

Agenda



Development Management Committee

Date:

Wednesday, 26 February 2014 at 10:00 am

Venue:

Town Hall, St Annes

Committee members:

Councillor Ben Aitken (Chairman)
Councillor Kevin Eastham (Vice-Chairman)

Councillors Tim Armit, Fabian Craig-Wilson, Maxine Chew, Peter Collins, Charlie Duffy, Dr Trevor Fiddler, Peter Hardy, Kiran Mulholland, Barbara Nash, Linda Nulty, Albert Pounder, Richard Redcliffe, Heather Speak, Vivienne M Willder

Item		Page
1	Declarations of Interest: Any member needing advice on Declarations of Interest should contact the Monitoring Officer before the meeting.	1
2	Confirmation of Minutes: To confirm the minutes of the meetings held on 22 January 2014 as a correct record (as previously circulated).	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24.	1
4	Development Management Matters	As Numbered
5	List of Appeals Decided (For Information Only)	105 - 110
6	Substitute Members at Development Management Committee	110 - 112

Contact: Lyndsey Lacey - Telephone: (01253) 658504 - Email: lyndseyl@fylde.gov.uk

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Development Management Committee Index

26 February 2014

Item No:	Application No:	Location/Proposal	Recomm.	Page No.
1	13/0387	EASTDALE, BRYNING LANE, NEWTON WITH CLIFTON, PRESTON, PR4 3RL PROPOSED DORMERS TO FRONT AND ROOF OVER EXISTING DORMER TO REAR. PROPOSED TWO STOREY EXTENSION TO SIDE AND REAR, AND FORMATION OF ROOF OVER EXISTING GARAGE TO SIDE WHICH IS TO BE CONVERTED TO A HABITABLE ROOM.	Grant	5
2	13/0433	NINE ACRES NURSERY, HARBOUR LANE, BRYNING WITH WARTON, PRESTON, PR4 1YB PROPOSED ERECTION OF 13 DETACHED DWELLINGS	Grant	10
3	13/0590	LAND AT KINGS CLOSE, STAINING OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 30 DWELLINGS. (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Delegated to Approve	24
4	13/0673	HASTINGS POINT DEVELOPMENT SITE, BEECHWOOD CLOSE, LYTHAM ST ANNES PROPOSED ERECTION OF TWO DETACHED HOUSES IN LIEU OF BLOCK OF TEN APARTMENTS APPROVED AS PLOTS 25-34 INCLUSIVE UNDER PLANNING PERMISSION 11/0803	Delegated to Approve	54
5	13/0743	KIRKWOOD, CHURCH ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SH APPLICATION FOR VARIATION OF CONDITION 1 RELATING TO APPROVED PLANS AND OF CONDITION 3 RELATING TO USE OF OUTBUILDING ASSOCIATED WITH PLANNING PERMISSION 04/0807 TO ALLOW OUTBUILDING TO PROVIDE A RESIDENTIAL ANNEXE	Grant	62
6	13/0786	FORMER GEC MARCONI SITE, MILL LANE, BRYNING WITH WARTON APPLICATION FOR RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR ERECTION OF 258 DWELLINGS AND ASSOCIATED ACCESS ROADS, PEDESTRIAN/CYCLE LINK TO MILL LANE, OPEN SPACE AND LANDSCAPING PURSUANT TO OUTLINE	Grant	68

PLANNING PERMISSION 12/0550

7	13/0798	THE COACH HOUSE, CHURCH ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SH PROPOSED TWO STOREY EXTENSION TO SIDE AND ERECTION OF PORCH TO FRONT	Grant	81
8	14/0089	ROSACRE WOOD, LAND AT ROSEACRE HALL FARM, ROSEACRE ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3UE CONSULTATION ON SCOPING OPINION FOR ENVIRONMENTAL STATEMENT TO ACCOMPANY APPLICATION FOR CONSTRUCTION OF A WELL PAD, DRILLING AND HYDRAULIC FRACTURING OF FOUR EXPLORATORY BOREHOLES, TESTING PROCEDURES AND RESTORATION OF SITE	No Comment	87
9	14/0090	LAND NORTH OF PRESTON NEW ROAD, PART OF PLUMPTON HALL FARM, PRESTON NEW ROAD, WESTBY WITH PLUMPTONS, PRESTON, PR4 3PJ CONSULTATION ON SCOPING OPINION FOR ENVIRONMENTAL STATEMENT TO ACCOMPANY APPLICATION FOR CONSTRUCTION OF A WELL PAD, DRILLING AND HYDRAULIC FRACTURING OF FOUR EXPLORATORY BOREHOLES, TESTING PROCEDURES AND RESTORATION OF SITE	No Comment	96

Development Management Committee Schedule

26 February 2014

Item Number: 1 **Committee Date:** 26 February 2014

Application Reference: 13/0387		Type of Application:	Full Planning Permission
Applicant:	Mr David Thompson	Agent :	
Location:	EASTDALE, BRYNING LANE, NEWTON WITH CLIFTON, PRESTON, PR4 3RL		
Proposal:	PROPOSED DORMERS TO FRONT AND ROOF OVER EXISTING DORMER TO REAR. PROPOSED TWO STOREY EXTENSION TO SIDE AND REAR, AND FORMATION OF ROOF OVER EXISTING GARAGE TO SIDE WHICH IS TO BE CONVERTED TO A HABITABLE ROOM.		
Parish:	Newton with Clifton	Area Team:	Area Team 2
Weeks on Hand:	37	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Planning permission is sought for various extensions and alterations to this detached dwelling which is located in a residential area of Newton. The proposed extensions are considered to be acceptable in their design and scale. The main issue of concern is that the scheme includes a first floor window to the rear of the two storey element which has the potential to impact on the privacy of the rear neighbour by way of overlooking. However, a condition requiring this window to be obscurely glazed would adequately mitigate this concern and so enables the extensions to comply with Policy HL5 in all regards. As such the application is recommended for approval subject to condition.

Reason for Reporting to Committee

A ward councillor (Councillor Speak) has written to request that the application be considered by Committee rather than under delegated powers.

Site Description and Location

The application site is a detached two storey dwelling located on a corner plot of the junction of Bryning Lane and Woodlands Close. The site is within a residential development in the settlement of Newton with Clifton.

Details of Proposal

Planning permission is sought for the following:

- A two storey side/rear extension with a dormer to the front elevation, and garage at ground level

- (with a bedroom above)
- The formation of two gabled dormers in the existing front roof slope, together with a rooflight, to replace an existing flat roofed dormer.
- The conversion of the existing integral garage to a children's play room and replacement of its flat roof with a gabled roof together with one roof light to the front slope and one to the rear slope.
- The provision of a mono-pitched roof to the existing flat roofed rear dormer

Relevant Planning History

Application No.	Development	Decision	Date
77/0343	DIVISION OF EXISTING BEDROOM AND DORMER WINDOW.	Granted	18/05/1977

Relevant Planning Appeals History

None.

Parish Council Observations

Newton with Clifton Parish Council notified on 25 November 2013

Summary of Response

Support the proposal.

Statutory Consultees

BAE Systems

No objections

Ministry of Defence - Safeguarding

No safeguarding objections

Observations of Other Interested Parties

N/A

Neighbour Observations

Neighbours notified: 13 June 2013

No. Of Responses Received: One from 1 Woodlands Close

Nature of comments made:

- Concerned about overlooking into their kitchen and utility room from the new two storey side extension

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL05	House extensions

Other Relevant Policy:

NPPF:	National Planning Policy Framework
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Site Constraints

Within settlement boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The issues to consider in the determination of this application are contained in Policy HL5 of the Fylde Borough Local Plan which deals with the planning issues raised by residential extensions and the Council's adopted Supplementary Planning Document (SPD) relating to residential extensions.

Design, scale and appearance

The property is a bungalow that has had dormers added to the front and rear roofslope. This is a design that is common to the area. The proposed extension adds further dormers and extensions which follow a similar design approach and are considered to be in keeping with the existing building and with the neighbouring properties along Bryning Lane and Woodlands Close. There is no defined building line along the short stretch of Woodlands Close and as such the proposed side extension is not considered to be unacceptably intrusive into the street scene of Woodlands Close.

Neighbour amenity

The proposed first floor window to be inserted in the rear gable of the side extension would face almost directly onto the first floor side window of No.1 Woodlands Close. This window serves the bathroom of No.1 and is obscurely glazed hence loss of privacy is not considered to be an issue. The occupiers of No.1 Woodlands Close have raised concern regarding overlooking into their ground floor kitchen and utility rooms from the side extension. Whilst there is a slight offset between the new window and those in the neighbouring dwelling the separation distance is around 11.5m and at that distance it would lead to an undue loss of privacy to the ground floor habitable kitchen window in 1 Woodlands Close. To address that concern it is appropriate to include a condition requiring that the rear facing window of the extension is fitted with obscured glazing. This will not impact on the residential amenity of the occupiers as the window serves a bedroom which has its main window to the side.

Off street parking

The small internal dimensions of the existing integral garage are such that it could not realistically be used for car storage and hence its conversion to a play room is not considered to be inappropriate. The proposed side extension would be constructed across the existing driveway however its ground floor would consist of a parking garage of sufficient width and length to accommodate a car, and sufficient space would remain to the front of the garage to enable a second car to be parked off road. Hence the overall existing level of off street parking would be generally unaffected by the proposal.

Garden area and vehicle access

These remaining criteria of policy HL5 would not be prejudiced by the proposal.

Conclusions

The development proposed by this application is considered to accord with the aims of policy HL5 and the SPD and the application is recommended for approval. Hence members are recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. The external materials to be used in the development hereby approved shall accord entirely with those indicated on the approved plans; any modification shall thereafter be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

In the interests of visual amenity.

3. The approved integral garage shall be used as a private garage only and no trade, business or other commercial activity shall be carried on, in or from the garage, and nor shall it be used as, or converted to, a habitable room(s)

To safeguard the amenities of the neighbourhood and ensure sufficient off street parking remains for the occupiers of the dwelling.

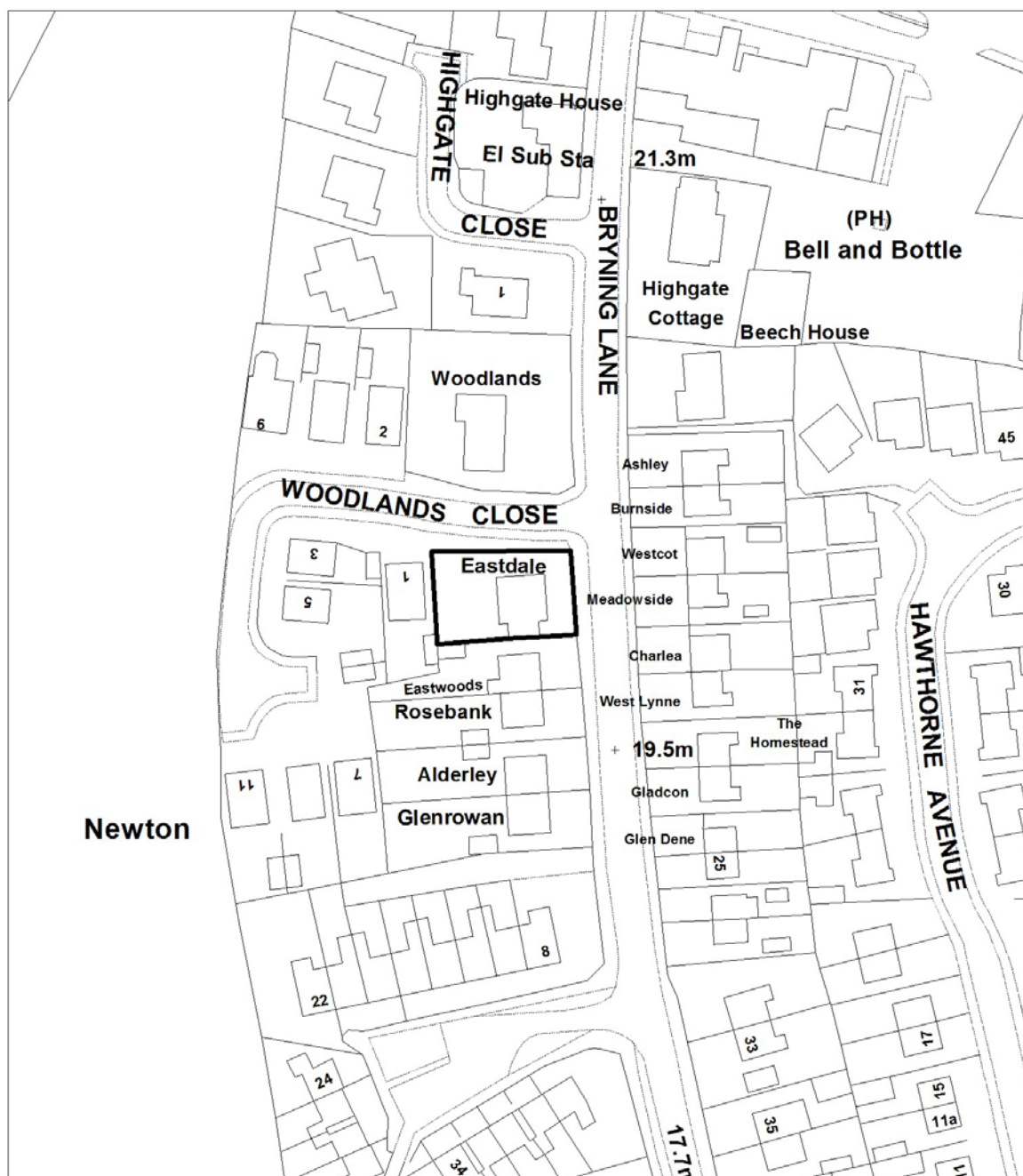
4. The development hereby approved relates to the proposed elevations and floor plans shown on the following drawing:

- Proposed: Side & Rear Pitched Roofed, Two Storey Extension to Existing Dwelling, & New Pitched Roof over Extg Garage/Proposed Play Room - Dwg No. 2 Rev C, dated Nov 2013, which also includes the following details:
 - 1) Revised GF Proposed - Plan Rev A, dated Oct 2013
 - 2) Proposed First Floor Plan & Roof Plan - Rev B, dated Oct 2013

For the sake of clarity in defining the permission as agreed with the applicant.

5. The rear facing window to be inserted to the first floor of the two storey extension hereby approved serving the new bedroom on the approved plans shall be non-opening and fitted with obscured glazing of a standard equivalent to Pilkington Grade 4. The window shall be retained as such thereafter.

To prevent undue overlooking and loss of privacy to the side facing habitable rooms of 1 Woodlands Close to safeguard the residential amenity of its occupiers as required by Policy HL5 of the Fylde Borough Local Plan.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/13/0387	Address Eastdale, Bryning Lane, Newton	Grid Ref. E.3445 : N.4310	Scale 0 5 10 15 20 m

Application Reference:	13/0433	Type of Application:	Full Planning Permission
Applicant:	Warton Developments	Agent :	Steve Brougham Architect
Location:	NINE ACRES NURSERY, HARBOUR LANE, BRYNING WITH WARTON, PRESTON, PR4 1YB		
Proposal:	PROPOSED ERECTION OF 13 DETACHED DWELLINGS		
Parish:	Bryning with Warton	Area Team:	Area Team 1
Weeks on Hand:	30	Case Officer:	Mr M Atherton
Reason for Delay:	Awaiting Further Information		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The proposal involves residential development on a greenfield plant nursery site that is immediately outside of the village boundary of Warton and is allocated as Countryside in the Fylde Borough Local Plan. However, the site is located within the Council's Preferred Options for Development within Warton and there are clear material considerations in favour of the development in that the borough has a shortage of housing land.

It is considered that the layout and design of this development are appropriate. The submitted details in respect of access, ecology, flood risk, ecology & open space provision are all acceptable and therefore, it is recommended that planning permission should be granted.

Reason for Reporting to Committee

This is a major application which falls outside the Council's approved scheme of delegation.

Site Description and Location

The application site is a rectangular area of land located on the western side of Harbour Lane, Warton. It has a maximum width of 122m to that road and a maximum depth of 450m. The site is immediately adjacent to built development & the settlement boundary in the Adopted Local Plan and is used as part of a plant nursery. The site contains a pond, greenhouses, nursery buildings and hard standing associated with the nursery use. The site is allocated as a Countryside Area in the Adopted Fylde Borough Local Plan and in the Preferred Options Consultation Document it is allocated as part of the wider area of land being promoted for development at Warton.

Surrounding land uses are mixed with residential properties to the south and east, and open agricultural land to the west and to the north interspersed with isolated dwellings. The site has a hedge boundary to the road and to the fields to the west and north & a modern close boarded fence to the residential gardens to the south.

Details of Proposal

The existing dwelling at the Nursery would be retained and the proposal is to erect 13 no. detached

houses, comprising 3 different designs, around a 4.8m wide cul-de-sac. The existing vehicular access from Harbour Lane would be utilised and surfaced.

The pond and embankment would be retained and an area of public open space formed. It is proposed to plant trees, shrubs and hedges and create a wildlife meadow and ecological corridor.

The dwellings are designed with pitched, tile roofs and the elevations comprise brick, timber boarding and artstone lintels and cills.

In addition to the indicative plans the application is supported by a Great Crested Newt Survey, an Ecological Statement, A Transport Assessment, a Drainage Strategy, a Flood Risk Assessment, a Design and Access Statement and an Arboricultural Impact Assessment & Landscape Statement.

Relevant Planning History

Application No.	Development	Decision	Date
12/0487	CHANGE OF USE FROM FORMER GARDEN CENTRE/AGRICULTURAL USE TO RESIDENTIAL CURTILAGE, AND ERECTION OF BOUNDARY FENCE FOR THE PURPOSES OF EXTENDING THE REAR GARDEN BOUNDARIES TO PLOTS NOS 1-15 PERMITTED UNDER PLANNING PERMISSION REF 12/0289 AND RESERVED MATTERS PERMISSION REF 11/0816	Granted	18/10/2012
12/0289	APPLICATION TO REMOVE CONDITION 18 RELATING TO PROVISION OF ACCESS TO NINE ACRE NURSERY FROM WITHIN SITE, AND ALTER CONDITION 16 TO ALLOW FRONTAGE FOOTPATH TO BE ROUTED BEHIND HEDGE ON PLANNING PERMISSION 10/0776 FOR RESIDENTIAL DEVELOPMENT OF SITE.	Granted	12/07/2012
11/0816	RESERVED MATTERS FOR APPROVAL OF ACCESS, LAYOUT, LANDSCAPING, SCALE AND APPEARANCE FOR THE DEVELOPMENT 66 DWELLINGS, INCLUDING PUBLIC OPEN SPACE, HARD STANDING AND ASSOCIATED WORKS. (OUTLINE PERMISSION 10/0766)	Granted	02/03/2012
11/0597	PROPOSED ERECTION OF REPLACEMENT GLASS HOUSES, DOUBLE DOMESTIC GARAGE AND NEW VEHICULAR ACCESS TO HARBOUR LANE WITH ASSOCIATED DRIVEWAY AND TURNING AREAS	Granted	06/02/2012
10/0766	OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF UPTO 67 NO. DWELLINGS INCLUDING 20 NO. AFFORDABLE DWELLINGS. (ALL MATTERS RESERVED)	Approved with 106 Agreement	14/09/2011
04/0261	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT	Called In: Secretary of State	17/03/2005
99/0475	RE-SUBMISSION OF APPLICATION NO. 5/98/648 FOR OUTLINE PERMISSION FOR RESIDENTIAL DEVELOPMENT. APPLICATION RE-ACTIVATED JANUARY 2003.	Withdrawn by Applicant	16/12/2003
98/0648	OUTLINE APPLICATION FOR	Withdrawn by	11/02/1999

	RESIDENTIAL DEVELOPMENT	Applicant	
92/0476	EXTENSION TO EXISTING GLASSHOUSES	Granted	12/08/1992
91/0900	ERECTION OF GLASSHOUSES	Granted	26/02/1992
87/0181	DETACHED DWELLING WITH GARAGE	Granted	17/06/1987
84/0605	FORMATION OF HORTICULTURAL	Granted	07/11/1984
	HOLDING AND SITING OF MOBILE HOME.		
10/0514	OUTLINE APPLICATION FOR ERECTION	Withdrawn -	17/09/2010
	OF 67 DWELLINGS (ACCESS ONLY)	Invalid	

Parish Council Observations

Bryning with Warton Parish Council notified on 30 July 2013

Summary of Response: The Parish Council OBJECT & recommend refusal stating:.

