the presence of a signalised pedestrian crossing, the presence and location of a bus stop that is in frequent use, and a range of on-street parking restrictions. Moreover, it is an area where there is a high demand for the parking spaces that are available as a consequence of the range of commercial properties and terraced residential properties in the area.

The proposed development will inevitably lead to an increase in the demand for the on-site parking spaces (including for longer term staff parking as opposed to short term customer parking) as it introduces a new use to the application property that will be unrelated to the existing ground floor retail use. The application does not provide any additional parking spaces and so the parking that is proposed on the supplied plans can only be provided by displacing the parking spaces that are available to the existing retail unit trading from the application site.

This lack of additional parking coupled with the existing pressures on the available parking are such that the additional use will create an unacceptable risk that the available on-site parking will be inadequate to meet the needs of the development without causing harm to neighbouring amenity, and to the safe operation of the local highway network for all users (including pedestrians as a consequence of vehicle parking causing obstruction on the footways).

Accordingly the proposal is contrary to the requirements of criterion r) of Policy GD7 and Policy T5 of the Fylde Local Plan to 2032 (incorporating Partial Review), and the guidance in paragraphs 107 and 111 of the National Planning Policy Framework.

### Informative(s)

1. For the avoidance of any doubt, this decision relates to the following plans:

## Planning Committee Minutes - 5 April 2023

- Location Plan Scale 1:1250
- Proposed Site Plan Scale 1:500
- Proposed Ground Floor Plan Scale 1:100 Dated 4/1/2023
- Proposed First Floor Plan Scale 1:100 Dated 4/1/2023
- Proposed Side Elevations Scale 1:100 Dated 23/01/2023
- Proposed Front and Rear Elevations Scale 1:100 Dated 23/01/2023
- Proposed Streetscene View Scale 1:100 Dated 19/01/2023

### Item Number 5

|                        |   |                          |                          |
|------------------------|---|--------------------------|--------------------------|
| <b>Application No:</b> | 22/0593   | <b>Application Type:</b> | Full Planning Permission |
| <b>Applicant:</b>      | ALDI STORES LIMITED   | <b>Agent:</b>            | MS HELEN MANSLEY         |
| <b>Location:</b>       | STANWAYS OF LYTHAM PRESTON ROAD LYTHAM ST ANNES LANCASHIRE FY8 5BG  |                          |                          |
| <b>Proposal:</b>       | DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF A MIXED-USE DEVELOPMENT COMPRISING: 1) A USE CLASS E FOODSTORE (1804SQM GROSS INTERNAL AREA) WITH ASSOCIATED VEHICULAR ACCESS, CAR PARKING, SERVICING AREA, ELECTRICAL SUB-STATION, AND HARD AND SOFT LANDSCAPING, AND, 2) 80 NO. USE CLASS B8 SMALL STORAGE / WAREHOUSE UNITS WITH VEHICULAR ACCESS, CAR PARKING AND LANDSCAPING ARRANGEMENTS. |                          |                          |
| <b>Ward:</b>           | St Johns  | <b>Parish:</b>           |                          |

### 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:

- Site Location Plan - Drawing no. 2978BOL-097 rev A
- Proposed Demolition Plan - Drawing no. 2978BOL-099 rev B
- Site Plan as Proposed - Drawing no. 2978BOL-105 rev M
- Proposed Boundary Treatment Plan - Drawing no. 2978BOL-109 rev L
- Proposed Landscape Plan - Drawing no. 2978-VL-L01 rev M
- Proposed GA Plan (ALDI building) - Drawing no. 2978BOL-106 rev A
- Proposed Elevations (ALDI building) - Drawing no. 2978BOL-107 rev F

