

REPORT TO 30 MARCH 2022 PLANNING COMMITTEE – ITEM 1

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| Application No: | 20/0363 | Case Officer: | Alan Pinder Area Team 2 |
| Applicant: | Mr Rigby | Agent: | Mr Henderson |
| Location: | BONDS OF ELSWICK, BONDS LANE, ELSWICK, PRESTON, PR4 3ZE | | |
| Proposal: | DEMOLITION OF EXISTING RESTAURANT AND ERECTION OF 8 DWELLINGS | | |
| Ward: | Elswick and Little Eccleston | Parish: | Elswick |
| Statutory Expiry: | 7 September 2020 | Earliest Decision: | 30 October 2020 |
| Reason for any delay: | Awaiting amended or additional details from applicant/agent | | To view application file on FBC website click here |

Summary of Officer Recommendation

The application relates to site of the Bonds Ice Cream premises on Bonds Lane in the settlement of Elswick. The premises have lain vacant since 2019 and this application seeks to re-develop the site by demolishing the existing building and constructing 8 No. detached dwellings on the footprint of the former building and associated customer parking area, each with an access from Bonds Lane.

The site is located within the settlement area and is not designated for employment purpose in the Local Plan. It is predominantly surrounded by residential properties, and so the principle of a residential redevelopment is acceptable and makes use of a vacant site to help contribute towards the housing supply needs of the borough.

The dwellings are of an appropriate scale and design for the site and the surrounding area. The access is direct to Bonds Lane with the highway arrangements improved through the provision of a table junction at the Beech Road/Ash Road/Bonds Lane junction.

There are no areas of detail that are unresolved and so the development is considered to be a beneficial and suitably efficient reuse of this previously developed settlement site. It is in accordance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the provisions of the NPPF and so is recommended for approval subject to a series of standard conditions.

Reason for Decision Level

The Parish Council resolved not to object to the proposed development provided that concerns raised were resolved prior to determination. Of these concerns one in particular related to the provision of a footpath, as requested by LCC Highways. The application is being presented to Planning Committee as the officer's recommendation for approval does not require the formation of a footpath and so is at variance with the stated views of Elswick Parish Council on this point.

Site Description and Location

The application site is the Bonds of Elswick premises, located on the northern side of Bonds Lane in the settlement boundary of Elswick. This site is of a rectangular shape orientated in an east/west direction. It comprises of various buildings to the western end with the car park taking up the remainder of the site. The site has hedgerow along its Bonds Lane frontage, and sporadic self-seeded trees along its north and east boundaries.

Surrounding the site there are neighbouring residential properties which are located on the south side of Bonds Lane, on Highbury Gate and on Copp Lane. The site is at the eastern end of the settlement boundary with open countryside further east.

Details of Proposal

This application seeks full planning permission for the demolition of the existing 'Bonds' premises and redevelopment of the site with the construction of eight detached two storey, three bedroom dwellings on the site. The dwellings would be laid out in a linear fashion with a consistent building line and frontages facing onto Bonds Lane. Each dwelling would have two off-street parking spaces and a side attached single garage. The site would be bisected by an access road to enable continued access to an existing electricity substation at the rear of the site.

All eight dwellings would have front facing two storey feature gables (four having a render finish and four being brick faced). All other elevations would be faced with red brick and the roof coverings would be concrete tile. Windows and doors would be Anthracite upvc.

The submitted proposed site plan indicates hedgerow sections are to be reinstated across the frontage of each plot

Relevant Planning/Appeal History

| App No. | Description | Decision | Date |
|---------|---|----------|------------------|
| 15/0349 | OUTLINE APPLICATION FOR ERECTION OF 8 DWELLINGS FOLLOWING DEMOLITION OF EXISTING BUILDINGS (ALL MATTERS RESERVED) | Granted | 12 February 2016 |

Parish/Town Council Observations

| Parish/Town Council | Observations |
|------------------------|---|
| Elswick Parish Council | <p><u>Comments of 18 October 2020</u></p> <p><i>No objection, but the following concerns have been raised:</i></p> <ul style="list-style-type: none">• <i>Bonds Lane is narrow with no footpath and no passing places</i>• <i>The road surface of Bonds Lane is suffering erosion, which would be exacerbated by the proposed development</i>• <i>The development would generate additional traffic that will add to the pressure on the existing infrastructure</i>• <i>Both air and ground pollution would be increased by the development</i> |