“This development was not included or part of the previous development proposals for this site and exceeds the new housing provision in the area agreed with the Council. There was no advance communication with the Parish Council regarding the proposal for additional housing units and it is viewed as pre-emptive of the Borough Local Plan which has not yet completed public consultation stage and further development in this location is subject to challenge, review and amendment.

That the development complies with sustainable development is highly questionable at this stage and the National Planning Policy 2012 does not change that a 'proposed development accords with an up to date Local Plan (perhaps not amended 2005 then), should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. In the absence of 'other material considerations' this application should be refused pending the Borough's up to date local plan being put in place. There are serious concerns regarding this proposed development in addition to which the application makes reference to there being a net gain for nature and biodiversity being a positive improvement, Impact Assessment 3.2, yet on the back of the neighbouring development this seems anything but the case.”

Statutory Consultees

United Utilities - Water

No objections

Electricity North West (ENW)

The development could have an impact on our infrastructure. The proposal is shown to be adjacent to or affect ENW operational land or electricity distribution assets. Where the development is adjacent to operational land, the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements.

The Applicant should be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the Applicant.

Ministry of Defence - Safeguarding

No safeguarding objections

Environment Agency

Further to our previous comments, we can now confirm receipt of the following amended Drainage Strategy report via e-mail on 1 November 2013:-

- Drainage Strategy for Proposed Residential Development, Harbour Lane, Warton Revision A (reference D1713 dated 24 September 2013 Rev A) for Warton Developments

LLP by PSA Design

We are aware that this report has also been copied to yourselves by e-mail and supersedes the original Drainage Assessment submitted as part of the application.

We have reviewed the revised Drainage Strategy in conjunction with the original Flood Risk Assessment submitted with the application and we are now able to **withdraw our flood risk objection** to the proposed development, but we recommend that any subsequent approval is conditioned as follows:-

CONDITION No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON To prevent the increased risk of flooding, both on and off site.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

We also recommend that the developer considers the following, as part of the scheme:-

- Water management in the development, including, dealing with grey waters
- Use of sustainable forms of construction including recycling of materials.

Natural England

Natura 2000 site

Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Ribble & Alt Estuaries Ramsar and SPA has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

SSSI

This application is in close proximity to Ribble estuary Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which this site

has been notified. We therefore advise your Authority that this SSSI does not represent a constrain in determining the application. Should the details of the application change, you should re-consult Natural England. We would expect the LPA to assess and consider the other possible impacts resulting from this proposal on the following when determining this application: Protected Species; Local Wildlife Sites; Local Landscape; Biodiversity Enhancements.

Environmental Protection Team

No objections

Lancashire County Council - Highway Authority

Transport Statement has been provided in support of the application which I find acceptable. The TS shows that there will be few vehicle movements from the development and points out that during construction the number of movements will be higher than those once the site is fully occupied.

The number of vehicle movements associated with the development will have little impact on highway capacity or road safety and as such the principle of the development is acceptable.

The sightlines at the access are acceptable although the internal layout of the development does not meet with the standards expected for the roads to be adopted. Having said this I do not consider the internal layout to be unsafe and as such the layout is acceptable albeit remaining privately maintained.

The TS states that the site provides reasonable access to public transport and on foot, however, the lack of a footway along the site frontage discourages pedestrians and as such the developer should provide a footway along Harbour Lane, from the southern boundary of the site to the northern boundary of the house (a distance of approx 53m), to address this issue.

No objection subject to conditions.

BAE Systems

No response received

Lancashire County Ecology Service

I understand that two European protected species licences (great crested newts) have been issued in this area for the construction of a new glasshouse and for the residential development at Nine Acres Nursery. The current application seeks to vary the approved (and at least partially implemented) mitigation and proposes amending the two existing European protected species licences and acquiring an additional licence.

I am unable to advise Fylde Borough Council as to the likelihood of amended licences being issued by Natural England. This is a matter that only Natural England can advise on, and I therefore recommend that Natural England should be consulted (if they have not been already) prior to determination of this application.

Observations of Other Interested Parties

Lancashire Constabulary:

The documentation provided with this application does not provide me with any information as to how the development intends to approach crime reduction and community safety. In particular no detail is given in respect of boundary treatments and window and external door specifications.

- As a minimum standard I would recommend that the properties are fitted with Secured by Design PAS 23/24 doors and ground floor windows fitted with a minimum 6.5mm laminated glass to the ground floor.
- Rear boundary treatments should be a minimum 1.8m overall and be capable of raking stepping to maintain height over different terrain. All timber employed in the manufacture of the fencing should be fit for purpose, from FSC certified sustainable sources and be treated to provide protection against all types of rot and insect infestation for a minimum of 25 years.

No information is given in respect of gates I would recommend the following standard to reduce the risk/fear of crime.

- Pedestrian gates should be of a framed design and employ galvanized adjustable hinges and fixings mounted behind the attack face. On outward opening gates, where the hinges/brace is mounted on the attack face, fixings should be of a galvanized coach bolt design. Hinge systems must not allow the gate to be 'lifted off' and therefore should employ a method to restrict the removal of the gate from the fence post or wall. Gates should be fitted with a galvanized latch and lockable shot bolt. The gate construction should have the same design and construction attributes as the fence.

All properties should be fitted with security lights to the front and rear. If it is not intended to fit an intruder alarm to the property a 13amp spur should be fitted for installation at a later date by the occupant.

Neighbour Observations

Neighbours notified: 12 August 2013 & site notice displayed

No. Of Responses Received: 12 letters of OBJECTION

Nature of comments made:

Concern re:

- The proposal is beyond the village development boundary.
1. Not required to meet local needs as there is substantial housing development approved and underway in Warton.
 2. There are already many empty houses in the village & more houses on the way. Overdevelopment of the village is unacceptable.
 3. The development contains no affordable housing (which in any event is not required in the village).
 4. The existing 9 Acre Nursery development is already causing infrastructure problems (sewage, drainage, environmental, social).
 5. The greenfield environment around Warton requires protection as it mitigates surface drainage problems but also in providing wildlife habitat and agricultural land. The proposal will destroy a greenfield site rich in wildlife & diversity.
 6. Warton is not a Service Centre and never will be. It has no room for it.
 7. Proximity of houses to neighbouring dwellings, leading to overlooking & loss of privacy.
 8. Inappropriate development in a Countryside Area.
 9. Increased traffic on country lanes and increased commuting.
 10. The application relies on a statement that the abandoned Warton bypass proposal will not be resurrected at some future date. This is not a sustainable assumption.
 11. The proposal does not represent a logical rounding off, rather it amounts to expansion of the settlement.
 12. Limited employment growth at Warton offset by rationalisation and redeployment of staff.
 13. The comments relating to housing land supply, employment & wealth creation in the supporting statements are unsubstantiated, inaccurate & inflammatory.

14. The gap between the pond and the access road should be increased to 5 metres.
15. Noise and odour hazards from the proposed foul water pumping station.
16. Future maintenance & shared liabilities of boundary treatments to neighbouring developments.
17. It is illegal to disturb the Great Crested Newt which is a Protected Species and we understand lives on this site.
18. Shopping, health and community facilities are virtually non-existent in Warton.
19. Increased demand for school places.
20. Additional housing likely to exacerbate the recent trend of increased crime as there are no facilities for young people.
21. No decision should be made until these issues have been resolved and the final Local Plan has been published.
22. Re-use or redevelopment of empty buildings should be considered before greenfield sites are developed.

Relevant Planning Policy

Fylde Borough Local Plan:

CF01	Provision of community facilities
EP14	Landscaping of new developments
EP19	Protected species
EP23	Pollution of surface water
EP25	Development and waste water
HL02	Development control criteria for new housing proposals
SP02	Development in countryside areas
TREC17	Public Open Space within New Housing Developments
HL06	Design of residential estates
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP18	Natural features
EP24	Pollution of ground water
TR01	Improving pedestrian facilities
TR03	Increasing provision for cyclists
TR05	Public transport provision for large developments

Other Relevant Policy:

NPPF:	National Planning Policy Framework
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Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Policy Background

Planning legislation requires that planning applications are determined in line with the development plan unless there are material considerations that dictate otherwise. This has been reinforced by the National Planning Policy Framework (NPPF) which refers, at paragraph 14, to the need for applications that accord with the development plan to be approved without delay.

Under the Adopted Fylde Borough Local Plan the whole of this application site is outside of the

settlement boundary of Warton and the land is allocated as Countryside under Policy SP2. This Policy restricts the majority of development to preserve its rural character, with the exceptions generally limited to agricultural or other such uses. New residential development is clearly contrary to this Policy and so it is important to assess whether there are any material considerations that would justify overruling this Policy objection. If there are not then a reason for refusal on the conflict with the Local Plan allocation would be appropriate.

The Fylde Borough Local Plan is dated, and work is advancing on its replacement which will look at the period to 2030. The Council has published and consulted upon its Preferred Options for Development. Within the 'Preferred Options' Document, the application site is part of the Warton Strategic Location for Development where provision is to be made for 1160 dwellings. This is a material consideration in the determination of this application. A key part of this is the level of housing land need and the available supply.

Need for Residential Development

The NPPF retains the requirement from PPS3 for local planning authorities to provide for housing land equivalent to at least a 5 year supply of the council's housing target. Para 47 of the NPPF states that "local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing land against their housing requirements", and then refers to additional amounts being required where there has been consistent under-delivery.

The Council's annual housing requirement is currently as expressed in Policy L4 of the former Regional Spatial Strategy (RSS) and is 306 dwellings per annum. The latest position on the delivery of housing against these figures that has been used is that contained in the Council's Housing Land Supply Statement of 31st December 2013.

Based upon the methodology established and agreed by the Council in December 2012, the Council now has a 4.5 year supply. The result of this, is that the council remains unable to demonstrate the 5 year housing requirement (including historic under-provision and NPPF buffer of 20% due to that under provision).

The guidance in paragraphs 14, 47 and 49 of NPPF is therefore relevant and this is a strong factor to be weighed in favour of residential development proposals. If a scheme is considered to deliver sustainable development and not have any adverse impacts that would significantly and demonstrably outweigh the benefit in housing supply, that guidance states that planning permission should be granted. There is therefore a need to assess whether this particular proposal delivers housing at a scale and location that is sustainable, and if there are any other relevant factors to outweigh its development.

Sustainability of Location

It is a basic planning principle that development should be directed to the most appropriate location. This is explained throughout the NPPF with its 'presumption in favour of sustainable development' which includes the economic, social and environmental sustainability of development.

The sustainability of the location is a key aspect of this. The site is situated within walking distance of the nearest shops and social facilities in Harbour Lane and Lytham Road. It benefits from existing access to the highway network and is situated in close proximity to a cycle route on Hillock Lane.

The development would not have any direct adverse impact on the built form of Warton, which is the nearest settlement and there is potential for the additional residents that would accrue from this development to bring economic benefits to the nearest shops. The proposed development site is directly adjacent to the established settlement boundary, therefore the development, on its own, would be regarded as an extension to the existing built form of the settlement.

The proposal would not, in environmental terms, result in any harm to visual, ecological or landscape features of note, it is considered that the site of the development, taken on its own or in conjunction with

the adjacent land within the proposed Strategic Location for Development would constitute a sustainable form of development.

Design & Layout

House Design

With regard to the design of the dwellings, the application proposes a mix of three different house types, all 4 bedroomed properties and 2 storeys in height. They are all detached with traditional eaves levels and pitched roofs and would not appear out of character when viewed against the neighbouring residential developments. The materials of construction are proposed to be the use of red brick and concrete roof tiles, which are characteristic of the neighbouring developments. Details of the proposed materials are required to be submitted for approval prior to commencement of development.

Site Layout

Policy HL6 of the Fylde Borough Local Plan relates to the design of residential estates and does not permit layouts that would prejudice the character of the area. In this instance the proposed layout reflects the character of the residential areas to the south and east with the properties fronting the street, private gardens to the rear, off-street parking, and clearly distinguishable boundaries between public and private spaces. The layout is linear in nature to reflect the site constraints and the design facilitates surveillance of the pond and public open space with dwellings overlooking these landscaped areas.

Relationship with Neighbouring Properties

With regard to neighbour amenity the layout has been designed the side facing elevation of plot 1 being 15.75 metres from the rear elevation of the nearest house to the south, this conforms with the Council's preferred distance for such an arrangement of 12 metres. The rear elevations of the proposed dwellings are situated 24 metres from the rear of the existing dwellings on the new development to the south, which exceeds the usual minimum overlooking distance of 21 metres. To the north of the site is undeveloped agricultural land. As such it is not considered that the amenity of existing neighbouring residents would be affected to an unacceptable level.

Access

The existing access to the site, currently used by the nursery, would be utilised and surfaced, it benefits from satisfactory visibility splays to the north and south as the hedgerow at the site entrance is sufficiently set back from the edge of the carriageway of Harbour Lane. Lancashire County Council (LCC) in their capacity as Highway Authority have suggested the Applicant fund a new footpath to the front of the development, on the western side of Harbour Lane, in order to improve pedestrian access. A condition would be appropriate to ensure that offsite highway works are delivered. LCC Highways have not raised any objection in their role as Highway Authority on grounds of highway safety or capacity.

Public Open Space

The Local Plan requires that open space be provided on site in residential developments of this scale in line with the amount per plot detailed in Policy TREC17 with appropriate provision made for the on-going maintenance of this. The layout plan indicates that a significant amount of the site is devoted to open space, however, there are no details of how this will be maintained. Therefore, a condition to secure the long term management of the open space is necessary, should the development be acceptable in principle.

Ecological Issues

The application is supported with a Great Crested Newt Survey. This includes an investigation of 5 ponds around the application site for their potential to support a Great Crested Newt colony, and the size of any colony that is found. The assessment found smooth newts, frogs, tadpoles and fish in several ponds and great crested newts in one of the ponds, albeit only a limited number were found and were not in the pond that is immediately adjacent to the site. The study concluded that the population could be described as 'small' and has declined from historic records dating back to 2001.

The proposal includes provision for the creation of a Newt Mitigation Area & the statutory consultees with an interest in ecological matters (Environment Agency, Natural England and County Ecologist) have not objected to the application and it is therefore considered that there will be no adverse impact on protected species or their habitats from the development. As such the application will comply with the requirements of Policy EP18, EP10 and EP19 in respect of the impact on ecological interests.

Other Planning Considerations

The application proposes a logical extension of the Nine Acres Nursery site as it is the remaining part of that former site, with the remainder adjoining this development site and was granted planning permission in 2011 (ref:10/0766) and is under construction. This consideration, along with the fact that the proposal is for a small number of dwellings (13) on a linear site, means that it can be developed as a standalone site, without prejudicing comprehensive development within Warton.

The application is supported with a Flood Risk Assessment and the Environment Agency have raised no issues with its content or the impact on surface water drainage. Similarly, United Utilities have no concerns over drainage and it is considered that conditions on any approval would provide adequate security on this matter.

Conclusions

The proposal involves residential development on a greenfield plant nursery site that is immediately outside of the village boundary of Warton and is allocated as Countryside in the Fylde Borough Local Plan. However, the site is located within the Council's Preferred Options for Development within Warton and there are clear material considerations in favour of the development in that the borough has a shortage of housing land.

It is considered that the layout and design of this development are appropriate and would be an enhancement when compared to neighbouring residential developments. The submitted details in respect of access, ecology, flood risk, ecology & open space provision are all acceptable and therefore, it is recommended that planning permission should be granted.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

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

In order to ensure a satisfactory standard of development.

3. Prior to the commencement of any development hereby approved a schedule of all hard surfacing materials to be used on the access roads, driveways, paths and any other hard surfaced areas within the development shall be submitted to and approved in writing by the Local Planning Authority. This

specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Such details are not shown on the application and to secure a satisfactory standard of development.

4. Prior to the commencement of any development hereby approved, a schedule of all boundary treatments around the site perimeter, between individual neighbouring plots and between plots and the internal roadway shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in full accordance with this approved schedule of boundaries.

To provide an appropriate finished appearance of the development and to maintain an appropriate level of privacy between dwellings as required by Policy HL2 of the Fylde Borough Local Plan.

5. Prior to the commencement of development, a scheme including details of the maintenance and management of public open space shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to secure the maintenance & management of public open space in accordance with development plan policy

6. Prior to the commencement of construction on any dwelling hereby approved, a satisfactory programmed landscaping scheme for the area of residential development including hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the first planting season following the completion of development and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in order to comply with saved Policy EP14 of the Fylde Borough Local Plan.

7. Prior to the first occupation of any dwelling on the site, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of internal access roads and footways, areas of landscaping and all associated features such as streetlighting, signage, drains and boundary treatments that lie within these areas. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

To ensure that the development is implemented and maintained to a satisfactory degree into the future.

8. Prior to the commencement of development, full details of the habitat creation proposals and the management of the nature conservation areas identified on plan reference 0813-P-02A dated 19 June 2013 shall be submitted to and agreed in writing by the Local Planning Authority. These details shall include details of mitigation and compensation measures, the management of public access, and on-going monitoring regimes. The development shall be phased, implemented and monitored in accordance with the approved details.

In order to secure adequate compensatory and mitigation habitat and species in the proposed nature conservation area to address potential impacts on protected species and their habitat.

9. The reserved matters application shall retain all existing lengths of hedgerow within the proposed residential development area except for where their removal is required for the formation of access points or visibility splays or in other limited circumstances where an equivalent or greater length or hedge is provided as a replacement and has been previously agreed in writing by the local planning authority. No removal, relaying or works to existing hedgerows shall be carried out between March

and July inclusive in any one year unless otherwise agreed in writing by the local planning authority.

In order to protect habitats which have the potential to support breeding birds and to respect the rural characteristics of the application site.

10. Prior to any on site construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan is to include method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries. Such a Construction Plan is to be implemented and adhered to during the construction of the development.

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

11. Prior to the commencement of the development hereby approved, a scheme including details of a mechanism by which pedestrian and vehicular access to the existing dwelling at Nine Acre Nurseries shall be maintained at all times during construction and on completion of the development with this property accessed from Harbour Lane through the same single access point as the residential development, shall be submitted to and approved in writing by the Local Planning Authority.

In order to ensure the retention of an access to this property and to minimise the number of access points to Harbour Lane in the interests of highway safety.

12. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

To prevent the increased risk of flooding, both on and off site.

13. Prior to the commencement of construction on any of the dwelling houses full details of the means of foul water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented during the development and shall include that the development is drained on a separate system with only foul drainage connected into the foul sewer.

To ensure that appropriate measures are taken to provide suitable drainage from the site as required by Policy EP25 of the Fylde Borough Local Plan.