## Planning Committee Minutes - 5 April 2023

- Proposed Roof Plan (ALDI building) - Drawing no. 2978BOL-110
- Proposed Plans\_Elevations Building A\_B (Storage units) - Drawing no. 1679-S24-ZZ-XX-DR-A\_101 revision A
- Proposed Plans\_Elevations Building C (Storage units) - Drawing no. 1679-S24-ZZ-XX-DR-A\_102 revision A
- Proposed Plans\_Elevations Building D (Storage units) - Drawing no. 1679-S24-ZZ-XX-DR-A\_103 revision A
- Proposed Plans\_Elevations Building E\_F (Storage units) - Drawing no. 1679-S24-ZZ-XX-DR-A\_104 revision 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. The development consisting of the Use Class B8 (small storage/ warehouse units) hereby approved, to the northern parcel of land, shall be substantially completed prior to the first trading of the food store unit (Use Class E). For the avoidance of doubt this shall include, as a minimum, the completion of all of the external walls and roof of all elements of those buildings, the surfacing and layout of the approved internal access roads, and the provision of service connections to the buildings.

Reason: In order to ensure the delivery of a mixed use development in accordance with the objectives of policies EC1 and GD8 of the adopted Fylde Local Plan to 2032 (Incorporating Partial Review), as the development of the retail food store alone, on part of a site allocated for employment purposes would be contrary to the provisions of policy EC1 of the development plan.

4. The net sales area of the foodstore hereby approved shall not exceed 1,315 square metres in floorarea, as per drawing no's. 2978BOL-105 rev M and 2978BOL-106 rev A, and the area for the sale of non-food goods within the foodstore shall not exceed 20% of the net sales area (263 square metres).

Note - The net sales area shall be defined as the area of the foodstore to which the public has access.

Reason: The development is located outside a designated town centre and the national and development plan policy require the impact of development on existing centres to be assessed. The restrictions on the size of the net sales area and the area used for the sale of non-food goods reflect the proposal as assessed and any alteration of such could impinge upon the vitality and viability of existing Centres. It is therefore considered reasonable to restrict the floor space to that applied for so as to ensure that the character of the development does not alter, in accordance with Policy EC5 of the Fylde Local Plan to 2032 (Incorporating Partial Review) and the National Planning Policy Framework.

5. No construction, site clearance or demolition shall commence until a scheme to protect the United Utilities wastewater assets that are present within the site boundary from damage

## Planning Committee Minutes - 5 April 2023

resultant from construction of, or operation of the development has been submitted to and approved in writing by the Local Planning Authority. The details shall outline the potential impacts from construction activities and the impacts post completion of the development on the wastewater assets within the site boundary and identify mitigation measures to protect and prevent any damage to the assets both during construction and post completion of the development.

Construction of the development shall progress in complete accordance with the approved mitigation measures.

Reason: In the interest of public health and safety and to ensure protection of essential services, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and INF1 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. Prior to commencement of the development hereby approved, a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, shall be submitted to approved in writing by, the local planning authority. This strategy will include the following components:
  1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

## Planning Committee Minutes - 5 April 2023

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 buildings 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.

8. If, during development, contamination which was not previously identified is found to be present on the site then no further development shall take place on the affected part(s) of the site 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:

- a) a survey of the extent, scale and nature of contamination;
- b) 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.
- c) 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 submitted to and approved in writing by the Local Planning Authority before any of the buildings on the affected part(s) of the site are first occupied.

Reason: To prevent pollution of the surrounding environment and to ensure the safe development of the site in the interests of the amenity of future occupiers and other sensitive receptors in accordance with policy GD9 of the Fylde Local Plan to 2032 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: Weetwood, v2.1, October 2022). The mitigation measures shall be fully implemented prior to occupation and 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), a final surface water sustainable drainage strategy for the site shall be submitted to and approved in writing by, the Local Planning Authority. The detailed surface water sustainable

## Planning Committee Minutes - 5 April 2023

drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly. The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
  - i. 100% (1 in 1-year) annual exceedance probability event;
  - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creepCalculations must be provided for the whole site, including all existing and proposed surface water drainage systems.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
  - i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
  - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
  - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
  - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
  - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
  - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
  - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.
- d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

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. Prior to commencement of the development hereby approved, a scheme for the management of surface water and pollution prevention during the construction period shall be submitted to and approved in writing by the local planning authority. The scheme shall include the following details:



## Planning Committee Minutes - 5 April 2023

- 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 6 (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.