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| | <ul style="list-style-type: none"> • <i>Local properties suffer from flooding as ditches, dykes, and roadside drains are not being cleared on a regular basis</i> • <i>The development would create parking problems within the vicinity of the site as there is no parking for visitors or deliveries</i> • <i>The dwellings are too close to the road and there is insufficient space for cars to manoeuvre in and out of the properties</i> <p><u>Further Clarification</u> Officers sought clarification on the Parish Council's position and in a follow up comment, dated 16 February 2021, the Parish Council confirmed that no objection would be forthcoming provided the concerns raised are adequately resolved prior to any permission being granted.</p> |
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Statutory Consultees and Observations of Other Interested Parties

| Consultee | Comments |
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| LCC – Local Highway Authority | <p>The proposal is acceptable in principle, subject to the following:</p> <ul style="list-style-type: none"> • The internal dimensions of the proposed attached garages to be increased to accord with the minimum required by county parking standards • A 2 metre wide footway to be provided on Bonds Lane across the frontage of the development to provide a safe haven and access for pedestrians • Provision of a table junction at Beech Road/Ash Road/Bonds Lane to reduce speed of vehicles as an additional measure to ensure safety of pedestrians <p>Should the footway and table junction not form part of the development then Highways object to the proposal.</p> |
| Greater Manchester Ecology Unit | No significant ecological issues were identified by the developer's ecological consultant. Issues relating to bats, nesting birds and biodiversity enhancement measures can be resolved via condition and or informative |
| Regeneration Team (Trees) | The tree officer explains that he has reviewed the trees on site and concludes that <i>most of the trees have underlying issues and are unmaintained self-seeded species</i> . He recognises that the development is likely to impact negatively on these, but as a consequence of their condition this is not a matter that he raises an objection over. He does have some concerns that better specimens around the site could be damaged during construction and so it is important that these are given due protection at that stage. Later verbal comments from the Tree Officer clarified that his concern relates to the Sycamore Tree (T1) on the corner of No.1 Ash Road and that high sided vehicles used during the demolition and construction phases may damage this tree. |
| United Utilities | <i>Following our review of the submitted Flood Risk Assessment / Drainage Strategy (Ref: EAD_074_10, dated Feb 20) we can confirm the proposals are</i> |

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| | <i>unacceptable in principle to United Utilities. This is because we do not believe the surface water hierarchy has been followed. According to our records (indicative only) there is a dedicated surface water sewer located to the South West side of the site, which we would expect to be fully explored if infiltration is not feasible.</i> |
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Neighbour Observations

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| Neighbours notified: | 15 July 2020 |
| Amended plans notified: | N/A |
| Site Notice Date: | 15 July 2020 |
| Press Notice Date: | N/A |
| Number of Responses | Total number of comments 2 Total Number Objecting 2 Total Number supporting 0 |
| Summary of Comments | The comments received raise the following matters in objection to the development: <ul style="list-style-type: none"> • Bonds Lane is too narrow and cars parked on the proposed front driveways might obstruct passing traffic (including farm vehicles) • The construction of the dwellings would potentially cause a noise nuisance, block Bonds Lane for other vehicular traffic, and cause general disruption to residents • How is asbestos to be removed from site? • Potential damage to Highbury Gate rear boundary fences during construction |

Relevant Planning Policy & Government Guidance

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development proposals are determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is reinforced in paragraph 2 of the National Planning Policy Framework.

The Fylde Local Plan to 2032 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory, adopted development plan for the Borough. The Council submitted a Partial Review of the FLP to the Secretary of State for Examination on 21 October 2020. The Partial Review does not delete or add new policies to the FLP and is, instead, concerned principally with matters relating to re-calculating housing need and amending the wording of policies within the FLP to bring these in alignment with the 2021 version of the National Planning Policy Framework.

The Inspector's report on the examination of the Partial Review of the FLP was received on 21 October 2021 and confirms that plan is sound. Following the conclusion of the Partial Review, the Council formally adopted the Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004. Therefore, the FLPPR should guide decision taking for the purposes of paragraph 38 (6) of the Planning and

Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

Fylde Local Plan to 2032 (incorporating Partial Review):

GD1 - Settlement Boundaries
GD7 - Achieving Good Design in Development
GD8 - Demonstrating Viability
H2 - Density and Mix of New Residential Development
ENV2 - Biodiversity
S1 - The Proposed Settlement Hierarchy
DLF1 - Development Locations for Fylde
H1 - Housing Delivery and the Allocation of Housing Land
T5 - Parking Standards - Distance:
CL2 - Surface Water Run-Off and Sustainable Drainage
HW2 - Community Facilities
CL1 - Flood Alleviation, Water Quality and Water Efficiency