14. The new estate road/access between the site and Harbour Lane shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

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

15. Before the use of the site hereby permitted is brought into operation, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

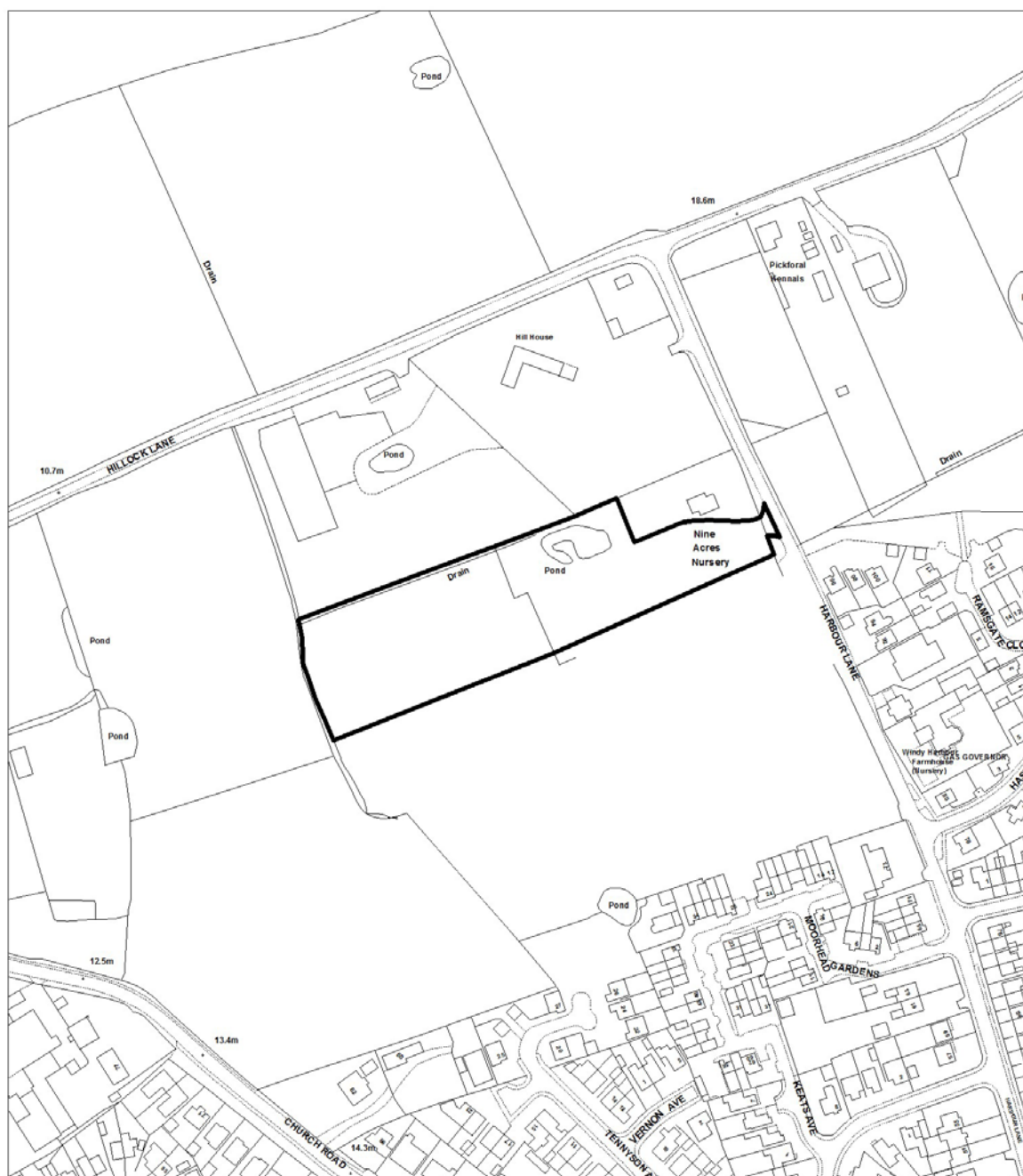
To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

16. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off site works of highway improvement has been submitted to and approved by the Local Planning Authority.

In order to satisfy the Local Planning Authority that the final details of the highway works are acceptable prior to work commencing on site.

17. No part of the development hereby approved shall be occupied until the approved scheme referred to in condition number 17 has been constructed and completed in accordance with the scheme details.

In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/13/0433	Address Nine Acres Nursery, Harbour Lane, Warton	Grid Ref. E.3409 : N.4291	Scale 0 10 20 30 40 m

Item Number: 3 **Committee Date:** 26 February 2014

Application Reference:	13/0590	Type of Application:	Outline Planning Permission
Applicant:	The Co-Operative Group	Agent :	HOW Planning LLP
Location:	LAND AT KINGS CLOSE, STAINING		
Proposal:	OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 30 DWELLINGS. (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)		
Parish:	Staining	Area Team:	Area Team 2
Weeks on Hand:	23	Case Officer:	Andrew Stell
Reason for Delay:	Awaiting Further Information		

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

The application is for outline planning permission for the erection of 30 dwellings on a greenfield site located off Kings Close in Staining. The site is outside of the settlement on land that is allocated as Countryside in the Fylde Borough Local Plan meaning that the proposal is contrary to the saved policy of the development plan, and so should be refused planning permission unless there are material considerations to outweigh that conflict.

In considering these, the most critical is the fact that the council continues to be unable to deliver the five year supply of housing as required by para 47 of the NPPF. As such it is necessary to establish whether this proposal delivers sustainable development and whether there are any significant adverse effects from the proposal that would require it to be refused.

The proposal has an appropriate access, delivers the necessary element of affordable housing and open space, has been revised to improve its appearance in the countryside and to the setting of the village. There are concerns over the scale of the development proposed along with others recently in the village, but Staining has a reasonable level of services and this site is well located to them. As such the balanced officer opinion is that that the proposal does deliver sustainable development, and that there are no over-riding negative impacts from the development that should prevent it being recommended for approval.

This position is on the understanding that outstanding ecological matters are resolved, and so the officer recommendation is to delegate the decision to grant planning permission to officers on confirmation that the relevant ecological consultees are satisfied with the mitigation proposed, and on the completion of a s106 agreement to secure affordable housing, education payments and funding to improve open space facilities in the area.

Reason for Reporting to Committee

The application involves major development. With the level of public interest raised by this application and other similar schemes the Head of Planning & Regeneration concludes that this application should be determined at Committee.

Site Description and Location

The application site is an irregularly shaped area immediately to the east of Staining village. It is entirely outside of the settlement boundary on land that is designated as Countryside in the Fylde Borough Local Plan and in agricultural use for grazing cattle at the time of officer site visit. It extends to around 1.8 hectares and is a single field with hedge boundaries to other fields to the east and north, to Occupation Lane to the south and to the turning head and rear garden boundaries on Kings Close to the west. The land is gently undulating with an overall rise looking away from the access point to the east.

The surrounding land outside of the settlement boundary is all in agricultural use with that within the settlement in residential use on Kings Close which is a cul-de-sac of 14 properties constructed in the mid-1990s. That road joins Chain Lane with a mini-roundabout junction that is adjacent to the village Co-op general store.

There are no ecological or other designations on the site, but there is a Biological Heritage Site nearby at Smithy Farm Pond which is 130m to the northwest of the site boundary and is designated for the pond plants and invertebrates that it supports. There is a public footpath running along Occupation Lane behind a hedge on the southern boundary but this is not physically affected by the development. The only other local feature of note is a line of high voltage power lines which run generally north west to south and are 130m from the site boundary at the closest point.

Details of Proposal

The Submission

The application proposes the residential development of the site for up to 30 dwellings. It is an outline application with access applied for but all other matters reserved.

The access point to the site is indicated as being from an extension of Kings Close which is adopted to the end of the cul-de-sac where a turning head is currently provided with footways on both sides. This is currently at 6.6m width and would then narrow to 5.5m width within the site. No alterations to this road or its junction with Chain Lane are proposed.

The illustrative plan indicates that a series of cul-de-sacs will lead from the access road with a series of detached, semi-detached and short terraces of properties shown. The illustrative plan also indicates areas of open space including a pond feature and a ditch along the northern boundary. The application form states that 21 of the 30 dwellings would be for market sale with the remaining 9 as social rented affordable dwellings, with this being exactly 30% of the total.

Supporting Information

The application is supported with the usual suite of information comprising:

- Application forms
- Location Plan
- Illustrative site layout
- Access plan
- Supporting Planning Statement
- Design and Access Statement
- Transport Statement
- Flood Risk Assessment
- Phase 1 Detailed Desk Top Study
- Extended Phase 1 Habitat Survey
- Arboricultural Survey
- Archaeological and Heritage Assessment

The Conclusion to the Supporting Planning Statement states:

“This Supporting Planning Statement has been prepared by HOW Planning on behalf of the Co-operative Group in support of a proposed residential development at Kings Close, Staining. The application is submitted in outline and seeks consent for up to 30 residential dwellings with all matters reserved bar means of access of which, 9 will be affordable in perpetuity. This Supporting Planning Statement considers the residential proposals in light of relevant national and local planning policy demonstrating that residential development at the site is acceptable. Furthermore, it has been demonstrated that through the various accompanying technical surveys that there are also no technical constraints to delivering residential development at the site.

The proposed development represents a suitable density for the location and character of the site and its surroundings. Particular attention has been paid to ensuring the scheme integrates well with existing residential dwellings within the vicinity of the site. Ultimately, both the open market and affordable homes will positively assist FBC in meeting their current and future housing requirements. The application is situated in a Countryside Area in accordance with the adopted Local Plan. The residential proposals are contrary to Policy SP2, however it has been demonstrated that there are significant material considerations which outweigh any conflict with this policy.

At section 7, this Statement has set out the case in favour of residential development at the site. It demonstrates that there are significant material considerations which should be afforded greater planning weight than Local Plan Policy SP2. These include the following:

- 1. Presumption in Favour of Sustainable Development: The application proposals fully accord with the NPPF's policies in promoting the presumption in favour of sustainable development. The development would not result in any adverse impact which would significantly and Supporting Planning Statement: Land East of Kings Close, Staining September 2013 demonstrably outweigh the benefits of the development and the proposals accord with the specific policies of the NPPF. Furthermore, the specific policies of the NPPF do not indicate that the development should be either restricted or refused.*
- 2. The Delivery of Sustainable Development: The application proposals fully accord with the relevant policies of the NPPF, the site is situated in a sustainable and accessible location and the development will deliver social, economic and environmental benefits in accordance with the three strands of sustainable development as promoted in the NPPF.*
- 3. Housing Land Supply: FBC cannot demonstrate a 5 year supply of deliverable housing land. It has a significant shortfall of housing and can only demonstrate a housing land supply of 3.1 years.*
- 4. A Deliverable Housing Site: The site is suitable, available, achievable and viable for housing development.*
- 5. Delivery of Affordable Housing: The proposed development will deliver up to 9 new affordable homes which will make a positive contribution to the Council's shortfall of affordable housing.*
- 6. Prematurity: FBC published its Local Plan Preferred Options for consultation in June 2013 and the consultation period ended in August 2013. The Preferred Options is therefore at an early stage and limited weight is currently afforded to these policies. As such, granting planning permission for the Co-Operative Group's planning application would not prejudice a future development plan document by predetermining matters that would be dealt by it.*
- 7. Scale: In the absence of a five year supply of housing, the Councils cannot seek to control the scale of development directed towards a settlement. Nevertheless, the proposals do not cause material visual impact to Staining or the surrounding area, they would form a natural extension of the existing settlement boundary and they are of an appropriate scale of development in relation to the existing village.*
- 8. Location of Settlement Boundaries: The current settlement boundaries were adopted within the context of the former Joint Lancashire Structure Plan and a 155 dwellings per annum ceiling. As such, the settlement boundaries are considered somewhat out of date, and it has been recently acknowledged by FBC that greenfield edge of settlement housing development, such as*

- the application proposals, will be required to meet the Borough's housing needs.*
9. *A Suitable Mix of Housing: The proposed development will be of high quality design and will create a mixed community through the delivery of properties of different sizes, types and tenures in accordance with market requirements. The exact mix of properties will be determined at the Reserved Matters stage.*
 10. *Accordance with Development Plan Policies: With the exception of adopted Local Plan Policy SP2, the application proposals fully accord with all other Development Plan policies (as illustrated within Appendix 3).*

In summary and as outlined at paragraph 14 of the NPPF, there is a presumption in favour of the residential proposals. It has been demonstrated that there are a number of weighty material considerations which offset any identified noncompliance with the adopted Development Plan and accordingly, the application is acceptable in planning terms. With this in mind, it is requested that outline planning permission is granted for residential development."

Post Submission Information

There has been a minor amendment to the site boundary which initially included a small area of land at the head of the existing cul-de-sac of Kings Close which was found to be in third party ownership. This area has been removed from the plans under consideration but was not material to the development as proposed.

The applicant's agent has submitted a letter in response to matters raised by consultees, with the main points being summarised as:

11. Five Year Housing Land Supply – They argue that the council is not able to demonstrate a 5year supply of housing contrary to the views expressed by Staining Parish Council and the CPRE. They refer to the council's position at the 'Kirkham Triangle' appeals in that regard.
- Location of Development – They argue that the fact that the land is outside of a settlement cannot on its own be used as an argument against its development when the council is unable to demonstrate the necessary housing land supply. They refer to the NPPF and the Inspector's decision at Mowbreck Lane to support this.
 - Sustainability – They explain their view that the site is sustainable with reference to the supporting documentation that demonstrates the proximity to key facilities and services within walking distance of the site, and the regular bus connections running from close to the site to Blackpool and Poulton.
 - Prematurity – The CPRE have raised this as an issue. The applicant's agent refers to their submission on this and the findings of the 'Kirkham Triangle' Inspector who explained that little weight could be given to the council's emerging Local Plan due to its early stage of production and lack of public examination.
 - Benefits – The reiterate the benefits that they see from the development as listed in the original submission.
 - Other technical matters – They dismiss resident, CPRE and Parish Council concerns over matters such as highways, flood risk, drainage, ecology and the loss of agricultural land with reference to their application and some consultee replies.

Further information has also been supplied in response to concerns raised by officers:

- Agricultural Land – The application was not initially supported with any information on this. A survey has now been submitted that confirms that the land is Grade 3a and so of a Best and Most Versatile quality.
- Access improvements – The applicant has confirmed their willingness to provide a Zebra Crossing of Chain Lane adjacent to the junction with Kings Close to improve general accessibility for the site, particularly to the village hall facilities.
- Open Space contribution – The applicant has confirmed their willingness to provide a commuted

- sum to allow the open space in the village to be enhanced with this sum £15,000
- Landscaping – The illustrative site plan has been amended to soften the edge of the site when viewed from outside the village.
- Drainage – The applicant has commissioned work to clear the ditch that runs on their land to the north of the site to improve the general surface water drainage in the area.
- Ecology – Further information has been provided about the use of the site and surrounding fields by Pink Footed Geese at the request of the council's ecological consultees.

Relevant Planning History

None.

Relevant Planning Appeals History

None.

Parish Council Observations

Staining Parish Council notified on 20 September 2013 and comment:

“Once again Staining Parish Council is asked to consider another unnecessary planning application for “high quality” housing we neither want nor need. There is already permission granted for over 70 dwellings, fewer than 20 have been completed with less than 10 occupied. The number of dwellings for sale in the village has increased over 2013 thus increasing the number of properties available to buy or rent.

Staining Parish Council regards Fylde Borough Council's need to satisfy an arbitrary government figure for a 5 year housing supply an insufficient reason to grant permission to build housing on agricultural land outside the village envelope.

It has been well documented over recent months the myriad of reasons why the current infrastructure in Staining is unable to sustain the number of dwellings already permitted. The granting of further outline planning permission would lead to major overload of existing services, e.g. surface drainage, foul sewage provision, road infrastructure, school places both primary and secondary, medical and dental provision.

The only service which could cope with the increase in population is the recently improved bus service. The down side of this is the damage caused by the running of double-decker buses on c class roads which are showing signs of damage as a result.

There is little point in going into details in this letter of objection as all arguments have been used previously, (see applications 12/0765 to FBC and 12/0655 to Blackpool Town Council) and have been disregarded in favour of meeting the 5 year housing supply. The opportunity to state all these will arise at the committee stage. One can only hope that the revised housing requirement will have been ratified by this date.”

Statutory Consultees

Lancashire County Council - Highway Authority

They have assessed the application and the supporting Transport Assessment. They do not raise any objection to the application confirming that the point of the access to Kings Close and from Kings Close to Chain Lane are acceptable, that there are no series concerns over highway safety or capacity associated with the development.

They query an element of the applicant's accessibility assessment and whilst they accept that the site has a medium accessibility they consider that this could be improved if the two nearest bus stops to the site on Chain Lane were upgraded to Quality Bus standard. This can be secured through a planning condition. They also request other conditions relating to the construction of the highway.

Since their initial comments were made the potential for a Zebra Crossing of Chain Lane close to the site access has been raised. They have confirmed that this would be acceptable in principle subject to the engineering details being finalised, and would deliver a benefit to general accessibility for pedestrians in the village.

Strategic Housing

They refer to the proposal offering affordable housing at a level that accords with that sought in the Interim Housing Policy and so raise no objection to the development subject to the details of the affordable housing and its delivery being secured by a s106 agreement at the appropriate stage.

United Utilities

They raise no objection to the proposal and request that conditions are imposed to ensure that surface water does not discharge to foul or combined sewers, and that foul drainage is undertaken through a separate system. They also make standard comments regarding the need for the developer to provide each dwelling with a water meter.

Electricity North West

Confirm that the development will not have any impact on their infrastructure and raise no objection to the proposals.

Environment Agency

They raise no objection to the application.

They refer to the site being in Flood Zone 1 which has the least likelihood of flooding and that they have reviewed the Flood Risk Assessment that has been submitted in support of the application. They are satisfied that the development would not be at an unacceptable risk of flooding or exacerbate flooding elsewhere.

Lancashire County Archaeology Service

They have considered the content of the Archaeological and Heritage Assessment and concur with its conclusion that the site is of limited archaeological potential and there is no need for any further archaeological work.

Natural England

Their comments focus on the ecological issues for which relate to their purpose which is to *"ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development"*.

They refer to the site being within 2km of the Marton Mere SSSI and advise that they believe there will be no damage or destruction of that feature if the development is undertaken in line with the submitted details.

With regard to Great Crested Newts they advise that the proposed development would be unlikely to affect the species and so raise no objection. They refer to the proximity to a local wildlife site and advise that the local authority needs to consider the implications of that and the opportunities to enhance biodiversity in the development.

Following receipt of comments regarding potential impact on Pink Footed Geese by Fylde Bird Club, and further information on this aspect by the applicant, they have been re-consulted. They have requested that the applicant undertakes further survey work to be confident that this species, which is important to the Ribble and Alt Estuary SPA, is not adversely affected by the development.

Lancashire County Ecology Service

They assessed the initially submitted ecological report and raised objection to the development as they did not believe that the applicant has submitted sufficient information to demonstrate that impacts on biodiversity will be avoided, or that there would be adequate mitigation / compensation for unavoidable impacts. This was in particular to the impacts on Great Crested Newts, Common Toad, wintering wildfowl, Barn Owl, indirect impacts on Special Protection Area and Biological Heritage Site, and the methodology of some of the survey work.

The applicant has undertaken further work in response, and this has allowed LCC to revise their position to one where the objection is withdrawn subject to the council imposing a series of conditions relating to ecological mitigation in all respects other than that relating to Great Crested Newts where they continue to express reservations.. Their comments are explained more fully in the relevant comment section of this report.

With regard to the survey work for Great Crested Newts they doubt that the work undertaken is sufficiently comprehensive as there are a number of ponds around the site that have not been surveyed for this application. The applicant's ecological consultant has provided further information on this and it is anticipated that the County Ecologist will provide a further response prior to Committee which will be reported in the late representations schedule.

Landscape and Urban Design Officer

Highlights that the development is outside of the settlement and protrudes into open countryside in a way that will cause some visual impact to the village. She also comments that the retention of trees and boundary hedges is important as these make a substantial contribution to the landscape character of the site and assist in mitigating the visual impact of the development in the short term. These boundaries should be enhanced with additional native planting, which will require that the initially submitted illustrative layout is revised to allow it sufficient space on the critical southern and eastern boundaries. The detailed layout will need to illustrate the way that the pond and ditches interact with existing drainage networks and the landscaping that runs alongside them.

Lancashire County Education

They have assessed the application to assess whether there is likely to be sufficient capacity in local primary and secondary schools at a time when the houses are likely to be constructed to accommodate the anticipated yield of children from the development. To do this they look at the scale of the development proposed, the primary schools within a 2 mile radius of the site, secondary schools within a 3 mile radius and the other developments with planning permission within those catchment distances from the schools.

With regard to primary education they have looked at the capacity in the 4 schools within 2 miles of the site in the Lancashire Education Authority area (Staining, Carr Head in Poulton, Weeton, & St Chads in Poulton), the planning permissions around them and the yield of children from this scheme which is anticipated to be 11 children. The outcome of this is that there is an existing shortfall of 114 in 5 years and so this development will increase that shortfall to 125. On that basis they make a request for an education contribution from the development to meet the whole anticipated yield of pupils which is £130,685.