## Planning Committee Minutes - 5 April 2023

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. Tree felling on the site shall be undertaken in complete accordance with the Bat Mitigation Measures identified in paragraph 4.21 of the Ecological Impact Assessment (ref: BWB, 220741\_EIA, revision P1, 17/08/2022).

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).

15. 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.

16. No development shall take place until a method statement detailing the reasonable avoidance measures to be put in place to avoid and/or minimise any impacts on mammals, reptiles and amphibians during the construction period has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in full accordance with the reasonable avoidance measures identified in the duly approved method statement.

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

17. If the demolition hereby approved does not commence before 30th April 2024, the building will be reassessed for bat roosting potential and the finding supplied to and agreed in writing by the LPA.

## Planning Committee Minutes - 5 April 2023

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

18. Prior to commencement of earthworks a survey of the site and within 30m where feasible for badger setts will occur and the findings supplied to and agreed in writing by the LPA.

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

19. The development hereby approved shall not be brought into use until a Biodiversity Enhancement Plan (BEP) for the development has been submitted to and approved in writing by the Local Planning Authority. The BEP shall be based upon the enhancement measures identified in Section 5 of the Ecological Impact Assessment (ref: BWB, 220741\_EIA revision P01, 17/08/2022) and include the incorporation of the following biodiversity enhancement measures, including details of their number, location and specification, into the development and a timetable for their provision:

- a) The installation of bat boxes.
- b) The installation of bird boxes.
- c) The introduction of native tree planting as part of the soft landscaping scheme required by condition 22 of this permission.
- d) Opportunities for invertebrates.
- e) Hedgehog friendly development.

The duly approved BEP shall thereafter be implemented in full accordance with the details and timetable contained therein.

Reason: To ensure that the development delivers appropriate biodiversity enhancements in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2 and the National Planning Policy Framework.

20. No external lighting shall be installed on the site until a scheme for the installation of any exterior lighting on the buildings and the external areas of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with best industrial practice contained in the Institution of Lighting Professionals and Bat Conservation Trust publication - Guidance Note 08/18: Bats and artificial lighting in the UK, and shall include details of the lighting's:

- i) position and height on the building and/or site;
- ii) spillage, luminance and angle of installation, which shall be designed to avoid light spillage towards those areas/features on the site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory; and

## Planning Committee Minutes - 5 April 2023

iii) any hoods to be fixed to the lights.

All exterior lighting shall thereafter be installed in accordance with the duly approved scheme.

Reason: To ensure that any exterior lighting to be installed at the site does not cause a nuisance to surrounding occupiers or undermine the value and use of retained and enhanced habitats within the site for protected species (specifically bats) as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and ENV2, and the National Planning Policy Framework.

21. No development shall take place until a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837:2012) has been formed around the root protection areas of those trees and hedgerows within and/or overhanging the site which are to be retained and/or newly planted.

The construction exclusion zone shall be present on site for the period of construction works.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are shown to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1 and GD7.

22. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing titled 'Proposed Landscape Plan' (Drawing no. 2978-VL-L01 rev M) shall be carried out during the first planting season that occurs following first use of the foodstore hereby approved.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which shall be submitted to and approved in writing by the local planning authority before first use of the development hereby approved.

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 order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the street scene and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

23. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, none of the buildings hereby approved shall be occupied until a scheme for the construction of all hard surfaced areas of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the layout, design and construction (including sub layers and surfacing materials) of all hard surfaced areas, and a timetable for their provision. The hard surfaced areas shall thereafter be laid out and made available for use in accordance with the duly approved scheme and the timetable contained therein.