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Comment and Analysis

Policy context and main issues:

As outlined in paragraphs 10 and 11 of the NPPF, at the heart of the Framework is a presumption in favour of sustainable development. In terms of decision taking, subparagraphs c) and d) of paragraph 11 indicate that this means:

c) approving development proposals that accord with an up-to-date development plan without delay;
or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Given the site's allocation in the local plan, its planning history and the comments received in public representations and from statutory consultees, the main issues for consideration in the application relate to:

- The principle of residential development on the site.
- The scheme's effects on the character and appearance of the area.
- The development's impact on the amenity of surrounding occupiers.
- The scheme's effects on highway safety.
- Other relevant matters material to the decision

The Principle of the Development

The site falls within the settlement boundary of Elswick and comprises “previously developed land” for the purposes of the definition in Annex 2 of the NPPF. Policy S1 of the Fylde Local Plan to 2032 (incorporating Partial Review, and hereafter referred to as FLPPR) identifies Elswick as a "Tier 2: Smaller Rural Settlement". Policies S1 and GD1 of the FLPPR are permissive of schemes for residential development on sites within smaller rural settlements when it is consistent with other policies of the FLPPR.

The proposed development would result in the loss of a retail ice cream kiosk and associated restaurant/cafe. As such policy GD8 of the FLPPR is arguably relevant in assessing the principle of development. GD8 seeks to retain existing commercial/industrial uses unless it can be demonstrated that marketing of the property indicates there is no demand for the property in its existing use. In considering commercial/industrial uses policy GD8 specifically refers to uses that fall within the former Use Classes B1, B2 or B8 of the Town and Country Planning (Use Classes) Order 1987. The current lawful use of the site as an ice cream kiosk and restaurant/cafe falls within former Use Classes A1 and A3 of that same order. These uses are not specifically referred to in GD8 and so it is questionable whether policy GD8 is applicable to this proposal.

Alternatively, policy HW2 of the FLPPR may be relevant to the assessment of the principle of the development. HW2 seeks to resist the loss of community facilities unless it can be demonstrated that the continued operation of the facility is no longer viable. HW2 does not refer to restaurants/cafes as a recognised community facility but rather applies a broad approach, referring to community facilities as those that “...provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community”.

It is questionable whether the ice cream kiosk and restaurant/cafe uses readily fall within any of these broad categories. Historically the site has primarily served visitors to, and passing through, the area with the comparable needs of the local community better served by two public houses within Elswick one of which is located less than 100 metres from the application site. Thus the loss of the restaurant use at the application site would not result in an unduly limited level of comparable community facilities within Elswick to an extent that would restrict day-to-day living. Furthermore, restaurant uses are not explicitly identified as likely to represent a community facility in paragraph 93 of the NPPF, which seeks to safeguard the social, recreational and cultural facilities and services that serve the needs of a community.

Notwithstanding whether the proposal falls for consideration under policies GD8 and/or HW2, the applicant has submitted a Marketing Report (MR) produced by a commercial properties estate agent ('Duxburys Commercial') in support of the application. The MR details that the premises previous tenant vacated the premises in late 2019 and that full, pro-active and open marketing of the premises for a new occupier began on 4th January 2020. At the time of submitting the initial MR (09 November 2020) the premises had been marketed for a period of 10 months by listings on the 'Rightmove Commercial', 'Zoopla Commercial' and 'Duxburys Commercial' web sites, via direct mailing to 125 third parties of potential interest, and the display of a 'To Let' board on the premises. In that 10 month period there were five separate viewings that resulted in one expression of interest from a restaurateur based in Wales who later withdrew their interest.

Having regard for the submitted marketing report, together with the marginal applicability of policies GD8 and HW2 to the proposal, is the considered opinion that the overall principle of the development is acceptable and accords with both local and national planning policies.

Character & Appearance

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a – p). Paragraph 130 of the NPPF sets out six general principles of good design (a – f) and paragraph 133 indicates that local planning authorities should make use of “tools and processes for assessing and improving the design of development [including] assessment frameworks such as Building for Life”.

The application site is bordered to both sides, the rear, and to the front by dwellings that are predominantly detached, two storeys in height, and set out in a linear form. The density and linear layout of the proposed dwellings reflects this established pattern of surrounding development, and in particular the linear form on the southern side of Bonds Lane.