They have undertaken the same exercise with regard to secondary education and looked at the capacity available at Baines School and Hodgson Academy in Poulton being the secondary schools within 3 miles of the site. The development is expected to generate demand for 5 extra places. At present there is anticipated to be a capacity of 130 spaces at the 2 schools in 5 years time, with this development and others with planning permission reducing that, but not to a degree that would use up the capacity unless the Whyndyke Farm scheme is included. In their reply LCC include the yield from this development and make a secondary education contribution request of £89,508 based on the whole yield from this development. The validity of this is discussed in the comment section of this report.

Observations of Other Interested Parties

A **Ward Councillor (Cllr Singleton)** has written to object to the development with specific reference to the narrow exit route leading onto Chain Lane, the previous flooding issues in the area, the use of open countryside for the development and the need for additional housing in Staining.

The **CPRE** have written to express objection to the proposal with a detailed letter. Their comments are summarised as follows:

- **Planning Balance** – They highlight the need to balance the merits of housing supply against the loss of agricultural land and the sustainability of the location. They argue that this scheme fails to satisfy the requirements of sustainable development and so the balance is for refusal of the application irrespective of the housing supply position.
- **Prematurity** – They refer to the importance placed on the plan-led system in the NPPF. This site is not allocated in the emerging Local Plan and a grant of planning permission at this time would pre-empt the preparation of the Part 2 Plan in the coming years.
- **Five Year Supply** – The council's latest position (of 31 March 2013) is that it has a 3.1 year supply of housing against the RSS housing target. The CPRE have undertaken their own analysis of housing supply and the methodology of its calculation and argue that the council has a supply equivalent to 5.1 years. They also refer to there being planning permission in place for the construction of 3,400 dwellings in the borough so the lack of a 5 year supply is not correct and cannot be a reason to support the development of this site.
- **Agricultural Land** – They refer to the NPPF encouragement that land should be used effectively which they interpret as using brownfield sites for housing first. As the applicant has not undertaken any assessment of brownfield sites in the general area then this has not been complied with. They also believe that the site could support arable crops and so its loss to housing would remove the potential for food production or biomass energy uses.
- **Sustainability** – This is a key component of the NPPF. The CPRE explain that whilst the site is adjacent to Staining, that village has a limited range of facilities with a primary school that is at capacity, a single shop and a part-time doctor's surgery. They argue that the local infrastructure is unsuitable for further significant expansion in the village.

Lancashire Constabulary have provided advice on the crime prevention issues of the development. They refer to the benefits of designing the scheme to Secured by Design standards and ask that the developer continues to liaise with them when considering the detailed design of the site.

A representation has been received from **Fylde Bird Club** who argue that the development will have an unacceptably adverse effect on wildlife, with specific reference to wintering Pink Footed Geese who are known to use land adjacent to the development. They also refer to the loss of land for Barn Owls and Kestrels who are known to breed nearby and so use the land for feeding. They refer to the applicant's ecological report being based on a single visit that was undertaken at the wrong time of year to assess breeding bird or wintering bird impacts. Their main concern is related to the Pink Footed Geese and the disturbance that the presence of a residential population and their dogs will have in such proximity

to them.

Neighbour Observations

Neighbours notified: 20 September 2013

No. Of Responses Received: 34

Nature of comments made:

All the letters received are from residents of the village, and all raise objection to the proposal. The main points of objection are summarised as:

Policy and Matters of Principle

- The village services are unable to cope with the additional population that will be brought to the village by the development of these properties. Specific examples given are the small local shop, the doctors surgery, the primary school, transport connections, play facilities.
- Any need for local housing to increase should be met by the development of brownfield sites not greenfield ones like this
- The village has seen significant recent growth with the development of over 70 houses on the site at Chain Lane by Jones Homes. These additional properties are unnecessary as the village has taken its share of development for the borough.
- This application, like others in the village recently, relies on the council's inability to provide a 5 year supply of housing. This is a "ridiculous requirement with no sound statistics on which to base it on especially in the North of England".
- The council should stand up to defend its communities against developments such as this rather than follow ill-conceived government requirements, irrespective of the costs of an appeal.
- The recent developments in the village (Baines Fold, The Heathers, Occupation Lane) has brought an 8% increase in the size of the village since 2010. Given that it is only 1.8% of the total borough population this growth is 4 times its 'fair share'.
- As around 1 in 4 of the houses in the village are currently for sale there is no need for any further development as this level of existing properties for sale indicates that there is simply no demand to live in the village.
- The village amenities that do exist are limited in size with little scope for expansion to handle the increased population e.g. scout hut, church, pub, hairdressers. Para 38 of the NPPF advises that larger residential expansions should only take place where there are a range of services to support them. Specific reference is made to the scout hut which is so restricted that there is a waiting list for membership of Scouts and Explorer Scouts.
- The development proposed is in conflict with the Fylde Borough Local Plan which allocates the land as countryside. As planning applications should be determined in line with the local plan this application should be refused.
- There are no employment opportunities in the village meaning all residents will have to travel elsewhere for work
- The proposal will involve the development of a green belt site (Note: it is not green belt)
- The plans indicate that the Co-op own large areas of land around that part of Staining and so this will be the first of a series of applications.

Drainage

- The drainage system in the village is unable to cope with the additional properties and regularly floods after any modest level of rainfall. The additional properties will compound these issues by increasing the amount of foul water and the rate of surface water from the site into the sewer.
- Staining has four flooding 'hot spots' and so development of further properties in the area is contrary to para 100-101 of the NPPF.
- The Heathers development has led to greater flooding in the village and no more housing

should be allowed until the drainage of the whole village has been assessed by United Utilities and the Environment Agency.

- The development of the site for the existing Kings Close developments has caused drainage problems in the area as the ditches that handle its water are no longer maintained. This problem will be increased by the development proposed.
- The Jones Homes development was required to relocate its foul drainage to avoid the Chain Lane corner as a known flooding location. Surely this development cannot discharge into that location.

Highways

- The main road through the village (Chain Lane) is unable to cope with the existing levels of traffic which it receives as a consequence of the size of the village, the recently housing developments and the level of commuters using the route as a shortcut. The development of further houses will make this situation even worse and more dangerous.
- The construction traffic associated with the development of such sites will lead to further damage to the poorly constructed roads, which are subject to a 7.5T weight limit
- Kings Close is a relatively quiet cul-de-sac where residents and their children are able to walk and play in safety. The proposed development will transform this into a busy route to the new dwellings during their construction and occupation.
- Chain Lane has narrow pavements making the increased traffic a risk to pedestrians also
- Whilst the junction of Kings Close and Chain Lane is served by a mini-roundabout there are a number of other junctions in close proximity to it and so a lot of turning vehicles
- The village is poorly served by buses and has no train service which means the residents will have little option other than to use cars for most journeys.
- The volume of traffic on the road makes it dangerous for pedestrians, especially children, to cross
- The existing junction of Kings Close and Chain Lane is of insufficient standard to accept the additional development proposed
- The road along Chain Lane is congested and makes it difficult to access neighbouring settlements for education, employment, leisure, etc. at busy times
- The proximity of the Coop shop to the Kings Close junction means that it is used by passing vehicles parking up at the shop and this makes the area particularly dangerous.
- The village is used as a rat-run with the Parish Council's SpID recording 3000 vehicles per day with the average speed in the 20mph zone being 29mph and some speeds of 50mph recorded. This demonstrates the road is not safe to take additional traffic.

Ecology

- The site is well used as a hunting ground for local wildlife such as bats and many species of birds.
- There are a series of ponds in the area and any wildlife in them will also use this site
- The fields on the application site support many bird species on the RSPB amber watch list and plants on the provisional red watch list
- The application site is used as a stop-over point for wintering birds, including Pink Footed Geese and these are protected by law
- The site has a 'Special Scientific Conservation' protection and so cannot be developed. (Note: There are no such designations on the site.)

Other Matters

- The village primary school is unable to accept any more children, and the proposed education contribution will not be sufficient to provide any realistic increase in capacity, even if it is spent locally. This lack of capacity is causing existing residents to leave the village to be able to find conveniently located school places for their children
- There is only a single GP in the village and no optician, pharmacy, chiropodist,

- physiotherapist, etc. which means that medical provision as a whole is limited.
- A resident has queried the ownership of part of the site and raised issues with the maintenance of a fence around the ditch. (Note: These matters have been addressed through a minor revision to the plan and passed to the applicant for attention.)
- The village has a lower ratio of policing than the national and county average
- The decision on such applications is a 'tick box' and it is futile for local residents to attempt to influence decisions through letters or attendance and Committee meetings.
- Residents of Kings Close object to the development on the basis that it will lead to a loss of the open aspect from their dwellings, a loss of privacy due to the position of the proposed dwellings and will obstruct the morning sun from their properties.
- There are a large number of new properties that remain unsold and so there is no need for further dwellings to be constructed
- The historic character of the village is being eroded by the development of the land around it and the increased activity that this brings to the village.
- The supporting information submitted with the application is inaccurate and based on out-of-date surveys for traffic and drainage.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
SP02	Development in countryside areas
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP11	Building design & landscape character
EP13	Planting of trees, hedgerows and woodland
EP14	Landscaping of new developments
EP17	Development in or near Biological & Geological Heritage Sites
EP18	Natural features
EP19	Protected species
EP21	Archaeology
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP30	Development within floodplains
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
TR05	Public transport provision for large developments
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments
CF01	Provision of community facilities
CF02	Provision of new primary schools

Other Relevant Policy:

NPPF:	National Planning Policy Framework
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Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning

(Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

Policy Background

Planning legislation requires that planning applications are determined in line with the development plan unless there are material considerations that dictate otherwise. This has been reinforced by the National Planning Policy Framework (NPPF) which refers at paragraph 14 to the need for applications that accord with the development plan to be approved without delay.

Under the Fylde Borough Local Plan the whole of this application site is outside of the settlement boundary of Staining which extends around the existing properties on Kings Close only. The land of the application site is all allocated as Countryside under Policy SP2. This Policy restricts the majority of development to preserve its rural character, with the exceptions generally limited to agricultural or other such rural uses. New residential development is clearly contrary to this Policy and so it is important to assess whether there are any material considerations that would justify overruling this Policy objection. If there are not then a reason for refusal on the conflict with the Local Plan allocation would be appropriate.

The Fylde Borough Local Plan is dated, and work is advancing on its replacement which will look at the period to 2030. A consultation exercise was undertaken over summer 2013 on the 'Preferred Option' of the Part 1 to this Plan which included strategic locations for development but did not look at smaller developments than 100 units and did not include any allocations in or around Staining and the other rural villages of the borough. This replacement Local Plan document is at such an early stage that it can have only limited weight in the determination of this application, although the evidence base that has been collected to inform it is a material consideration in the determination of this application. A key part of this is the level of housing land need and the available supply.

The Fylde Borough Local Plan remains a relevant policy document where it is consistent with the NPPF. Residential development proposals are assessed against Policy HL2 of the Fylde Borough Local Plan with this introducing a series of criteria. This report will assess the proposal against these criteria with reference to the appropriate paragraph of NPPF.

Need for Residential Development

The NPPF requires that local planning authorities provide for housing land equivalent to at least a 5 year supply of the council's housing target. Para 47 of the NPPF states that "*local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing land against their housing requirements*", and then refers to additional amounts being required where there has been consistent under-delivery. The applicant's supporting statement makes reference to this requirement in support of the application.

The council's annual housing requirement is the figure expressed in Policy L4 of the RSS as this is the latest figure that has been subject to any public consultation and public examination. Whilst RSS has been revoked, that figure of 306 dwellings per year, remains the relevant figure for measuring the 5 year supply, and needs to include a 20% buffer as the council has consistently been unable to deliver that number of dwellings, and needs to include the shortfall in supply that built up over the period of the RSS.

The council's Local Plan team produce regular position papers regarding the borough's housing supply. The latest of these concludes that at 31 December 2013 the council was able to present a supply equivalent to 4.5 years against the adjusted RSS 5 year housing requirement (including historic under-provision and NPPF buffer of 20% due to that under-provision). The CPRE and others have raised doubts over the methodology used by the council to calculate its 5 year housing supply, and have

claimed that the use of an alternative methodology allows the council to achieve a 5 year housing supply. This matter is discussed in the Inspector's decision letter to the Mowbreck Lane appeal in which the Inspector concludes the council's approach to require a 20% buffer was correct. Accordingly council officers are satisfied that the methodology used is correct, and whilst the current figure is a marked improvement over the 3.1 years that was available at 31 March 2013, as it remains below 5 years the council is unable to say it has an adequate housing supply.

The guidance in para 14 of NPPF is therefore relevant and this is a strong factor to be weighed in favour of residential development proposals. If a scheme is considered to deliver sustainable development and not have any adverse impacts that would significantly and demonstrably outweigh the benefit in housing supply, that guidance is clear that planning permission should be granted. There is therefore a need to assess whether this particular proposal delivers housing at a scale and location that is sustainable, and if there are any other relevant factors to outweigh its development.

Does the Proposal Deliver Sustainable Development?

It is a basic planning principle that development should be directed to the most appropriate location. This is explained throughout the NPPF with its 'presumption in favour of sustainable development'. The NPPF sets out three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Accessibility of Site

The accessibility of the location where development is proposed is a key aspect of its sustainability. The applicant's Transport Statement lists the distances to the nearest services from the site using a methodology from the Chartered Institute for Highways and Transportation. They refer to the local village services being within a convenient walking distance, that there is a regional cycle route along Chain Lane which gives the site a good connectivity to other services in a wider area, and that the availability of bus stops and the No. 2 service that gives good connections to Blackpool and Poulton for higher order facilities. They have also assessed the site against an Accessibility Questionnaire used by LCC as part of their highway contributions calculations and argue that this demonstrates the site has a medium accessibility.

When considering the accessibility of residential development proposal in recent years the council has used the appendix from the former RS as a basis for quantifying that accessibility of the site. For consistency with those applications the scoring against this matrix for this site are shown below.

Criteria from Table 3 of Appendix RT to RSS	Actual Distance	Score
Walking distance from centre of site to nearest bus stop	280m from centre of site to existing bus stop on Chain lane.	3
Walking distance from centre of site to nearest railway station	Nearest station is Layton which is over 4.5km from site	0

Walking distance from centre of site to nearest primary school	580m to Staining Primary	1
Walking distance from centre of site to nearest food shop	190m to Coop Store on Chain Lane	5
Cycling distance from centre of site to nearest defined cycle route	180m to cycle route running through village along Chain Lane	2
Cycling distance from centre of site to nearest secondary school	3km to Baines School in Poulton	0
Cycling distance from centre of site to nearest town centre	Around 5km to Poulton	1
Cycling distance from centre of site to nearest employment concentration	Around 4km to Mereside near M55	1
Bus frequency from nearest stop	No. 2 bus service operates a half hourly service connecting the village to Poulton and Blackpool	5
Train frequency from nearest station	Half hourly service from Layton station to Blackpool North and Preston direction	2
Accessibility to basic services	Pub, playgroup, shop within 800m of site	3
Accessibility to play area or park	Whilst open space areas are shown on the illustrative layout these would not provide formal play. The nearest existing facility is at the Village Hall and is 400m.	3
Total Accessibility Score		26

This gives the site an accessibility score that is well within the medium accessibility range, which is the level that has been acknowledged previously as providing an acceptable level of accessibility to such services. It has painted a false picture in some cases whereby points have been gained for the village's good bus service when they have not been accessible to the site, but that is not the case here other than for the train services which has no material impact on the accessibility level.

It is therefore accepted that the site is sufficiently accessible to local services. The application has also been revised to include a Zebra Crossing adjacent to the junction of Chain Lane with Kings Close. In practical terms this will improve the ease of access to the play and other facilities at the village hall.

Visual Impact of Development Proposed

The position to establish here is whether the character of the area of the application site, and the scale of the development proposed, is such that the residential development can be delivered without unduly compromising the rural character of the area.

The application site is open countryside that lies beyond the settlement boundary and is currently greenfield land that remains in agricultural use. It is lain to grass and so forms a typical part of the countryside in Fylde borough. The issues to be considered under this heading are the visual impact of the development on its immediate surroundings, how the application site fits in with the established urban form of the village, and whether the scale of development is appropriate for the site and its surroundings.

With regard to direct visual impact, these will be significant to a number of properties on Kings Close that back onto the site and others on that road which have clear views across it. The perception of the development to all residents on Kings Close will also be clear from the increased use of that road as its sole access point. The site will also be visible from other properties that back onto the countryside at the eastern side of the village such as Bleasdale Avenue and to users of the public footpath on Occupation Lane.

The application is supported with a Landscape Appraisal that assesses these impacts and argues that the

topography, boundary hedgerow planting and scale of the development proposed combine to ensure that the development can be assimilated into the landscape. The council's Landscape Officer has assessed this Appraisal and the proposed development and concludes that the development will protrude from the village boundary into open countryside, but that with sensitive and appropriate levels of native planting the existing boundary hedgerows can be enhanced so that the short term visual impact of the development can be mitigated.

The illustrative layout originally submitted indicated a layout that replicated the existing harsh transition between urban and rural, and was not felt to be appropriate for this edge of settlement location. This layout has been revised to increase the amount of landscaping that is provided around the periphery of the site and at other critical points such as the approach along the Occupation Lane public footpath. This improved general layout can be secured by a condition on any planning permission, and the landscaping agreed through the reserved matters.

The development will inevitably urbanise this part of the rural area around the village to a degree but with these conditions to ensure a sensitive layout and landscaping strategy it is considered that it will have an acceptable visual impact that will not cause harm to the rural character of the village. Para 58 of NPPF refers to the quality of developments and includes a requirement for planning decisions to respond to the local character of an area. This is a similar requirement to criteria 2 of Policy HL2 which requires that a development is in keeping with the character of the locality. The revisions allow the application to accord with these requirements.

Impact on Urban Form

The harm to the form of the village is a concern as the development site has a limited connection with the existing settlement boundary of only 75m compared to around 500m boundary with open countryside. The result of this is that the effective extension of the settlement that this development would represent a poor urban form with the development encroaching into the countryside in an ill planned way. Furthermore, this incursion into the countryside will also impact on a wider area as the irregular shape of the site will impact on surrounding land, particularly that to the north of the site and so rear of Kings Close/Bleasdale Avenue, which would have a reduced value as countryside as a consequence of the development. This land is also in the ownership of this applicant and so could be the subject of a future planning application or request for inclusion in the Part 2 Fylde Local Plan to 2030.

This is clearly a negative impact of the development and is one that needs to be weighed in the balance of the overall decision on this application.

Loss of Agricultural Land

The application site is entirely greenfield land that is in agricultural use. Data from Natural England concerning the agricultural land classification of the land of the application site lists it as being of Grade 3 but does not determine whether the land is Grade 3a which would be Best and Most Versatile Land that is protected from development by Policy EP22 of the Fylde Borough Local Plan and by paragraph 112 in the NPPF, or Grade 3b which is not.

During the consideration of the application an intrusive survey report has been provided by the applicant to document the actual land classification based on a soil survey from 3 boreholes across the site, which is the appropriate number for a site of this size. Their survey confirms that the whole of the site area is Grade 3a and so is of a Best and Most Versatile quality. The loss of Best and Most Versatile Agricultural land is a factor that must count against a development and raises conflict with Policy EP22 of the Fylde Borough Local Plan and para 112 of the NPPF as quoted in NPPF. Albeit in this case the scale of the site at 1.8 hectares means that there is a question as to whether the loss of a relatively small area of such land is actually a "significant development of agricultural land". There has also been a series of appeal decisions nationally where agricultural land protection has been seen as being of secondary importance to delivering residential development where those are the only competing factors to be weighed in a decision.