## Planning Committee Minutes - 5 April 2023

Reason: To ensure satisfactory treatment of hard surfaced areas and an appropriate standard of engineering works in the interests of visual amenity and the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7.

24. 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) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- b) areas designated for the loading, unloading and storage of plant and materials;
- c) arrangements for the parking of vehicles for site operatives and visitors;
- d) Construction vehicle routing to and from the site;
- e) arrangements for turning of vehicles within the site;
- f) 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;
- g) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- h) measures to control the emission of dust and dirt during the construction period;
- i) measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- j) measures to monitor and control noise and vibration during the construction period, including the management of complaints;

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.

25. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments including the provision of acoustic fencing, to the site shall be erected in accordance with the details (including their siting, height, materials, finish and design) shown on drawing no. Proposed Boundary Treatment Plan - Drawing no. 2978BOL-109 rev L before the development hereby approved is first occupied, and shall be retained as such thereafter.

Reason: To ensure clear demarcation of public and private areas, to achieve adequate levels of privacy between neighbouring dwellings and to ensure that the design of boundary treatments is sympathetic to the character and appearance of the area in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

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

## Planning Committee Minutes - 5 April 2023

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.

27. No development shall commence until a Framework Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

The Framework Travel Plan must include a schedule for the submission of a Full Travel Plan within a suitable timeframe of first occupation, the development being brought into use or other identifiable stage of development, as well as a mechanism for Travel Planning support and monitoring to enable the development to transition from a framework Travel Plan to a full Travel Plan.

Where the Local Planning Authority agrees a timetable for implementation of a Framework or Full Travel Plan, the elements are to be implemented in accordance with the approved timetable unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

Reason: 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.

28. Prior to commencement of any above ground construction of the development hereby approved (excluding any demolition, site clearance or groundworks), a scheme for the construction of the site access points 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) New controlled crossing on Preston Road;
- (ii) Improvement to the eastbound bus stop on Preston Road (immediately south of the application site);
- (iii) Alterations to the Preston Road / Boundary Road junction including turning lanes, cycle lanes;
- (iv) Closure of existing accesses to Preston Road and reinstatement of footway;
- (v) Rationalisation of layby to a footway;
- (vi) Provision of footway on Boundary Road (to remain privately maintained);
- (vii) 2 separate access points from Boundary Road to the food store and storage units.

The approved site access and off site highway works shall be constructed in accordance with the details approved and implemented prior to the first use of any part of the development hereby approved, unless otherwise agreed in writing with the Local Planning Authority.

## Planning Committee Minutes - 5 April 2023

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.

29. The car parking, including electric vehicle charging bays, and manoeuvring areas shall be marked out and surfaced in accordance with the approved plan (Site Plan as Proposed - Drawing no. 2978BOL-105 rev M) before any use of the development hereby approved becomes operational, and permanently maintained as such thereafter.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that adequate off road parking is provided to serve the development in the interests of highway safety, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T4, and the National Planning Policy Framework.

30. The foodstore hereby approved shall only be open to members of the public between the hours of:

08:00 to 23:00 Monday to Saturday.  
10:00 to 17:00 Sunday.

Reason: To limit the potential for noise generation and nuisance arising in order to safeguard the amenity of the occupiers of surrounding properties in accordance with policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

31. There shall be no loading or unloading of vehicles or deliveries at or dispatched from the food store (including waste collections) outside the hours of:

06.00 to 23.00 Monday to Saturday.  
08.00 to 18.00 on Sunday.

Reason: To limit the potential for noise generation and nuisance arising in order to safeguard the amenity of the occupiers of surrounding properties in accordance with policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

32. The engine or any diesel-powered freezer/refrigeration on delivery vehicles on the site shall be turned off while the vehicle is stationary.

Reason: To limit the potential for noise generation and nuisance arising in order to safeguard the amenity of the occupiers of surrounding properties in accordance with policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

33. Any reversing alarms or indicators on delivery or waste collection vehicles on the site should not be heard above background noise at the boundary of any nearby dwellings/residents.