Existing dwellings along Bonds Lane are all of conventional appearance, having no particular architectural or historical merit. The dwellings along Highbury Gate (which borders the site to the rear) are less than 20 years old and of modern design. All dwellings are predominantly finished in facing red brick, although dwellings to each side of the site have rendered elevations. The scale, design, and appearance of the proposed dwellings are considered appropriate and acceptable within this established vernacular of surrounding development. Accordingly the proposed dwellings are considered appropriate within this setting and to accord with the design criteria set out in policy GD7 of the FLPPR and with para 130 of the NPPF.

Residential Amenity

FLP policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion o) states that “all new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor layout, poor or lacking outlook or inconvenient arrangements for waste, access or cycle storage. Developments should include adequate outside amenity space for the needs of residents.” Furthermore, paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

Existing dwellings potentially affected by the development include those on Highbury Gate, and which back on to the application site, No.1 Bonds Lane to the north east of the site, Copp Villa which adjoins the site to the west, and No’s 4 to 14 Bonds Lane which are opposite the application site on the south side of Bonds Lane. Looking at the potential impact on these in turn:

Highbury Gate

The south side of Highbury Gate is formed by five detached dwellings set out in a staggered orientation and building line. Of these the rear elevations of No’s 2, 3, 4 and 5 would face towards the application site. The main rear elevations of No’s 2, 3 and 4 are all set greater than 12 metres from the shared boundary with the proposed development, and the rear elevations of the proposed dwellings are all set a minimum of 10 metres from the same shared boundary. Consequently the separation distance to the shared boundary and the back-to-back first floor separation between Highbury Gate and the proposed dwellings would be in excess of 22 metres. Both distances accord with the guiding principles for separation between dwellings and shared boundaries, and thus the amenity of No’s 2, 3 and 4, and of the proposed dwellings, would not be unduly prejudiced by way of overlooking or overshadowing.

No.5 Highbury Gate differs to No’s 2, 3 and 4 in that its separation to the shared boundary is 8.5 metres, and thus the back-to-back first floor separation of this dwelling relative to the proposed dwellings is *circa* 18.5 metres. These distances fall below those generally considered acceptable, however the orientation of No.5 is such that its first floor windows are at an oblique angle relative to

the shared boundary and away from the proposed development. This angled orientation is considered sufficient to overcome the slight reduction in boundary and back-to-back separation distances and ensure No.5's amenity is not unduly compromised.

No.1 Bonds Lane

This is a detached two storey dwelling sited adjacent to the eastern boundary of the application site with its blank side elevation facing towards the side elevation of the proposed dwelling in the far eastern plot (plot 8) of the development site. The plot 8 dwelling would have a single window at first floor in the side elevation facing No.1, however this window is to serve an 'en-suite' and so can be conditioned to be obscurely glazed and non-opening. Furthermore the separation between these two side elevations would be *circa* 16 metres and sufficient to ensure that the amenity of No.1 is not compromised by way of overshadowing or dominating overbearingness.

Copp Villa

This dwelling is within the same ownership as the application site and includes a ground floor retail premises operating as 'Delivered Desserts' (currently vacant). The side of this Copp Villa features two obscurely glazed windows at first floor that would be *circa* 8.5 metres distant from the side elevation of the proposed plot 1 dwelling. The plot 1 dwelling would have a single window at first floor in the side elevation facing Copp Villa, however this window would serve an 'en-suite' and so can be conditioned to be obscurely glazed and non-opening to mitigate against any potential overlooking.

No's 4 to 14 Bonds Lane

These comprise six detached dwellings located on the southern side of Bonds Lane, opposite the application site. These opposing dwellings have a slight oblique relationship to the proposed dwellings and separation distances of between 18 and 22 metres. The 18 metre separation would be to No's 8 and 10 Bonds Lane, the front boundaries of which are both populated by a tall line of trees. The resulting spatial relationship of the proposed dwellings with those on the opposite side of Bonds Lane is one that is considered, on balance, not to result in undue overlooking or overshadowing.

Having regard for the above spatial relationships of the proposal with neighbouring dwellings it is considered the proposal accords with criteria c) and o) of policy GD7 of the FLP and with para 130 of the NPPF.

Access & Parking

Criterion r) of policy GD7 requires development to "*...not prejudice highway safety, pedestrian safety, and the efficient and convenient movement of all highway users...*" and "*...should not reduce the number of on-site parking spaces available, unless there are other material considerations which justify the reduction*". Policy T5 of the FLP requires car parking to be provided on site wherever possible and in a manner that ensures there is no detriment to highway safety.