Scale of Development

With regard to the scale of development, the 2001 census indicate that there were 962 dwellings in Staining Parish. This number will have increased since that time, most notably with the 72 dwellings on the two phases of the Jones Homes development at Chain Lane, the 11 dwellings at Baines Fold and the 5 dwellings approved on appeal at Occupation Lane. These 88 dwellings amount to a 9% increase in the number of households in the Parish in the 12 years since that census was taken, with the majority of these approved and under construction in the last few of those years.

The additional 30 dwellings proposed here will result in an overall 12 % increase in households, with the applicant's planning statement arguing that to be a level of growth which is not excessive for a settlement such as Staining which has a nucleus of basic services, reasonable connections to locations providing other services and the capacity for such services to expand.

In assessing other similar applications recently in Wrea Green these were refused as a consequence of them each involving percentage increases of between 15% - 18%, with the concern being that this level of growth was considered to be beyond that which the existing facilities can reasonably accommodate. This means that residents are more likely to travel outside of the village to access employment, shopping, leisure, recreation, education, etc. purposes services and with the distances involved and the limited public transport connections available these journeys are less likely to be by methods other than private car.

Although the level of increase proposed here is slightly less, it raises the same concerns. The Wrea Green applications are all currently at appeal and so the council is awaiting an Inspector's opinion on this stance. Despite these similarities, there are also differences between Staining and Wrea Green. Staining is a larger village, with a better range of existing services and more capacity for these to expand without the same Conservation Area constraints in the centre of Wrea Green. It is also better located to Blackpool as a highest level settlement and to Poulton, and the actual site is located close to the centre of the village.

This makes the balance on the scale of development a fine one. Officers are mindful that government guidance is to support development to encourage economic growth, and so conclude the scale of growth involved with this scheme and those at Baines Farm/Chain Lane are not sufficient to lead to conflict with criterion 2 of Policy HL2 of the Fylde Borough Local Plan which requires that development should be of a scale that is in keeping with the character of the locality.

Density

The density of development proposed in the development of 30 dwellings on a 1.8 hectare site is almost 17 dwelling per hectare. This is a reasonable density and reflects the density of the existing Kings Close properties. Whilst this is not the best possible use of the greenfield land of the application site, it is considered appropriate given the nature of the surrounding development, the edge of village location and the anticipated requirements for the site to accommodate the new access roads, landscaping buffer areas and drainage features which will all reduce the developable area of the site.

Summary to Sustainable Development Assessment

The council has previously sought to resist the principle of residential development on all out of settlement sites that are allocated as Countryside in the Local Plan on the basis that such development is contrary to Policy SP2. However, the emphasis on delivering sustainable residential development in the NPPF and more recent ministerial statements and appeal decisions are material considerations that need to be assessed alongside this development plan policy. This has led to a change in approach with council officers supporting a number of such proposals where they have concluded the need for housing land, and the merits of the particular application, have justified it.

Given the council's lack of a five year housing supply, the NPPF places a significant weight on housing delivery, and it is necessary to examine whether this outweighs the other considerations in assessing the

merits of the principle of the residential development of this site. In this case the following aspects weigh against this principle:

- That the site is a greenfield site which is available for agricultural use and lies outside of the settlement and so is given protection from development Fylde Borough Local Plan Policy SP2.
- The development of the site will have a detrimental impact on the urban form of the village by its protrusion from the existing settlement boundary and the impact that this has on the character of adjoining land
- That the development involves the loss of 1.8 hectares of agricultural land which has been confirmed to be of a Best and Most Versatile Grade

Set against these negative impacts are a series of positive ones:

- The development will provide for housing on the edge of one of the larger village settlements in the borough. This will assist in reducing the shortfall in the housing supply which the council needs to provide to meet the requirements of the NPPF
- The site is in close proximity to the main transport route through the village and to the services which are available to the village. The assessment of accessibility to services demonstrates that the site is accessible.
- Staining as a settlement has close proximity to neighbouring large settlements that provide a higher order of services.
- The application delivers a density of development on the site that represents a suitably efficient use of the land to sit alongside the adjacent development
- The amended illustrative layout assists in assimilating the development into the surrounding rural landscape and providing a less harsh edge to the settlement than currently exists.
- There are anticipated to be no 'technical' issues that would justify a reason for refusal of this application (These are fully assessed in the following sections of this report)

Taking these factors in combination it is considered that the scheme does deliver sustainable residential development.

Paragraph 14 of the NPPF states that “*where the development plan is absent, silent or relevant policies are out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits*”. In this case the Fylde Borough Local Plan is out of date with respect to the delivery of a housing land to meet the 5 year supply, and as the adverse impacts explained above are not sufficient to outweigh the benefits of delivering housing on this site, the principle of development is considered to be acceptable.

Access Arrangements

This is one of the key considerations with any planning application, and as access is a matter for consideration under this outline application the access details are to be assessed at this time. The application proposes a single vehicular access which is to be an extension of the existing carriageways of Kings Close from the point where it currently terminates in a turning head between Nos. 6 & 18. This will continue into the development at the existing 6.6m width before narrowing to a 5.5m width which is more typical for developments of this scale. The existing 2m footways on each side of Kings Close will be extended into the development and provide pedestrian connectivity with the wider footpath network in the village. No alternations are proposed to the junction of Kings Close with Chain Lane which is served by a mini roundabout.

Network Capacity

Chain Lane is classified as the C278 and is subject to a 20mph limit throughout the village, with this extending along Kings Close. The Transport Statement includes an assessment of the accident record and road capacity issues in the area and uses the standard TRICS methodology to anticipate the vehicle movements associated with the development. This gives an additional 16-17 vehicle movements

during each of the morning and afternoon peak periods, which County Highways accept can be accommodated onto the network without any detriment to the safety or efficiency of its operation. The village has a limited accident record with no single concentration of accidents other than the Chain Lane/Mythop Road junction which is to be improved by the Chain Lane Phase 2 development. The only accidents recorded in the vicinity of the Kings Close / Chain Lane junction involve a car and cyclist outside the Co-op and a rear-end shunt in stationary traffic.

Location and Design of Access

The existing carriageway of Kings Close has a suitable width and design to accommodate the additional traffic that would be generated by this development and can be easily extended to serve it without any impacts on the access arrangements for the existing properties.

Pedestrian Routes

The access proposes direct connections to the existing footway on Kings Close and then to that on Chain Lane in both directions. During consideration of the application the applicant has agreed to fund the provision of a Zebra Crossing for Chain Lane adjacent to the junction with Kings Close. County Highways have assessed the feasibility of this and agree that it can safely be constructed at this location, and will assist with slowing traffic through the village and pedestrian connectivity. The residents of the development will have easy pedestrian access to the local shop, village hall, bus stops, and other services in the village.

Cycle Connections

No improvements to cycle connections are proposed, although the site is close to the existing cycle route that runs through the centre of the village.

Summary

The proposal will be served from an extension of Kings Close which is a well designed and constructed adopted highway that can accommodate the additional traffic from the development. That road joins the main highway network with a mini-roundabout at its junction with Chain Lane. This junction offers good visibility in both directions and is designed to handle the level and nature of traffic that will result from the development proposed. The site also has good quality direct pedestrian links to the main route through the village at either side of Kings Close and Chain Lane.

No objection to the development has been raised by Lancashire County Highways and whilst highway safety is an area of concern raised by the Parish Council and residents it is your officer view that the access arrangements for the site are acceptable. As such the development complies with criteria 9 of Policy HL2 and is consistent with paragraph 32 of NPPF which requires that developments have a safe and suitable access.

Drainage Matters

The application site is an undulating greenfield site that slopes down towards a brook which runs adjacent to the northern boundary of the site in a north easterly direction away from Staining village to connect to the River Wyre's drainage basin.

The application is supported with a Flood Risk Assessment which has been assessed by the Environment Agency and United Utilities as the two key consultees on such matters. As with much of the land around Staining, the site is located in Flood Zone 1 which is the least likely to suffer tidal or fluvial flooding. In the determination of the application it is important to establish, in principle, how the surface and foul water drainage works are to be designed and implemented to ensure that they offer a practical solution for site drainage without causing any flooding issues.

Surface Water

The development of the site from its current largely greenfield state will dramatically increase surface water runoff rates and so require that these are attenuated to prevent overloading of the networks downstream. The Flood Risk Assessment describes the site conditions and makes an assessment of

existing drainage. They refer to concerns expressed by residents and the Parish Council in this regard where flooding of the highway and several properties has been reported on Chain Lane near the site. It is suggested that as this flooding occurs after significant rainfall events it could be attributed to an unspecified defect within the existing culvert in that area which is resulting in the additional storm water entering the existing combined sewer which is then unable to cope and so surcharging out. They refer to the topography of the area being such that the application site will not be affected by such events, and that the development of the site as is proposed will not increase the risk of flooding in these drains and sewers.

The FRA explains the intention to utilise the 'ordinary watercourse' that runs alongside the northern boundary of the site to take the surface water from the site, with the rate of flow into this watercourse controlled by a series of swales and other such attenuation features. A series of calculations are presented to demonstrate the level of attenuation that would typically be required from a development of this nature, with the final design of these to be resolved at any reserved matters stage.

The illustrative layout indicates how these could be incorporated into the site layout and the location plan confirms that this watercourse is within the applicant's control despite being outside of the actual application site.

This seems to be an appropriate solution to surface water drainage which will ensure that the site drainage functions as at present whereby the water from the site will percolate to this watercourse as part of the normal greenfield site drainage. Conditions are appropriate to ensure that the final design of the scheme is included within any reserved matters application, and then implemented and maintained.

In response to a series of comments about the local flooding at the Chain Lane / Kings Close junction the applicant has undertaken some works to the ditch that is adjacent to Kings Close and takes surface water from this area. These works have been completed under the supervision of Lancashire County Council in late January 2014 and involved the removal of blockages from the ditch, the re-profiling of embankments and the erection of a fence to provide protection to the banks from future animal trampling.

Foul Water

The largely undeveloped nature of the site at present means that the development of the 30 properties proposed will introduce entirely new foul drainage to the network. The Flood Risk Assessment refers to discussions with United Utilities over the potential for connections to the existing public sewer in the area. One suggestion is to connect to the existing public sewer in Kings Close which is constructed to an appropriate standard at 150mm diameter, with a particular manhole suggested for that connection.

United Utilities are the statutory drainage body and so have been consulted on this element of the application. In their consultation reply they do not raise objection to the proposal but request details of the proposed foul water drainage solution prior to construction.

Your officers have sought further clarification on this given from United Utilities given the local concerns over the capacity of the connection of that sewer to the combined Chain Lane sewer and the capacity of that sewer which seems to have a series of private connections to it taking surface water from gardens. The ditch clearance works undertaken by the applicant may assist with these reported issues.

Summary

With this being an outline planning application it is necessary for it to simply provide sufficient comfort that a site can be drained effectively, without any need for it to provide the full details of that drainage solution. In this case the application proposes a viable solution of draining the surface water from the site to the existing watercourse adjacent to it at a controlled rate. The foul drainage is less certain due to capacity concerns with the combined sewer that the Kings Close sewer will link to, but given the clear lack of objection from United Utilities on this matter it is not appropriate for the council to refuse

the application on this basis. Accordingly it is considered that the proposal is in accordance with Policy EP25 and EP30 and criteria 10 of Policy HL2 of the Fylde Borough Local Plan and para 100 and 103 of the NPPF.

Ecology

The site does not contain any ecological or biodiversity designations, although the Marton Mere SSSI is within 2km of the site and so requires that Natural England are a consultee on the application. There is also a Biological Heritage Site at Smithy Farm Pond which is 130m to the northwest of the site boundary and is designated for the pond plants and invertebrates that it supports. The site contains no buildings and is entirely grazing land so limiting its ecological value. There are hawthorn hedges with a mix of trees within them around the rural boundaries of the site.

The application was initially supported by an Arboricultural Survey and a Phase 1 Habitat Survey, and further survey work has been provided during its consideration. These have been assessed by the relevant consultees and the views on the various issues are reported below.

Habitat

The development site itself is species poor habitat, but there is the potential for surrounding land to support protected and priority species and for them to use this site. Natural England assessed the application and have confirmed that they do not consider it will have any impact on Marton Mere or the species that contribute to its importance as an SSSI. County Ecology were refer to the ecological importance of the native hedgerows around the site and request that these be protected and managed by planning condition.

The BHS pond is some distance from the site and so implications for it are negligible. The application suggests that this could be fenced off to limit cattle access and this is considered to be a benefit to its ecological value that could be required by a planning condition as it is within the applicant's wider landholding. The illustrative layout also indicates ponds across the site and their appropriate provision will also benefit biodiversity habitat.

Great Crested Newts

There are no ponds currently within the site, but there are a series of ponds within the commuting distance of Great Crested Newts which are a species protected by national and European legislation. The application provided an initial report of the likelihood of the development impacting on Great Crested Newt, and following criticism of this by County Ecology, they have undertaken further work which has been assessed by County Ecology. The position remains that they are not satisfied that the survey work to examine the ponds around the site is sufficiently robust due to the nature of the surveys and the failure to secure access to all the surrounding ponds. As such County Ecology remain to be satisfied that the development will not have any impact on the local Great Crested Newt population.

It is an offence for a Great Crested Newt population or their habitat to be damaged, and at present the council's advisor on ecological matters is not satisfied that this will not be the case. Accordingly the applicant should not be granted planning permission until this matter is resolved with conflict with Policy EP18 and para 118 of the NPPF being relevant. However, the site is actually located some distance from these ponds with intervening development providing a barrier, and provides hedgerow and ponds as potential mitigation for the loss of the habitat on much of the site. With these factors it seems more appropriate to allow the applicant the opportunity to provide this further clarification than refuse the application on this basis alone.

If all other matters are resolved it is appropriate that the determination of the application is delayed until the full implications for the development on the Great Crested Newt population/habitat are resolved and any mitigation incorporated into the scheme. If the application is to be refused then the failure to be satisfied of a lack of impacts on Great Crested Newt should constitute a reason for refusal.

Toads

The application confirms a lack of evidence of Common Toad on the site or in the Great Crested Newt surveys of surrounding ponds. The County Ecologist advises that these are a Species of Principal Importance that may present in the wider area as a consequence of the scope of the surveys being less than ideal as referred to earlier. However, the statutory protection to Toads is such that any impacts on this species can be addressed by a suitable condition to require habitat is provided within and around the site.

Bats

There are no buildings within the site to provide any roosting opportunities, and whilst the site will offer foraging space there are extensive areas around the site that are to be retained with the hedgerows, pond and ditches offering enhanced environments for bats. There are no adverse impacts on this species.

Badgers

Although the site does provide foraging opportunities for badgers, no evidence of activity was found on site. The County Ecologist accepts this survey but highlights that a further survey of a wider area would be appropriate.

Water Voles

The ditches and watercourses within and adjacent to the site are not considered to be suitable for Water Vole habitat and so there is not considered to be any potential adverse impact on this protected species.

Barn Owls

The grassland on the site offers foraging habitat for Barn Owls and will be lost as a consequence of the development. The submitted ecology report refers to the potential for the surrounding land within the applicant's control to be managed in a way that would compensate for this loss with wider field margin to provide habitat for small mammals that owls and other raptors prey on. This is an appropriate mitigation and will address concerns with a condition appropriate to secure its implementation.

Nesting Birds

The hedgerows and trees on the site provide the potential to support various species of birds. These are to be retained and enhanced in the scheme and so there will be no adverse impact on these, subject to a condition to require that works are undertaken at a time of year outside the breeding season and that the habitat is to be retained.

Pink Footed Geese

The Fylde Bird Club have objected to the application on the basis that land adjacent to the site is known to provide a feeding ground for Pink Footed Geese who visit the area over winter. They refer to the unsuitability of the August visit by the applicant's ecologist to assess this, or the use of the site for any breeding birds. These concerns were raised with the applicant and statutory ecology consultants as no information on this species was provided as part of the original submission. Pink Footed Geese are one of the species that contribute to the Morecambe Bay SPA and Ribble and Alt Estuaries SPA and so it is important that their populations are not affected when migrating to and from these areas.

The applicant has commissioned their ecological consultants to undertake research on this species using the information recorded by the Fylde Bird Club over the past 5 years. They report that the records indicate that there are 10 occasions in this period when birds have been recorded within 1km of the application site, and it not clear whether these are feeding or merely over-flying, with only 2 of these within 100m of the site. They conclude that this should be regarded as demonstrating that the site is not regularly used by this species. Moreover, they report that Pink Footed Geese favour large areas of open pasture and arable farmland for feeding and so the size of the site and proximity to Staining make it unfavourable habitat for this species.

Natural England have provide a response to this and question the conclusion of the applicant's ecologists. They interpret the data supplied by Fylde Bird Club as evidencing that the surrounding fields to the site are used by a significant proportion of Morecambe Bay SPA Pink Footed Geese

population. Whilst they believe that the impacts can be mitigated they have requested further survey work is undertaken to determine the nature and extent of the mitigation. This could be through measures such as management of adjoining land for the species, restricting shooting rights on other land, timing of construction works, etc.

Although the impacts on Pink Footed Geese from the development is considered to be limited this is an area where final consultee comments are awaited, albeit that these are likely to direct mitigation rather than relate to the principle of the acceptability of the development.

Summary

The application and later information presents an examination of the potential ecological impacts from the residential development of the site and concludes that there would be no significant impacts that cannot be mitigated. With the exception of Great Crested Newt impacts, and mitigation measures required for Toads and Pink Footed Geese, this position is generally accepted by the County Ecologist. Further work has been undertaken on these aspects and the consultee views are awaited on it and so the application should not be favourably determined whilst this matter is outstanding.

At the present time this could represent a reason for refusal of the application as the absence of appropriate survey work means that the council cannot be confident that there will not be *'detrimental to the maintenance of the population of the species at a favourable conservation status'*, and so is unable to satisfy the requisite tests of the Habitats Directive. As such the scheme cannot comply with Policy EP18 and Policy EP19 of the Fylde Borough Local Plan which protects natural features and the protected species that may habitat them, and paragraph 118 of the NPPF with which they are consistent. However, as there is a reasonable likelihood that the outstanding concerns will be resolved and it is more appropriate to delegate any approval of the application to officers so that they can continue to work with the applicant and the ecological consultees to resolve the issues.

Affordable Housing Provision

The delivery of affordable housing is an important aspect of all residential development schemes. The Interim Housing Policy refers to the delivery of affordable housing as part of residential development schemes and requires that 30% of the dwellings be provided as affordable units. The application form and supporting statements refer to the intention for 9 of the 30 properties to be socially rented properties and so would meet the 30% policy requirement. The provision of family dwellings for social rent is appropriate to meet the demands of the borough as identified in the Housing Needs Survey.

If the Committee were to resolve to grant planning permission the provision of these affordable units should be secured by a s106 agreement to be signed prior to the grant of planning permission. However, if Committee are to refuse the application due to other issues with the scheme then the absence of any mechanism to deliver the necessary affordable housing provision the application should also be included as a reason for refusal based on conflict with the Interim Housing Policy and national guidance in para 50 of the NPPF.

Public Open Space

The Local Plan requires that open space be provided on site in residential developments of this scale in line with the amount per plot detailed in Policy TREC17, with appropriate provision made for the on-going maintenance of this.

Whilst the outline nature of the application means that there can be no clarity on this matter, the scale of the site and number of dwellings proposed will allow for space to provide some open space around the development. This is confirmed in the submitted illustrative layout plan and referred to in the design and access statement supplied with the application. The applicant argues that this is equivalent to around three times the amount required by Policy TREC17, but accepts that much of this is in the form of amenity / landscaping open space around the ditch, pond and other such features rather than giving any recreational value.

Planning legislation allows for the council to secure a reasonable level of funding from a development to enhance facilities in an area, but the funding must be necessary to make the development acceptable and related in scale to the development. In this case there is a close geographical link between the development site and the open space facilities at the Village Hall, with this improved with the Zebra Crossing that is to be provided. With this connection, and the limited recreational space on site, there is a justification for the development to contribute to the upgrade of the facilities at the village hall. It is understood that there is a local project to enhance the drainage of the playing fields at the Village Hall site, and the developer has agreed to contribute £15,000 towards that or an alternative local scheme instead of any on-site play provision.