Reason: To limit the potential for noise generation and nuisance arising in order to safeguard the amenity of the occupiers of surrounding properties in accordance with policy GD7 of the Fylde Local Plan to 2032 and the National Planning Policy Framework.

## Planning Committee Minutes - 5 April 2023

34. The rating level of noise from fixed plant on the food store shall not exceed 45db Lar, 1h Between 07.00 and 23.00 hours on any day and 31db Lar, 15m, Between 23.00 and 07.00 hours on any day as measured or calculated at the boundary of any nearby residential dwelling, as determined in accordance with BS4142:2014.

Reason: To limit the potential for noise generation and nuisance arising in order to safeguard the amenity of the occupiers of surrounding properties in accordance with policy GD7 of the Fylde Local Plan to 2032 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. Lead Local Flood Authority informatives:

The applicant will require an environmental permit from the Environment Agency to discharge to the main river. Information on environmental permits is available at:  
<https://www.gov.uk/topic/environmental-management/environmental-permits>

If the intention is to discharge to the highway drainage then the applicant will need to engage with the local highway authority with regards the potential for that to be possible, and the details of how it could be achieved. The lead local flood authority has not made any assessment regarding the potential to discharge to the highway drainage network, directly or indirectly.

The proposed outfall may require a legal agreement with a third party to access and construct the outfall in addition to any permission(s) from flood risk management authorities. Evidence of an in-principle agreement(s) should be submitted to the Local Planning Authority.

3. Protected Species Informative

Whilst the development has been assessed as low risk for protected species (including bats, great crested newts and nesting birds), the applicant is reminded that these species benefit from legal protection under the Habitat Regulations and the Wildlife and Countryside Act 1981 (as amended) and that it is an offence to disturb, harm or kill any protected species that may be encountered while carrying out the development. If any protected species are found during the development all work should cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the protected species in question. Natural England should also be informed as a protected species license may be required.



## Planning Committee Minutes - 5 April 2023

### Item Number 6

|                        |  |                          |                    |
|------------------------|--|--------------------------|--------------------|
| <b>Application No:</b> | 22/0601  | <b>Application Type:</b> | Change of Use      |
| <b>Applicant:</b>      | MR HANLEY  | <b>Agent:</b>            | MR JAKE SALISBURY  |
| <b>Location:</b>       | PRIMROSE BANK CARAVAN PARK SINGLETON ROAD WEETON WITH PREESE PRESTON PR4 3JJ   |                          |                    |
| <b>Proposal:</b>       | CHANGE OF USE OF LAND FOR THE SITING OF 16 STATIC HOLIDAY CARAVANS, INCLUDING 1) CONSTRUCTION OF 16 CONCRETE BASES TO SITE EACH CARAVAN, 2) INTERNAL ACCESS ROAD, 3) PROVISION OF 2 PARKING SPACES FOR EACH CARAVAN, 4) LANDSCAPING. |                          |                    |
| <b>Ward:</b>           | Staining and Weeton  | <b>Parish:</b>           | Weeton with Preese |

### 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- Drawing no. GA3443-LP-01A
- Proposed Site Plan - Drawing no. GA3443-PSP-01B
- Proposed Landscape Plan - Drawing no. GA3443-LNDSCP-01A
- Proposed Static Caravan Elevations type A - Drawing no. GA3443-PPE-01A
- Proposed Static Caravan Elevations type B - Drawing no. GA3443-PPE-01B

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

Reason: 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 accordance with Policies GD4 and EC7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

## Planning Committee Minutes - 5 April 2023

4. The extended caravan site hereby approved shall have no more than 16 caravans on site and shall be laid out in full accordance with that indicated on drawing no. GA3443-PSP-O1B as listed in condition no. 2 of this decision.

Reason: To define the permission and layout of the site in the interests of clarity and the character and visual amenity of the area. In accordance with Policies GD4, GD7, ENV1 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

5. 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.