Bonds Lane is a narrow road that reaches a dead end at its eastern point, has no footpath on either side, and is adopted and maintained by Lancashire County Council. LCC Highways have been consulted on the application and have requested:

- The internal dimensions of the attached garages to be increased to accord with county standards
- The provision of a 2 metre wide footway on Bonds Lane across the frontage of the development site to provide a safe haven and access for pedestrians
- The provision of a table junction at Beech Road/Ash Road/Bonds Lane to reduce speed of vehicles as an additional measure to ensure safety of pedestrians

Highways opine that the development would be unacceptable in the event of the footway and table junction not being provided.

The proposal is for 8 No. three bedroomed dwellings, with two off-road parking spaces to the front and a single attached garage to a side elevation. The parking standards that are applicable from the Joint Lancashire Structure Plan suggest that three bedroomed dwellings should have provision for the off road parking of two vehicles. In this instance this required standard is met by the two parking spaces to the front of each property. Accordingly the request to increase the dimensions of the garages is not an overriding concern as this space is not required to meet the parking needs of the dwellings.

Bonds Lane is a narrow road, measuring between 3 metres and 3.5 metres across the greater part of the site frontage, and has no footways on either side. The lane extends approximately 600 metres, from its junction with Ash Road at its western end, to 'Bonds Hall Farm' and Elswick Equestrian Centre at its eastern end, at which point a 'Byway Open to All Traffic' (BOAT) links it to Mill Lane to the south. LCC Highways opine that the vehicular traffic resulting from the proposed 8 No. dwellings, together with additional pedestrian and cycle traffic along Bonds Lane that will result from the residential development of land south of No.1 Bonds Lane (50 dwellings - ref. 16/0180), is such that a 2 metre wide footway is required to provide safe segregation of pedestrians from vehicular traffic (e.g. residents, agricultural vehicles, horse boxes and trailers, etc.) that use Bonds Lane for access. The provision of a table junction at the Beech Road/Ash Road/Bonds Lane junction would provide an additional pedestrian safety measure by slowing down vehicles entering and exiting Bonds Lane.

With regard to the requested 2 metre wide footpath across the site frontage it is acknowledged that this would provide benefits for safe pedestrian access along this short stretch of Bonds Lane. However, its provision would potentially cause further, unacceptable narrowing of Bonds Lane, require removal of proposed roadside hedging and require siting the proposed dwellings further back into the site, which would result in an unacceptable development due to the knock on effect of introducing unacceptable amenity impacts on residents of Highbury Gate. As such it is considered that the benefits of providing a footway would not outweigh the harm to visual and residential amenity that would inevitably result.

With regard to the junction table at the western end of Bonds Lane, whilst the proposed development may result in a reduced number of vehicle movements to and from the site due to the loss of the car park, this reduction has the potential to result in an increase vehicle speeds along Bonds Lane due to the absence of oncoming traffic that might otherwise require greater driver care. Given the likely increase in pedestrian movement along Bonds Lane (arising from 16/0180), and the impracticality of providing a footpath across the site frontage, it is considered that the junction table would provide road safety benefits to pedestrians and cyclists using Bonds Lane by slowing traffic entering and exiting the western end of Bonds Lane. A condition requiring its provision is therefore recommended.

Having regard for the above it is considered, on balance, that the scheme makes adequate provision for vehicular access and parking in accordance with the objectives of policies GD7 and T5, and paragraph 107 of the NPPF.

Other Matters

Flooding and drainage

The application has been submitted with a drainage strategy which has generated an objection from United Utilities (UU) as it fails to follow the surface water hierarchy. UU records indicate there is a dedicated surface water sewer located to the south west side of the site and UU expect this option to be fully explored if infiltration is not feasible. To that end UU have recommended any permission to be

conditioned to require an alternative surface water drainage scheme to be submitted following the investigation of the hierarchy of drainage options.

Arboriculture and ecology

The application has been submitted with an ecological survey. The council's ecological consultant confirm that no significant ecological constraints were identified and that issues relating to bats, nesting birds and landscaping can be resolved via condition.