This would be a proportionate and reasonable contribution from the development and so its provision would comply with the CIL regulations and Policy TREC17. It would be secured through a s106 agreement to signed prior to the grant of any planning permission.

Public Realm

The council's Interim Housing Policy seeks contributions from developments to assist in the delivery of public realm improvements as are identified in the council's Regeneration Framework 2010. This document identifies projects across the borough and also looks at all conservation areas as being locations for focussing investment in the quality of their public realm. There are no such projects in Staining, and the village does not have a conservation area. As such it would not be appropriate, or compatible with the CIL regulations, for any public realm contributions to be sought from this development.

Education

The capacity of the village primary school to absorb the children from this site, along with others from schemes recently approved in the village has been raised as a concern by the Parish Council and many residents. Lancashire County Council has provided a consultation response on this matter. They do not look just at the village school, but also examine the other schools in the area that could reasonably be expected to take children from the development, and also at existing and planned developments that those schools would also serve. The same exercise is undertaken with respect of secondary schools, with the schools assessed reported under their comments in that section of this report.

With regard to primary school education they confirmed at the time that the Chain Lane Phase 2 scheme was under consideration in January 2012 that there was sufficient capacity in local schools to take the children from that development. When they undertook their analysis for this application in October 2013 LCC Education took account of the yield of children from that development and the position now is that there is insufficient capacity in the local schools to accommodate the children from this proposal.

With regard to secondary school education the local education authority confirm that there is sufficient capacity in the two local Lancashire schools in Poulton to accept the anticipated yield of children from this development and others which have planning permission in the area. As such no education contribution would be appropriate. They do make comment that if the Whyndyke Farm application was to be approved the scale of that development is such that it would use up all the spare capacity in these schools, but that application remains to be determined and would be required to make its own education provision in any event so there is no justification for any secondary education provision in respect of this scheme.

Where there is a shortage of school places Policy CF2 of the Fylde Borough Local Plan allows for the council to secure financial contributions from developments to assist in increasing education provision in an area, and is consistent with para 72 of the NPPF in doing so. That situation exists with respect to primary education, with the contribution request amounting to the anticipated yield of 11 children which is £130,685. This would normally be secured by a s106 agreement, with the Planning Statement submitted with the application referring to this. This would need to be completed prior to any grant of planning permission, or be included as a reason for refusal if the application is to be refused on other grounds so that it is for consideration in any appeal. Subject to the satisfactory completion of any

agreement that is required the development would comply with Policy CF2 and it would not be appropriate to refuse the application on the basis of a concern over capacity in local schools.

Relationship to Neighbours

As this is an outline application with only access applied for the illustrative layout submitted with the application is for indicative purposes only. This means that it is not possible to assess how the dwellings would relate to the existing neighbours as this would form part of the consideration of a subsequent reserved matters application. Notwithstanding that, there will be an inevitable impact on the four properties (12-18 Kings Close) which share a boundary with the site and currently have open views from the rear of their houses across the site. There will be other properties on Kings Close, and on Occupation Lane and on Bleasdale Avenue that have more distant views of the development of the site, but these are all well separated from it with intervening agricultural land which prevents these impacts being significant.

The private view impacts suffered by these four properties are not a material planning consideration. The massing and privacy impacts can be most properly assessed as part of the consideration of any reserved matters application, but with the scale of the site and the number of properties proposed, and the relationship of the site to off-site neighbours it will be possible to accommodate the development proposed without causing undue impact to the existing dwellings adjacent to the site.

Conclusions

The application is for outline planning permission for the erection of 30 dwellings on a greenfield site located off Kings Close in Staining. The site is outside of the settlement on land that is allocated as Countryside in the Fylde Borough Local Plan meaning that the proposal is contrary to the saved policy of the development plan, and so should be refused planning permission unless there are material considerations to outweigh that conflict.

In considering these, the most critical is the fact that the council continues to be unable to deliver the five year supply of housing as required by para 47 of the NPPF. As such it is necessary to establish whether this proposal delivers sustainable development and whether there are any significant adverse effects from the proposal that would require it to be refused.

The proposal has an appropriate access, delivers the necessary element of affordable housing and open space, has been revised to improve its appearance in the countryside and to the setting of the village. There are concerns over the scale of the development proposed along with others recently in the village, but Staining has a reasonable level of services and this site is well located to them. As such the balanced officer opinion is that the proposal does deliver sustainable development, and that there are no over-riding negative impacts from the development that should prevent it being recommended for approval.

This position is on the understanding that outstanding ecological matters are resolved, and so the officer recommendation is to delegate the decision to grant planning permission to officers on confirmation that the relevant ecological consultees are satisfied with the mitigation proposed, and on the completion of a s106 agreement to secure affordable housing, education payments and funding to improve open space facilities in the area.

Recommendation

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

1. Resolving outstanding ecological issues relating to Great Crested Newts and Pink Footed Geese in

order to comply with ecological protection legislation;

2. The completion of a s106 agreement to secure:

- The details of the delivery, management and operation of 30% of the properties on site as affordable dwellings
- The payment, and the phasing of that payment, of a sum of £130,685 towards the enhancement of primary school provision in the area to serve the educational requirements of the pupils that are estimated to occupy the site,
- The payment, and the phasing of that payment, of a sum of £15,000 to be used for the upgrading of existing open space facilities in the vicinity of the site,

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

3. The following conditions (or similar as amended to reflect ecological mitigation or other such matters that progress between the Committee and decision notice being issued):

1. In the case of any 'Reserved Matter', application for approval shall be made not later than the expiration of three years beginning with the date of this permission, and the development shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. Before any works are commenced on site, details of the reserved matters, namely appearance, landscaping, layout and scale, shall be submitted to and approved in writing by the Local Planning Authority and the development thereafter carried out in accordance with such approval.

Reason: The application was submitted in outline in accordance with the provisions of the Development Management Procedure Order (2010) and so these details remain to be agreed by the Local Planning Authority.

3. The layout submitted as part of the reserved matters shall be in broad accordance with the Illustrative Masterplan hereby approved (Broadway Malyan drawing Job: 29869 Drawing: P-01-003 Rev: P4)

Reason: To ensure the development is laid out to provide an appropriately softened edge to the settlement and to deliver appropriate areas of on-site landscaping, open space, ecological mitigation and drainage infrastructure.

4. Notwithstanding any denotation on the approved plans, prior to the commencement of any development hereby approved a schedule of all materials to be used on the external walls and roofs of the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Such details are not shown on the application and to secure a satisfactory standard of development.

5. Notwithstanding any denotation on the approved plans, prior to the commencement of any development hereby approved a schedule of all hard surfacing materials to be used on the access roads, driveways, paths and any other hard surfaced areas within the development shall be submitted to and approved in writing by the Local Planning Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Such details are not shown on the application and to secure a satisfactory standard of development.

6. Prior to the commencement of any development hereby approved, a schedule of all boundary treatments around the site perimeter, between individual neighbouring plots and between plots and the internal roadway shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in full accordance with this approved schedule of boundaries.

To provide an appropriate finished appearance of the development and to maintain an appropriate level of privacy between dwellings as required by Policy HL2 of the Fylde Borough Local Plan.

7. Prior to any on site construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan to include method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries. Such a Construction Plan is to be implemented and adhered to during the construction of the development.

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

8. Prior to the commencement of construction of any dwelling hereby approved, a satisfactory programmed landscaping scheme for the area of residential development including hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during the first planting season following the completion of development, and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in order to comply with saved Policy EP14 of the Fylde Borough Local Plan.

9. Prior to the commencement of any development details of the enhancement, maintenance and management of the existing hedgerows around the northern, southern and eastern boundaries of the site, including the phasing for these works, shall be submitted to and approved in writing by the Local Planning Authority. These works shall be designed to enhance the biodiversity value that these areas offer and include for their on-going management for that purpose and shall be implemented in accordance with the approved scheme timings.

Reason: To ensure the continued and enhanced biodiversity benefit of these features as required by Policy EP18 and Policy EP19 of the Fylde Borough Local Plan

10. Prior to the commencement of any development details of a scheme to protect Smithy Farm Pond and enhance its contribution to local biodiversity, including the phasing for these works, shall be submitted to and approved in writing by the Local Planning Authority. These works shall be implemented prior to the commencement of the development hereby approved and then maintained

thereafter in line with the timings contained in the approved scheme.

Reason: To ensure the continued and enhanced biodiversity benefit of these features as required by Policy EP19 of the Fylde Borough Local Plan.

11. Prior to the commencement of any development a scheme for the provision of provision of features that benefit wildlife habitat and biodiversity within the site including proposed landscaping areas, proposed pond, existing and proposed ditch, and any additional surface water drainage features shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the phasing for these works, and the works shall be designed to enhance the biodiversity value that these areas offer and include for their on-going management for that purpose. The approve scheme shall be implemented in accordance with the timings it contains.

Reason: To ensure the continued and enhanced biodiversity benefit of these features as required by Policy EP18 and Policy EP19 of the Fylde Borough Local Plan

12. Prior to the commencement of any development a scheme for the provision of details to mitigate the potential loss of habitat within the site used by Great Crested Newts, and for the construction of the development in a way that minimises the potential for harm to be caused to that protected species shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the phasing for these works, and shall be implemented in accordance with the timings it contains.

Reason: To ensure the continued and enhanced biodiversity benefit of these features as required by Policy EP18 and Policy EP19 of the Fylde Borough Local Plan

13. Within 12 months of, but prior to the commencement of, any development the site shall be surveyed for the presence of badgers in accordance with a survey schedule that has previously been submitted to and approved in writing by the Local Planning Authority. Should this survey reveal any evidence of badger activity then a scheme of mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the phasing for these works, and shall be implemented in accordance with the timings it contains.

Reason: To ensure the continued and enhanced biodiversity benefit of these features as required by Policy EP18 and Policy EP19 of the Fylde Borough Local Plan

14. Prior to the commencement of any development a scheme for the management of areas of the adjacent land edged blue on the approved location plan in a manner that is favourable for Barn Owls shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the phasing for these works, and shall be implemented in accordance with the timings it contains.

Reason: To ensure the continued and enhanced biodiversity benefit of these features as required by Policy EP18 and Policy EP19 of the Fylde Borough Local Plan

15. Prior to the commencement of any development a scheme for the management of areas of the adjacent land edged blue on the approved location plan in a manner that is favourable for Pink Footed Geese shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include any specific working practises that will minimise disturbance to this species and the phasing for these works. The scheme shall be implemented in accordance with the timings it contains.

Reason: To ensure the continued and enhanced biodiversity benefit of these features as required by Policy EP18 and Policy EP19 of the Fylde Borough Local Plan

16. Vegetation clearance works associated with the development of the site shall not commence in the months of March - August inclusive, unless a walkover survey of the site and its boundary hedges has

first been undertaken to establish the presence of any sites which could provide nesting opportunities to birds. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting site shall be submitted to the Local Planning Authority and approved in writing, with the development undertaken in accordance with this approved scheme.

To ensure that the development does not have any harmful impact on protected and priority species as required by Policy EP19 of the Fylde Borough Local Plan.

17. Prior to the first occupation of any dwelling on the site, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of the site including the internal access roads and footways, areas of landscaping and all associated features such as streetlighting, signage, drains and boundary treatments that lie within these areas. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

To ensure that the development is implemented and maintained to a satisfactory degree into the future as required by Policy EP14 and HL2 of the Fylde Borough Local Plan

18. That prior to the commencement of any development details shall be submitted to and approved in writing by the Local Planning Authority of the existing and proposed ground levels across the site, and the proposed Finished Floor Levels of the proposed dwellings. The development of the site shall be undertaken in accordance with these approved details unless any deviations are submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction of the plot in question.

To ensure the site is constructed with a satisfactory appearance in the Countryside as required by Policy HL2 of the Fylde Borough Local Plan.

19. Prior to the commencement of the development hereby approved, full details of the means of surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. This system must follow the principles outlined in the Flood Risk Assessment submitted to support this application (by Curtins Consulting Ref: TPMA1037/FRA Dated: September 2013 and Drainage Statement TPMA1037 Dated 7 February 2014) with surface water attenuated on site and discharged into the existing sewer system at a rate that is no greater than that described in the report.

The surface water drainage shall not include any connections to the public foul sewer system and should it involve a Sustainable Urban Drainage System (SUDS) then details of the future management of the SUDS and a management company that will be established to oversee the maintenance of the drainage system shall form part of the submitted scheme. The approved works shall thereafter be implemented, fully commissioned and maintained on site during the development.

Reason: To ensure a satisfactory means of drainage is provided and that there is no increase in the volumes of surface water discharged from the site.

20. Prior to the commencement of the development hereby approved, full details of the means of foul water drainage of the residential development area shall be submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented during the development and shall include that the development is drained on a separate system with only foul drainage connected into the foul sewer.

Reason: To ensure that appropriate measures are taken to provide suitable drainage from the site as required by Policy EP25 of the Fylde Borough Local Plan.

21. Prior to the commencement of the development, the developer shall commission the highway authority, or other such competent highway consultancy, to undertake a survey to establish the

condition of Kings Close between Chain Lane and the application site. A similar survey shall be undertaken within six months of the completion of the dwelling houses, and the developer shall make good any damage to Kings Close to return it to the pre-construction situation.

Reason: To maintain the construction of Kings Close in the interest of maintaining highway safety as required by Policy HL2 of the Fylde Borough Local Plan.

22. No part of the development hereby approved shall commence until a scheme for the provision of the following highway improvement works (including their phasing of construction and on-going maintenance) has been submitted to and approved in writing by the Local Planning Authority:

1. a Zebra Crossing of Chain Lane in the vicinity of the junction of Kings Close, i This scheme shall be implemented in line with the agreed detail, phasing and maintenance.
- the improvement of the two closest bus stops to the site on Chain Lane to LCC's Quality Bus Standard

The approved scheme shall be implemented in accordance with the timings it contains.

Reason: To improve the accessibility of the site to local facilities and to benefit pedestrian safety as required by Policy HL2 of the Fylde Borough Local Plan and para 32 of the NPPF.



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Application No. 5/13/0590	Address Land at Kings Close, Staining	Grid Ref. E.3353 : N.4362	Scale 0 15 30 45 60 m

Item Number: 4

Committee Date: 26 February 2014

Application Reference: 13/0673		Type of Application:	Full Planning Permission
Applicant:	Kensington Developments Ltd	Agent :	
Location:	HASTINGS POINT DEVELOPMENT SITE, BEECHWOOD CLOSE, LYTHAM ST ANNES		
Proposal:	PROPOSED ERECTION OF TWO DETACHED HOUSES IN LIEU OF BLOCK OF TEN APARTMENTS APPROVED AS PLOTS 25-34 INCLUSIVE UNDER PLANNING PERMISSION 11/0803		
Parish:	Clifton	Area Team:	Area Team 1
Weeks on Hand:	17	Case Officer:	Andrew Stell
Reason for Delay:	Revision to legal agreement requires further committee consideration		

Summary of Recommended Decision: Delegated to Approve

Summary of Officer Recommendation

This application was previously considered at the 22 January 2014 meeting of Committee alongside application 13/0708 which related to the variation of the s106 agreement associated with planning permission 11/0803 which grants planning permission for the residential development of the site and is currently being implemented.

Committee delegated authority to officers at the January meeting to undertake the legal work necessary to vary that agreement, and once completed to grant planning permission for the replacement of the 10 affordable apartments on the site with 2 market dwellings. On commencement of this legal work the legal officer has found that the s106 agreement obligations have transferred from the original developer (Kensington) to the successive landowners (the numerous owners of the properties that have been built and sold on the site). As such they will each need to be parties to the variation of that agreement, which is obviously a complex undertaking to secure at this stage.

As an alternative to this it is proposed that the recommendation on this application be varied to require the same affordable housing contributions be secured by a s106 agreement in respect of this application. This could be agreed between the council and developer without needing the agreement of the other landowners, and would achieve the same result as it would relate to the site area of the affordable apartments only.

Your officers propose that this solution be followed, and this report is presented to seek Committee authority for this revised mechanism of achieving the same variation as previously agreed. This was that the developer provided the Kwik Save site in St Annes and £300,000 in lieu of any on-site affordable housing at Hastings Point, and that these were provided before the 2 dwellings proposed under this application were commenced.

This report provides further detail on this and includes the planning merits of replacing the affordable apartments with market dwellings, which are unchanged from as previously presented. The officer recommendation is to delegate authority to officers to complete the legal work to prepare the new s106 agreement, and then grant planning permission for the erection of the two market dwellings proposed in this planning application.

Reason for Reporting to Committee

Committee has previously resolved to approve the application subject to conditions and the completion of an agreement under s106A of the Act to replace the on-site affordable housing element of the Hastings Point development with off-site provision. The officer recommendation has changed to reflect a revision to the mechanism to secure the alternative affordable housing contribution and so it is necessary for officers to seek a revised Committee resolution to that received on 22 January 2014.

Site Description and Location

Hastings Point is the developers name for land at the junction of South Park and Ballam Road that previously housed part of the Aegon operation. Planning permission has been granted for the development of 33 residential properties and associated works. The construction of these is well advanced with many built and occupied.

The actual application site is the north west corner of the development adjacent to Alder Grove and fronting to South Park. It currently contains the sales office for the development and measures 22m x 35m. No work has commenced on the development of this part of the site.

The land uses around the application site itself are all residential with properties to the west on Alder Grove and on the opposite side of South Park as Clifton Gate. In the wider area are the Aegon development, the railway line and Lytham Station and the facilities in Lytham town centre.

Details of Proposal

The physical development is unchanged from that which Committee considered in January. Briefly the proposal replaces the three storey block of 10 x 2 bedroomed apartments approved under the original planning permission with a pair of detached houses, one generally in the location of the apartment block and the other in the area that would have provided its parking court. There are no changes to the site access arrangements or the position of any other plots to facilitate this change.

Relevant Planning History

Application No.	Development	Decision	Date
13/0708	APPLICATION TO REMOVE AFFORDABLE HOUSING REQUIREMENT FROM RESIDENTIAL DEVELOPMENT SCHEME AS SECURED BY PLANNING OBLIGATION ASSOCIATED WITH PLANNING PERMISSION 11/0803		
11/0803	PROPOSED ERECTION OF 33 DWELLINGS (INCL. 10 AFFORDABLE) AND ASSOCIATED GARAGES, PARKING AND LANDSCAPING WORKS.	Approved with 106 Agreement	18/07/2012
09/0745	RESERVED MATTERS APPLICATION FOR LANDSCAPING OF THE SITE.	Granted	14/10/2010
05/0210	PROPOSED NEW OFFICES IN A SIX FLOOR BUILDING AND 180 no. APARTMENTS (90 extra care and 90 "standard" apartments) IN A 5/6/7 STOREY BUILDING (Residential development at 60% affordable provision).	Refused	31/10/2005

Relevant Planning Appeals History

The residential use of this site was first established by a successful appeal against the council's refusal of application 05/0210 which was for a mixed residential / office development.

Parish Council Observations

N/A

Statutory Consultees

Tree Officer

The council's Landscape Officer raised objection to the originally submitted layout on the basis that the proposed dwelling to the South Park frontage was too close to an Ash tree on that frontage. She referred to the future growth of the trees and the substantial amenity value and landscape character that they contribute to the locality and the wider streetscene.

The originally proposed dwelling was closer to this tree than the approved apartments and was felt to create an unacceptable risk of impact on it during construction through damage to the roots and branches, and through the influence on the growth form and shape of the tree as a consequence of the close proximity of the house to it. She requested that the application be amended to remove all works associated with the dwelling from the area in front of the proximity established when the apartments were approved.

(Note: The revised location for the dwellings now under consideration reflects the separation achieved by the approved apartments.)

Observations of Other Interested Parties

None to report.