Reason: 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 accordance with Policies GD4 and EC7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

6. Prior to the first use of any of the pitches hereby approved for the siting of a caravan for holiday purposes a 'Management Plan' for the management of site shall be submitted to the Local Planning Authority and agreed in writing. The management plan shall set out details of how and from where the site will be managed, the time periods the 'manager' is available, security arrangements for the site, locations for the display on site and availability of contact details out of hours for the Manager, procedures to be followed in the event of an emergency on site, etc. Thereafter the agreed plan shall be implemented throughout the operation of the site for the holiday purposes hereby approved.

Reason: To ensure adequate supervision and security arrangements are available for the safe and secure operation of the site in accordance with Policies GD7 and EC7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework

7. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing GA3443-LNDSCP-01A] shall be carried out no later than during the first planting season that occurs following the first occupation of any pitch within the extended site area hereby approved.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the local planning authority before any of the pitches are first occupied. 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 order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the rural area and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032

## Planning Committee Minutes - 5 April 2023

(incorporating Partial Review) policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

8. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, none of the caravans hereby approved shall be occupied until a scheme for the construction of all hard surfaced areas of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the layout, design and construction (including sub layers and surfacing materials) of all hard surfaced areas, and a timetable for their provision. The hard surfaced areas shall thereafter be laid out and made available for use in accordance with the duly approved scheme and the timetable contained therein.

Reason: To ensure satisfactory treatment of hard surfaced areas and an appropriate standard of engineering works in the interests of visual amenity and the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7.

9. Prior to the first use of any of the pitches hereby approved the existing access point leading directly from the site to Singleton Road shall be physically and permanently closed with the existing verge and kerbing of the vehicular crossing reinstated. This access shall thereafter remain closed so that the only means of access to the extended site is through the existing access point that serves the Primrose Bank site.

Reasons: To limit the number of access points to the highway and to maintain the proper construction of the highway in the interests of highway safety and the visual amenity of the area in accordance with the requirements of Policy ENV1 and Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review)

10. Prior to the first occupation of any pitch hereby approved a scheme for the number, layout, design and construction (including surface treatment) of its associated parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. The parking and manoeuvring areas shall be constructed in accordance with the duly approved scheme before each associated dwelling is first occupied, and shall be retained as such thereafter for the parking and manoeuvring of vehicles.

Reason: In order that there is adequate provision for vehicles to be parked clear of the access road in the interests of the proper operation of the site and to ensure appropriate surface treatment of parking areas in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies T5 and GD7, and the National Planning Policy Framework.

11. No development, ground works or vegetation clearance shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- a) Appropriate noise control measures during the construction phase
- b) Details of lighting to be used during the construction phase
- c) Details of how lighting will be designed to limit light pollution on the nearby functionally-linked land

## Planning Committee Minutes - 5 April 2023

The duly approved CEMP 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 nearby internationally and nationally designated sites as required by Policy ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review)

12. Prior to the first use of any of the pitches hereby approved for the siting of a static caravan a schedule of Ecological Enhancement Measures shall be submitted to and agreed in writing by the local planning authority. These works shall include the following and a phasing scheme for their implementation:

- a) The use of native species appropriate to the local area to enhance and replace where required the boundary planting to the site
- b) The enhancement of connective habitats through planting of new hedgerow and/ or treelines along the site boundary and appropriate locations between pitches
- c) The establishment of nectar and pollen rich plants and fruit and nut producing species within formal planting schemes,
- d) The location and design of features to support the roosting bats and nesting birds on retained trees around the site,
- e) The creation of log/ brash piles and compost heaps along the site boundary to provide opportunities for amphibians and invertebrates.

The approved details shall be established in accordance with those details and the approved phasing.