The application is also accompanied by an Arboricultural Impact Assessment (AIA) that identifies several trees, and a section of hedgerow, that are to be removed from within the site. The council's tree officer has raised no objection to the loss of these tree, agreeing with the findings of the AIA that most of the trees have underlying issues and are unmaintained self-seeded species. However he has raised a concern that a Sycamore tree (identified as T1 in the submitted AIA) located outside the red edge boundary, on the corner of No.1 Ash Road and which overhangs Bonds Lane, could potentially be damaged by high sided vehicles during the demolition and construction phases of the proposed development. This can be addressed by the imposition of a condition requiring the submission of a Construction Method Statement, to include proposed measures to ensure delivery vehicles do not cause damage to this tree.

Conclusion

The application relates to site of the Bonds Ice Cream premises on Bonds Lane in the settlement of Elswick. The premises have lain vacant since 2019 and this application seeks to re-develop the site by demolishing the existing building and constructing 8 No. detached dwellings on the footprint of the former building and associated customer parking area, each with an access from Bonds Lane.

The site is located within the settlement area and is not designated for employment purpose in the Local Plan. it is predominantly surrounded by residential properties, and so the principle of a residential redevelopment is acceptable and makes use of a vacant site to help contribute towards the housing supply needs of the borough.

The dwellings are of an appropriate scale and design for the site and the surrounding area. The access is direct to Bonds Lane with the highway arrangements improved through the provision of a table junction at the Beech Road/Ash Road/Bonds Lane junction.

There are no areas of detail that are unresolved and so the development is considered to be a beneficial and suitably efficient reuse of this previously developed settlement site. It is in accordance with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review) and the provisions of the NPPF and so is recommended for approval subject to a series of standard conditions.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development must be begun not later than the expiration of three years 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. EAD_074_01
- Proposed Site Plan - Drawing no. EAD_074_05 Rev S2
- Proposed Plans & Elevations House Type 1 (plots 1 and 5) - Drawing no. EAD_074_06 Rev S2
- Proposed Plans & Elevations House Type 2 (plots 2 and 6) - Drawing no. EAD_074_07 Rev S2
- Proposed Plans & Elevations House Type 3 (plots 3 and 7) - Drawing no. EAD_074_08 Rev S2
- Proposed Plans & Elevations House Type 4 (plots 4 and 8) - Drawing no. EAD_074_09 Rev S2

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.

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

4. No above ground works of development shall take place until details of the finished floor levels for each dwelling and the ground levels for the external areas of the site, above ordnance datum, have been 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 new dwellings 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 policy GD7 and the National Planning Policy Framework.

5. No above ground works of development shall take place until a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- a) separate systems for the disposal of foul and surface water;
- b) an investigation of surface water drainage options which follow the hierarchy set out in the Planning Practice Guidance, including evidence of an assessment of ground conditions and the potential for surface water to be disposed of through infiltration;
- c) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (including an appropriate allowance for climate change);

- d) details of any necessary flow attenuation measures, including the use of SUDS where appropriate;
- e) a timetable for implementation, including details of any phased delivery; and
- f) details of how the drainage system will be maintained and managed after completion.

The duly approved scheme shall be implemented before any of the dwellings hereby approved are first occupied, and shall be managed and maintained as such thereafter.

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 the requirements of Fylde Local Plan to 2032 policies CL1 and CL2 and the National Planning Policy Framework.

6. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before any of the dwellings hereby approved are first occupied a soft landscaping scheme for the development shall be 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 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

7. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, none of the dwellings 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 policy GD7.

8. The development shall be carried out in strict accordance with the tree and hedgerow protection measures detailed in section 4 of the Arboricultural Impact Assessment prepared by Karen O'Shea of 'Urban Green' (dated March 2020). The identified tree and hedgerow protection measures shall be implemented before any development takes place and maintained as such thereafter for the entirety of the construction period.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 policy GD7

9. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:

- a) hours of work for site preparation, delivery of materials and construction;
- b) arrangements for the parking of vehicles for site operatives, contractors and other visitors;
- c) details of areas designated for the loading, unloading and storage of plant and materials;
- d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
- e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- 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 construction;
- i) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

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

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

10. No clearance of any vegetation and/or demolition of buildings (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 and/or buildings to be cleared do 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 and/or buildings 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 policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

11. No above ground works of development shall take place until a scheme for the siting, layout, design and construction of the following highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- a) The provision of a junction table at the junction of Beech Road, Ash Road, and Bonds Lane.

The highway improvement works shall be implemented in full accordance with the details in the duly approved scheme and before any of the dwellings hereby approved are first occupied, or

within any other timescale that has first been agreed in writing with the Local Planning Authority.

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 policies GD7 and T4, 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.