Neighbour Observations

Neighbours notified: 21 November 2013 by letter with site notice posted
No. Of Responses Received: None

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EP14	Landscaping of new developments
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates

Other Relevant Policy:

NPPF: National Planning Policy Framework

Site Constraints

Existing industrial area
Tree Preservation Order

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Provision of Affordable Housing

The apartments approved in this area under the planning permission (11/0803) that the developer is implementing are those required to deliver its affordable housing obligations under the Interim Housing Policy. That policy obligation remains as relevant now as it did at the time that the planning permission was granted as the scale of the site is one where it still applies. The planning permission for the development of this Hastings Point site as a whole (11/0803) provides for 10 of the 33 properties to be affordable units. This current application would prevent the affordable housing being provided on the Hastings Point site and it is therefore considered necessary to make the development acceptable in planning terms; directly related to the development; and to be fairly and reasonably related in scale and kind to make the alternative off site provision by way of a planning obligation in respect of this application when considered in the context of the Hastings Point development as a whole.

The offsite affordable housing provision agreed at the January Committee meeting was:

- the transfer at nil cost of the former Kwik Save site on St David's Road South in St Annes to Fylde Borough Council or a Registered Social Landlord nominated by Fylde Borough Council (This land to be identified on a plan to be attached to the varied agreement), and
- a financial payment of not less than £300,000 by the applicant to Fylde Borough Council
- the transfer of the land and payment of funds as described above shall be made prior to the commencement of development or other such timescale as agreed between the council and developer

The council's Strategic Housing Officer has confirmed that there continues to be a need for affordable housing in Lytham. Were this development not to provide that 30% affordable housing provision then it would be in conflict with the Interim Housing Policy, and the requirements of para 50 of the NPPF which provides guidance on this matter.

The Kwik Save site is considered to be suitable for delivering an affordable housing scheme in that it has a 'minded to approve' resolution for the development of 32 properties under planning application 11/0269. That establishes the acceptability of a residential development on the site and its development as an entirely affordable scheme would be preferable to the 10 apartments approved at Hastings Point as it would allow the development of a greater number of affordable units, with these delivered as a mixture of houses and apartments rather than just the apartments at Hastings Point. This would be a better mix of housetypes which would also have management benefits as an entirely affordable development compared to the mixed market and affordable scheme at Hastings Point. The Kwik Save site serves the same Lytham St Annes housing market as the Hastings Point site does and so offers the same suitability for locating affordable units close to services, employment, education, leisure, etc.

The Officer position is that the transfer of the site and the funding as described in this application will allow a better affordable housing scheme to be delivered than that which would be the case under the implementation of the existing scheme at Hastings Point.

The remainder of the 'Comment and Analysis' section of this report is as previously presented to Committee in January.

Design, Scale and Appearance of Dwellings

The properties proposed are large detached dwellings of housetypes that are found elsewhere on the site, with the Springfield to the South Park frontage being a handed version of the housetype that is located at the other end of that frontage, and the Houston provided elsewhere on that frontage. As such the housetypes will sit comfortably on the site and in the streetscene established by the development.

The initial positioning of them on the plots was slightly awkward with a rotated position in contrast to the more ordered arrangement of properties elsewhere on the site and in the wider streetscene. The plans have been amended to line the dwellings up better. This achieves an appropriate relationship to the general streetscene and enables compliance with criteria 1 and 2 of Policy HL2 of the Fylde Borough Local Plan in that regard.

Relationship to Neighbours

The Springfield property is smaller than the apartment block it replaces and provides an acceptable relationship to its on and off site neighbours in terms of its massing and potential overlooking. The Houston is in an area where the apartment car park was proposed and so creates new potential relationship issues, but is located where it maintains an appropriate separation from the neighbours to also be acceptable as it is 27m from the front of the nearest properties on Alder Grove to the rear.

Impact on Trees

There are two significant trees on the South Park frontage that are in semi maturity and make a significant beneficial contribution to the local streetscene. The council's Landscape Officer raised objection to the layout of the dwellings initially proposed as it would have placed one of the properties in close proximity to these trees. That has been addressed by the revised layout which sets the dwelling back to a point where the previously approved apartments were to be built. This revised layout now retains an acceptable separation between the proposed dwelling and these trees to minimise the risks to their roots and branches during construction and occupation of the dwellings.

This revised layout ensures compliance with Policy EP12 relating to protection of trees and is supported by a series of conditions to ensure that the works are undertaken carefully in this area and that the boundary treatments, pathways, etc. that are provided are appropriate.

Conclusions

The merits of this application and the proposed alternative affordable housing provision were considered by Committee under two separate reports at its January meeting (reports to 13/0763 and 13/0708 refer). The planning application and the proposal to make the alternative affordable housing provision by a variation were both accepted and the final decision delegated to the Head of Planning & Regeneration on completion of the relevant legal work. There are no material changes in respect of these proposals, but Committee's authority is required to be able to implement the proposal as the mechanism to secure the revised affordable housing provision is now revised to be by way of a s106 Agreement associated with this application rather than a variation of the existing one.

The proposed dwellings are considered to be of an appropriate scale, design, location for the site and give an acceptable relationship to neighbours, and with the trees that are located on the South Park frontage of the site. As such the application is in accordance with Policy HL2 and Policy HL6 of the Fylde Borough Local Plan and the requirements of para 58 of the NPPF with which these policies are consistent. The application has been approved (subject to the legal agreement being varied) with a series of conditions which are required to ensure it is implemented to a proper standard. There would be no change in this regard.

The advice from the Legal Team is that the affordable housing provision to be made in respect of the Hastings Point development to enable the proposal contained in this application to be implemented should be secured under a s106 Town and Country Planning Act agreement rather than a variation to the existing s106 Agreement dated 18 July 2012. The statutory requirements relating to a variation under s106A of the Town and Country Planning Act require that all the new homeowners at Hastings Point enter into the deed to vary the existing s106 Agreement which would be impracticable. In the particular circumstances of this application it is considered that a s106 agreement to secure the proposed off site affordable housing provision as Committee approved on 22 January 2014 would comply with Reg 122

of the Community Infrastructure Levy. Therefore Committee is asked amend its decision of the 22 January 2014 in respect of this application as set out below.

Recommendation

That the authority to GRANT Planning Permission be delegated to the Head of Planning & Regeneration subject to the completion of a s106 Town and Country Planning Act 1990 planning obligation by agreement to secure:

- the transfer at nil cost of the former Kwik Save site on St David's Road South in St Anne's to Fylde Borough Council or a Registered Social Landlord nominated by Fylde Borough Council (This land to be identified on a plan to be attached to the varied agreement),
- a financial payment of not less than £300,000 by the applicant to Fylde Borough Council
- the transfer of the land and payment of funds as described above shall be made prior to the commencement of development of the 2 dwellings under this planning permission,
- to provide that the Council will not require the applicant to make the affordable housing provision as contained in the Planning Agreement dated the 18 of July 2012 in respect of application 11/ 0803 (subject to the land transfer and payment requirements of this agreement first being satisfied)

and then be subject to the following conditions.

Should agreement not be reached in respect of the planning obligation then the authority to REFUSE this application be delegated to the Head of Planning & Regeneration on the basis that it would prevent the provision of an appropriate contribution to affordable housing from the Hastings Point development.

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

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

2. The external materials to be used in the development hereby approved shall accord entirely with those indicated on the approved plans; any modification shall thereafter be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

In the interests of visual amenity.

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

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

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

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

5. Before the development hereby permitted is commenced measures shall be agreed with the Local Planning Authority for the safeguarding and protection of existing trees from damage by development works, storage of materials and operation of machinery. The area within which trees are growing shall be adequately fenced off with chestnut paling or other similar fencing to the satisfaction of the Local Planning Authority before any development is commenced, or material brought into the site. No vehicles shall pass into this area, no materials shall be stored there, no waste shall be tipped or allowed to run into the area, no fires shall be lit and no physical damage to bark or branches shall be allowed. Any pruning or other treatment to trees shall be competently carried out only after agreement with the Local Planning Authority.

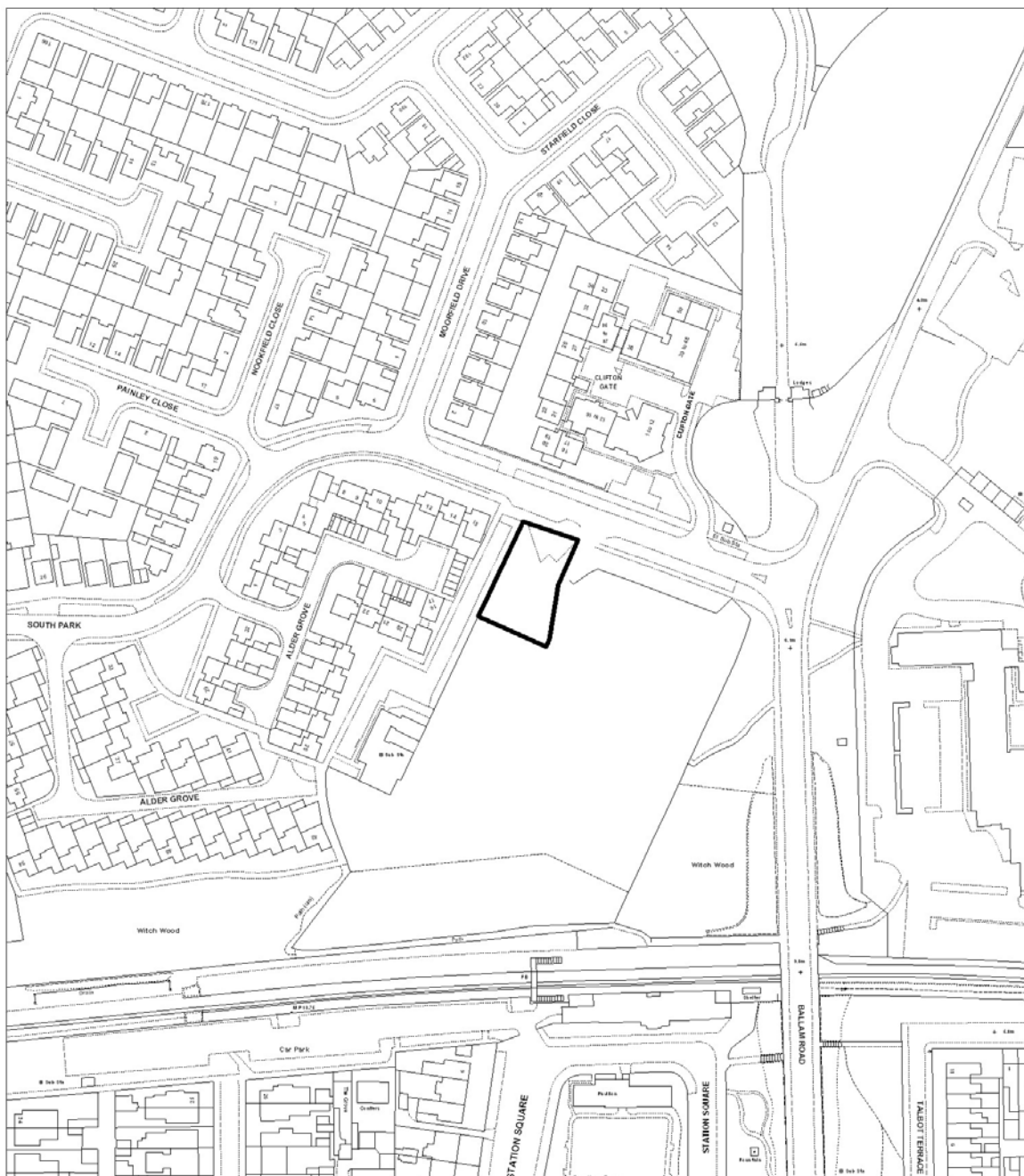
To safeguard the visual amenities of the neighbourhood.

6. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A, E, & F of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling or curtilage on plot 26 hereby approved relevant to those classes shall be carried out without Planning Permission.

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

7. Notwithstanding the provision of Classes A, B & C of Part 2 to Schedule 2 in Article 3 of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling or curtilage on plot 28 hereby approved relevant to those classes shall be carried out without Planning Permission.

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



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Application No. 5/13/0673	Address Hastings Point Development Site, Beechwood Close, Lytham St Annes	Grid Ref. E.3364 : N.4275	Scale 0 10 20 30 40 m

Item Number: 5 **Committee Date:** 26 February 2014

Application Reference: 13/0743		Type of Application: Variation of Condition	
Applicant:	Mr & Mrs Sheridan	Agent :	Shepherd Planning
Location:	KIRKWOOD, CHURCH ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SH		
Proposal:	APPLICATION FOR VARIATION OF CONDITION 1 RELATING TO APPROVED PLANS AND OF CONDITION 3 RELATING TO USE OF OUTBUILDING ASSOCIATED WITH PLANNING PERMISSION 04/0807 TO ALLOW OUTBUILDING TO PROVIDE A RESIDENTIAL ANNEXE		
Parish:	Treales, Roseacre and Wharles	Area Team:	Area Team 2
Weeks on Hand:	12	Case Officer:	Alan Pinder
Reason for Delay:	Need to determine at Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application seeks to vary a condition, and the details approved under another condition, associated with planning permission 04/0807 to enable a substantially complete detached garage/outbuilding of Kirkwood to be used as a residential annexe incidental to the occupation of the main dwelling. This detached two storey outbuilding currently has a lawful use as a garage with studio above and the proposal would allow minor elevational changes to be made, and part of the ground floor and the upper floor to be available for residential use associated with the host property. This use is considered to be an acceptable form of development in this countryside location and hence accords with policies SP2, HL4 and HL5 of the Fylde Borough Local Plan. Members are therefore recommended to approve the application.

Reason for Reporting to Committee

The Parish Council's objection is at odds with the Officer's recommendation of approval and so the Scheme of Delegation requires that the application be presented to Committee for a decision.

Site Description and Location

The application site is Kirkwood, Church Road, Treales. This application refers to the two storey garage/workshop building in particular, which is to the southwest of the main dwelling house and within the garden curtilage of this property. The site is part of a former vicarage belonging to the adjacent church to the south. To the north is 'The Coach House', a conversion property with open fields to the rear. The site is designated as countryside in the Fylde Borough Local Plan.

Details of Proposal

This application seeks to remove condition 1 and vary condition 3, both attached to planning permission ref. 04/0807, which granted permission for a two storey garage, with parking at ground floor and office/studio space at first floor.

Condition 3 states:

The garage hereby approved shall be used as a private garage, at ground floor level, and no trade or business shall be carried on, in or from the ground floor. The first floor element shall be used as a studio/office/library and shall be ancillary to the main accommodation and should not be sold off or sublet as a separate commercial or residential unit.

The proposed development site lies in a countryside area any additional, separate commercial or residential units may be contrary to the adopted countryside policies in the Fylde Borough Local Plan and would require separate consideration.

The applicant seeks to vary this condition in order to allow the building to be used as a 'granny annexe' for use by the applicant's ageing retired parents

Condition 1 is a standard condition that required the approved development to be carried out in strict accordance with the approved drawings. Its removal is sought in order to permit the internal layout of the building to be amended in order to facilitate its use as a granny annexe.

Relevant Planning History

Application No.	Development	Decision	Date
09/0015	CONVERSION OF EXISTING GARAGE/RESIDENTIAL OUTBUILDING TO CREATE NEW DWELLING (THE LODGE) INCLUDING LANDSCAPING & EXTERNAL WORKS ADJ. TO KIRKWOOD.	Refused	25/03/2009
04/0807	AMENDMENTS TO PLANNING APPLICATION 5/02/0018 FOR GARAGE TO PROVIDE STUDIO SPACE INCLUDING BAY WINDOW	Granted	01/10/2004
02/0954	ROOF LIFT AND REAR CONSERVATORY	Granted	03/01/2003
02/0018	PROPOSED ACCESS ROAD & GARAGE & ALTS TO EXISTING DWELLING. EXTNS TO COACHHOUSE TO FORM SEPARATE DWELLING	Granted	30/01/2002
00/0304	CONVERSION OF EXISTING VICARAGE TO FORM THREE DWELLINGS AND GARAGES, CONSTRUCTION OF CAR PARKING FACILITIES TO CHURCH AND SCHOOL.	Granted	12/07/2000
99/0516	CONVERSION AND EXTENSION OF EXISTING VICARAGE TO FORM FOUR DWELLINGS	Refused	01/12/1999

Relevant Planning Appeals History

Appeal ref.	Development	Decision	Date
APP/M2325/A/09/2113570	CONVERSION OF EXISTING GARAGE/RESIDENTIAL OUTBUILDING TO CREATE NEW DWELLING (THE LODGE) INCLUDING LANDSCAPING & EXTERNAL WORKS ADJ. TO KIRKWOOD.	Dismissed	23/02/2010

Parish Council Observations

Treales, Roseacre & Wharles Parish Council notified on 11 December 2013

Summary of Response

Object to the development on the following grounds:

- It is contrary to policy SP2
- It does not comply with policy HL1
- It is out of keeping with the locality in terms of scale and design
- The layout could adversely affect Kirkwood, and the scale and design of the windows are out of keeping with Kirkwood
- Out of keeping with the historical and architectural features of Kirkwood
- The turning area and car accessibility are a concern due to the ever increasing widths of modern cars
- The subdivision of the gardens "creates an anomalous position of the proposed dwelling as that of Kirkwood"
- Concerned that the approval of this development which is a change from the previously approved use as a garage to use as a dwelling will create a precedent that the Parish Council will find difficult to resist in the future.

Statutory Consultees

None

Observations of Other Interested Parties

The Ramblers Association

No objections

Neighbour Observations

Neighbours notified: 11 December 2013

No. Of Responses Received: One

Nature of comments made:

- The new dwelling should not be separated from the main dwelling
- The new dwelling should retain a shared garden with the main dwelling
- It should not be sub-let or sold off separately
- It should not be used for any commercial or business use

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL05	House extensions
HL04	Replacement and extension of rural dwellings

Other Relevant Policy:

NPPF: National Planning Policy Framework

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The issues to consider in the determination of this application are the buildings visual impact on the character of the area, impact on neighbour amenity, and the principle of a granny annexe.

Planning history

Planning permission was granted in 2004 (ref.04/0807) for the construction of a two storey detached building, with a garage area at ground floor and a studio area at first floor. Construction of this building was subsequently commenced but stopped prior to completion. A further application (ref. 09/0015) was submitted in 2009 for the conversion of the approved building to create a new dwelling. Planning permission was refused and a subsequent appeal dismissed on the grounds that there was no justification under Policy SP2 for the provision of a new dwelling within this countryside area, and that as the building was designed as an ancillary building to 'Kirkwood', its use as a separate dwelling would be out of character with the development.

The Principle of use as a Granny Annexe

Condition 3 of 04/0807 was imposed in order to prevent the creation of any separate additional residential or commercial units in this countryside location, which would be contrary to the then adopted countryside policies of the Fylde Borough Local Plan. The current proposal is not to create a separate dwelling, but for the building to provide a residential annexe that is incidental to the occupation of the host property. The lack of any associated curtilage or separate vehicular access indicate that a separate planning unit is not being formed, and a suitable condition could be imposed to prevent the annexe being sold or let out as a separate residential or commercial unit and restricting its use to being incidental to the main dwelling. This is a different proposal to that which was refused planning permission and dismissed on appeal.

The NPPF also provides some support to the building's use as a 'granny annexe' as providing accommodation for elderly parents would provide social, economical and environmental benefits to some extent and hence accord with the three dimensions to sustainable development referred to in paragraph 7 of the NPPF (social, economic and environmental).

Visual impact

The external appearance of building differs little from that originally approved under 04/0807 with the only alteration being the addition of a pedestrian access on the side elevation with a small porch canopy above. In all other aspects, and in particular scale and size, the building remains the same. As such it would have no greater visual impact than the building as originally approved.

The Parish Council has expressed a wish that if the application is approved they would like the two garage doors to the front of the building replaced with windows so that the appearance of the building as they feel that it would be more in keeping with the main house and the neighbouring church. However, this proposed design change is not considered acceptable in planning terms as the building would no longer have the characteristics of an ancillary building but rather would have the character and appearance of a new separate dwelling within the countryside, contrary to the aims of the local plan policies and para 55 of the NPPF.

Neighbour amenity

The only property that may be affected by the use of the building as a granny annexe is the main dwelling, to which the annexe would be tied by condition to. Hence, neighbour amenity is not considered to be an issue.