Reasons: To ensure that the development brings forward an enhancement of the biodiversity opportunities on the site in accordance with the requirements of Policy ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework

13. 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 the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework

14. Before any of the pitches at the extended area hereby approved are first occupied, details of the siting, size, height, materials and design of any of the following structures that may be required to

## Planning Committee Minutes - 5 April 2023

support the proper operation of the extended site area shall be submitted to and approved in writing by the Local Planning Authority:

cycle shelter / store  
waste/bin storage area  
general store facilities for any pitch  
storage compound

The structures and enclosures shall thereafter be constructed and made available for use in accordance with the duly approved details before the pitches are first occupied, and shall be retained as such thereafter.

Reason: For the avoidance of doubt and as no such details have been submitted as part of the application, to ensure the provision of appropriate facilities for future occupiers of the development and to ensure an appropriate appearance for ancillary structures to be erected as part 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.

15. Prior to the first use of any of the pitches hereby approved for the siting of a static caravan details for the management of surface water and the disposal of foul sewage shall be submitted to and approved in writing by the Local Planning Authority with these confirming that foul and surface water is to be drained on separate systems. The drainage information shall include:

- a) 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;
- b) 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); and
- c) A timetable for its implementation.

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

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of pollution to the nearby Morecambe Bay & Duddon Estuary Special Protection Area (SPA), Morecambe Bay Ramsar Site and the Wyre Estuary Site of Special Scientific Interest (SSSI) and in accordance with Policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the aims of the National Planning Policy Framework.

16. None of the static caravans hereby approved shall be used for holiday accommodation until a scheme for the distribution of information packs to inform visitors of the following has been submitted to and approved in writing by the Local Planning Authority.

The leaflets should comprise, but are not limited to;

- Introduction section, setting out the issue and providing a contents page of included documents.
- Description of the designated sites and their features, this should include a map explaining the boundaries of designated sites.

## Planning Committee Minutes - 5 April 2023

- An explanation of the sensitivities of features to recreational disturbance and key sensitive times for the features of the designated sites.
- 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).
- Suggestions of alternative recreational sites (i.e. parks, walking or cycling routes).
- Code of conduct (i.e. not disturbing flocks of feeding / roosting birds, suggested distances to keep from birds).
- Suggested areas for responsible bird watching and opportunities for people to get involved in the local natural environment (i.e. volunteering opportunities).

The submitted scheme shall include a copy of the information pack and details of when, how and to whom these will be distributed (including provisions for future visitors). The information packs shall be distributed in accordance with the duly approved scheme, and shall thereafter be made available for all future visitors to the development.

Reason: To ensure that future visitors of the development are made aware of the importance and their potential to affect the integrity of nearby designated nature conservation sites – specifically the Morecambe Bay and Duddon Estuary Special Protection Area and the Ribble and Alt Estuaries Special Protection Area – through added recreational disturbance and to ensure appropriate measures are introduced to educate future visitors as to how to avoid disturbance to bird species for which those nature conservation sites have been designated in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, the National Planning Policy Framework and the Conservation of Habitats and Species Regulations 2017 (as amended).

### 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. Habitat Regulation Assessment Adoption Note

In issuing this decision the local planning authority has had regard to the document titled "Habitat Regulations Assessment" prepared by 'ERAP Consultant Ecologists' (document reference '2022-361') and the comments from Natural England in their letter dated 28.02.23 confirming that they are in agreement with the conclusions in the Habitat Regulations Assessment that, with appropriate mitigation in place (as secured by conditions 3 and 4 of this permission) 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.

## Planning Committee Minutes - 5 April 2023

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. Caravan Site Licence Informative

The site owner or agent is to make application to the Licensing Department of Fylde Borough Council to either vary the current site licence to reflect the increase in the number of pitches onsite as per the Caravan Sites and Control of Development Act 1960 and to confirm details of the proposed occupants of the new plots. Information on how to make an application can be found via the council's website.

The applicant is advised that the grant of this planning permission does not override any standards for any site license conditions such as 'The model standards 1989 for Holiday Caravan sites'. The applicant is advised to check that the implementation of the development would not contravene any such standards before any works take place.