Other matters

The parish council's objections to the development are mainly on the basis of the appearance of the building. However apart from the addition of an external pedestrian doorway with a porch canopy above the building remains the same as previously approved under 04/0807 and hence objections on the

grounds of scale, design, etc. are not considered to be sustainable. The Parish Council refers to the sub-division of the garden however the proposal does not include any such sub-division, and in any event a condition preventing any future sub-division and creation of a separate garden for the annexe would be attached to the permission if approved, in order to prevent the annexe having the appearance and character of a separate planning unit. Finally the parish council is concerned that granting permission for an additional dwelling is contrary to policy SP2 and would set a precedent for further rural dwellings to be allowed in this area. In response, it should be noted that a 'granny annexe' does not constitute a separate new residential dwelling but rather forms ancillary accommodation to the main dwelling, Kirkwood. A suitable condition to the permission would prevent its future use as a separate dwelling, to be let or sold separately from Kirkwood.

Conclusions

The application seeks to remove and vary 2 conditions attached to planning permission 09/0015 to enable a substantially complete detached garage/outbuilding of Kirkwood to be used as a residential annexe incidental to the occupation of the main dwelling. This detached two storey outbuilding and its mixed use as a garage and ancillary family accommodation is considered to be an acceptable form of development in this countryside location and hence accord with policies SP2, HL4 and HL5 of the Fylde Borough Local Plan. Members are therefore recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted must be undertaken in strict accordance with the approved drawing ('Proposed Plans and Elevations - dwg no. 1475 Rev A, received by the LPA on 07 February 2014) comprising all aspects of the approved development accompanying the decision notice.

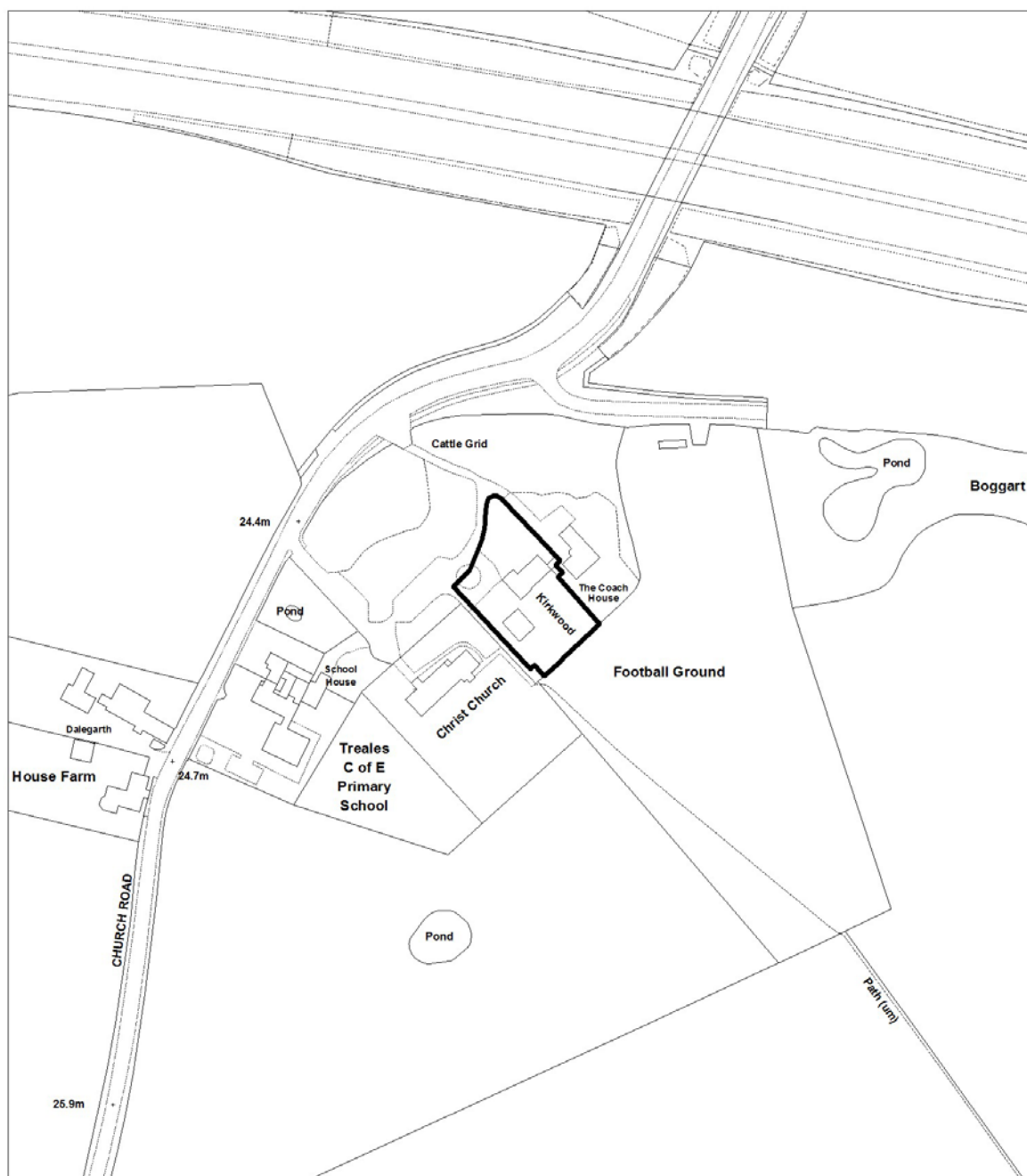
Compliance with the approved plans is required to ensure the approved standard of development is achieved.

2. The development hereby approved shall only be used domestically and incidental to the enjoyment of the dwellinghouse known as Kirkwood, and shall not be sold off, sublet or otherwise occupied as a separate unit of residential or commercial accommodation.

The proposed development site lies in a countryside area and any additional, separate dwelling units would be contrary to the adopted countryside policies in the Fylde Borough Local Plan and would require separate consideration.

3. Notwithstanding the provisions of the Town & Country Planning (General Permitted development) Orders, the existing curtilage of Kirkwood shall not be subdivided by fencing, walls, hedging or any other means to provide a separate garden area to the annexe accommodation hereby approved.

To prevent the establishment, or give the appearance and characteristics of, a separate residential planning unit as any additional, separate dwelling units would be contrary to the adopted countryside policies in the Fylde Borough Local Plan and would require separate consideration.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/13/0743	Address Kirkwood, Church Road, Treales	Grid Ref. E.3445 : N.4346	Scale 0 10 20 30 40 m

Application Reference: 13/0786		Type of Application: Reserved Matters	
Applicant:	Barratt Homes Manchester	Agent :	Cass Associates
Location:	FORMER GEC MARCONI SITE, MILL LANE, BRYNING WITH WARTON		
Proposal:	APPLICATION FOR RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR ERECTION OF 258 DWELLINGS AND ASSOCIATED ACCESS ROADS, PEDESTRIAN/CYCLE LINK TO MILL LANE, OPEN SPACE AND LANDSCAPING PURSUANT TO OUTLINE PLANNING PERMISSION 12/0550		
Parish:	Bryning with Warton	Area Team:	Area Team 1
Weeks on Hand:	10	Case Officer:	Mr M Atherton
Reason for Delay:			

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application is for the approval of reserved matters on a residential development proposal on land at Warton between BAE Systems and surrounding residential development. The scheme proposes 258 dwellings and the formation of areas of public open space following the approval of the outline application in 2013.

The scheme delivers the affordable houses, on site public open space, vehicular access and an appropriately designed layout. As such the proposal is in full accordance with the relevant policies of the Fylde Borough Local Plan and other material considerations. Therefore it is recommended that the reserved matters be approved subject to a series of conditions relating to matters not included in the outline planning permission.

Reason for Reporting to Committee

This is a major application as it is for more than 10 houses and as such, falls outside the scheme of delegation.

Site Description and Location

The former GEC Marconi Factory forms part of the BAE Systems Aerodrome site on the south side of Lytham Road, Warton. Although the application site is currently unused by BAE Systems it has previously been used for industrial and employment uses. All of the site has now been cleared of industrial buildings.

The site amounts to 7.82 hectares, is of an irregular shape and is surrounded by BAE Systems buildings to the south and south west, the watercourse known as Pool Stream to the east and further residential properties to the north and west. The site is essentially flat with only a slight north to south and west to east fall. The land around Pool Stream, which runs along the site's eastern boundary, is occupied by a group of trees and shrubs.

There is an access off Lytham Road serving the former cinema site which also leads into the remainder of the site. There is also one point of access to the west of the site, along Mill Lane to the south of Mill House. This is no longer in use and is currently bollarded and gated off.

Within the Adopted Fylde Borough Local Plan, the front of the site closest to Lytham Road is allocated as being within the settlement of Warton, the remainder of the site is allocated as an Employment Area.

Details of Proposal

Planning application ref 12/0550 was a hybrid proposal which granted outline approval for a residential development on this site and full approval for means of access.

The access road is 7.3m wide with a pavement on either side of the carriageway, it would extend southwards for a distance of around 390m for the length of the application site up to the boundary with the BAE Systems site. The proposed junction at the entrance to the development site from Lytham Road would be signalised with toucan crossings on both a north-south and east-west access, in order to provide enhanced pedestrian & cycle crossing.

The current application is for the reserved matters approval of appearance, landscaping, layout and scale.

It is for 258 dwellings, with a mix of mews houses, semi-detached houses and detached houses. The development includes 2, 3 & 4 bed houses, over 2, 2.5 & 3 storeys. These are from the Developer's standard range of house types of a typical style, design and materials to others constructed by these developers on new sites.

The proposal also includes 26 no. 2 bedroomed affordable houses in accordance with the parameters agreed at the outline stage.

The scheme also delivers significant areas of Public Open Space. In the centre of the site this would be laid out as a formal park with play provision. There are other areas of open space at the northern, eastern and south western boundaries which would be informally laid out as grassland with planting.

There is also a landscaped footpath/cycle link proposed linking the development to Mill Lane

A comprehensive package of supporting information has been provided with the application including a Design & Access Statement, a Planning Statement, an updated Flood Risk Assessment, an Ecological Management Plan, an Addendum Transport Assessment, a Tree Survey & a Consultation Statement.

Relevant Planning History

Application No.	Development	Decision	Date
12/0550	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED) ALONG WITH FULL APPLICATION FOR THE FORMATION OF NEW ACCESS TO LYTHAM ROAD TO SERVE BAE SYSTEMS WARTON	Approved with 106 Agreement	09/07/2013
07/1154	REPLACEMENT OF RELOCATABLE BUILDING.	Granted	21/12/2007
07/0895	OUTLINE APPLICATION FOR MIXED USE EMPLOYMENT AND RETAIL DEVELOPMENT - COMPRISING OF BUSINESS PARK, HOTEL, PUB, RESTAURANT, FOOD AND NON-FOOD	Refused	20/06/2008

	RETAIL UNITS, INCLUDING ASSOCIATED ROAD INFRASTRUCTURE IMPROVEMENTS.		
03/1103	RENEWAL OF TEMPORARY PLANNING PERMISSION 98/636 FOR CAR PARK & ASSOCIATED CABIN PLUS ADDITIONAL GARAGE & SITE OFFICE	Granted	23/01/2004
00/0723	ERECTION OF 2.4 METRE HIGH SECURITY FENCE AND GATES TO SITE FRONTAGE	Granted	29/11/2000
00/0652	CONSTRUCTION OF 3 ARM HIGHWAY ROUNDABOUT; ALTERATIONS TO HIGHWAY UP TO FRECKLETON BY-PASS ROUNDABOUT; NEW SITE ACCESS ROAD; SECURE BOUNDARY FENCE, GATEHOUSE & VISITOR CAR PARK	Withdrawn by Applicant	06/06/2002
00/0599	PROPOSED STORAGE CONTAINER (EX G.E.C. SITE)	Granted	26/09/2000
98/0636	CONTINUATION OF PLANNING PERMISSION REF 5/97/588 FOR TEMPORARY CAR PARK AND ASSOCIATED SITE CABIN PLUS ADDITIONAL GARAGE AND SITE OFFICE.	Granted	04/11/1998
97/0746	INSTALLATION OF 5 PORTASTORES FOR STORAGE	Granted	25/11/1997
97/0588	CONSTRUCTION OF TEMPORARY CAR PARK ALSO ERECTION OF SITE CABIN FOR AVIS 'RENT-A-CAR'	Granted	08/10/1997
87/0220	EXT'N TO FORM OFFICES, PAINT SHOP AND UNLOADING BAY, NEW CAR PARK AND DESPATCH FACILITIES	Granted	20/05/1987
83/0820	TWO STORAGE BUILDINGS.	Granted	07/12/1983
85/0037	STORAGE AND JOINERS MAINTENANCE SHOP BUILDING.	Granted	27/02/1985
74/0567	SERVICE UNIT AND DIESEL STORAGE INSTALLATION.	Granted	23/10/1974
78/0251	KITCHEN AND CANTEEN.	Granted	26/04/1978
85/0077	EXTENSION TO FORM LOADING BAY.	Granted	27/03/1985
85/0468	GATEHOUSE.	Granted	14/08/1985
75/0676	ALTERATIONS TO FORM FLAT.	Granted	15/10/1975

Relevant Planning Appeals History

APP/M2325/A/08/2083308 in respect of application number 07/0895 for a mixed commercial and retail proposal and new access roundabout. Dismissed 24/6/2009.

Parish Council Observations

Bryning with Warton Parish Council notified on 17 December 2013

Summary of Response:

The Parish Council have issue with the lack of Public Space and nature of which that space may be used. As mentioned the central grassed area was originally a lot larger in size in the draft outline. It has been expressed that the provision of recreational land should be far more imaginative in these respects with it being a major scaled residential development and one idea was to incorporate some space for allotments as many of the garden areas are so small. The use of the surrounding sections of greenspace to meet the TREC 17 just seems to taking advantage and not in keeping with the ideals promoted by BAE. Ideally the Councillors would like Barratts to come up with something better and are obviously

asking that perhaps the decision could be deferred with Barratts being approached to review these issues. Obviously while not wishing to object to the development on the brownfield site if it progresses as is they would ask it goes before the development committee.

Freckleton Parish Council notified on 17 December 2013

Summary of Response:

No response received

Statutory Consultees

Lancashire County Council - Highway Authority

The scale of the development is slightly larger than what was assessed in the Transport Assessment for the outline application. Given that there are highway capacity concerns on Lytham Road I have concerns about allowing a larger development than what was assessed at outline stage. These concerns would be alleviated on the completion the spine road to the BAE / Enterprise Zone as this provides the mechanism for reducing congestion on Lytham Road to the west of the development, therefore I would suggest that a condition limiting development be imposed until the completion of the spine road.

The internal layout of the development is generally acceptable and only minor amendments to kerblines and radii are likely to be required in order for the developer to enter into a S38 agreement with the County Council for the roads and footways to be adopted.

The level of car parking proposed is acceptable, however, the plans do not show that cycle parking is available. Cycle parking should be covered and secure for all dwelling. The developer is required to provide a Travel Plan for this development (secured at outline) which should be sufficient to negate the need for an additional planning condition to cover this matter.

I can confirm that there are no highway objections to the reserved matters application and would ask that the following condition is imposed.

No more than 240 dwellings shall be occupied prior to the completion of the spine road. Reason:- In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions.

United Utilities Group Plc

With reference to the above planning application, United Utilities will have no objection to the proposal provided that the following conditions are met: -

Drainage

- Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

- Public sewers cross this site and we will not permit building over them. We will require access strips, which are in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.
- As public sewers cross the site, a modification of the site layout, or a diversion of the affected public sewers at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with Developer Engineer, as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.
- Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

To promote sustainable development we would encourage the developer to take any opportunity to provide soft landscaping where possible on site to assist in minimising surface water run-off and we would suggest that they consider planting suitable shrubs and broad leaf trees. Added benefits of this include biodiversity and visual enhancements. To promote sustainable development we would encourage the developer to drain the site through soakaway and to construct the car park using permeable paving on a permeable base. In line with Building Regulation H3, this will mimic the existing drainage strategy and will avoid the need to drain and export surface water from the site to the public surface water sewer.

Water

Our water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

Environment Agency

We have no objection in principle to the proposed development subject to the inclusion of conditions which meet the following requirements:-

Flood Risk

Although Outline application 12/0550 was accompanied by a Flood Risk Assessment (FRA) which was appropriate to the nature and scale of the proposed development, an additional FRA has been submitted with the Reserved Matters application.

The new FRA, prepared by SCP dated December 2013 and referenced JGM/12535/FRA/1, provides more detailed information in relation to the management of surface water from the site. The report concludes that surface water run-off up to the 1 in 100 year flood event including climate change allowance would not exceed the existing run-off rates from the site based on the impermeable areas being taken as 50% of each proposed in-site development. The storage ponds that were suggested in the original FRA prepared by Wardell Armstrong and submitted with 12/0550 are no longer required.

We have discussed the conclusions of the report with SCP, and further clarification as to how the impermeable areas have been reduced was provided by e-mail to us on 9 January 2014 (copy attached). The e-mail proposes that the increase in porous surfaces on site will include at least 25m² of permeable paving around each dwelling, although this recommendation has not been included in the FRA.

Based on the conclusions of the revised FRA and supporting information, we recommend that any subsequent approval of the application is conditioned as follows:-

CONDITION Surface water run-off from the proposed development will be managed in accordance with the conclusions of the Flood Risk Assessment (FRA) prepared by SCP dated December 2013 and referenced JGM/12535/FRA/1 and the site shall include at least 25m² of permeable paving within the driveways of each dwelling as recommended in the e-mail dated 9 January 2014 from SCP to the Environment Agency.

REASON To prevent flooding by ensuring the reduction of and satisfactory disposal of surface water from the site.

Pool Stream, the watercourse adjoining the site, is designated as a "Main River" and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank or retaining wall of the watercourse without the prior consent of the Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to us for consideration. The Agency has a right of entry to Pool Stream by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act.

Parks Manager

The open space provision looks fine. The formal play area will serve many properties on the new development and ideally would be a LEAP having at least 4-5 pieces of play equipment aimed at younger children.

Lancashire County Ecology Service

The current proposed layout does appear similar (in terms of impacts on biodiversity) to the layout approved at the outline stage and I have no comments to make, other than to say that it is obviously disappointing that more of the existing habitat (most notably the woodland area on the eastern side) could not be retained within the proposed development. It is to be hoped that the proposed mitigation (habitat enhancements) are sufficient to offset the losses.

In terms of the Ecological Management Plan, this appears essentially unchanged from that approved under the earlier application (12/0550) and must presumably therefore be considered acceptable in principle.

However, the meadow mix proposed on the planting plan is strange mixture of species which does not bear any resemblance to species-rich grassland and does not appear to include grassland species appropriate to the local area (the grassland mix which would form the basis comprises cultivars, not native grass species). It would be preferable if the mixture could be substituted with a more appropriate meadow mixture (locally appropriate wildflowers and grasses).

The proposed grassland sowing rate is also inappropriate for a species-rich grassland: grassland at 35g/m² and oversown with meadow mix at 5g/m². This is far too high - a sowing rate of maximum 4g/m² would be more normal. Given the high sowing rate (heavily weighted to agricultural grass cultivars which are likely to be competitive) it seems likely that a closed grass sward will develop, preventing the establishment of any wildflowers. This is likely to be an issue in any case, even with a lower sowing rate, unless the substrate proposed is nutrient poor (for example, subsoil).

The proposed management also seems unlikely to be suitable for the establishment or

maintenance of a species-rich meadow. In at least the first year of establishment, more than one cut (arising removed) will be required. In the aftercare period, and depending upon grass species and substrate, more than one cut (*i.e.* spring and late summer) may be necessary. Arisings would need to be removed, but the late summer cut would need to be treated as a hay cut and left on the ground for seed to fall before arisings were removed (some of the species proposed are annual, and will not persist without recharge of the seedbank). Moreover, given the small extent of meadow proposed, and proximity of hedgerows and trees, it seems likely that leaf fall would be an issue for meadow maintenance.

The ecological assessment report submitted in support of application 12/0550 included a number of recommendations for mitigation during works (section 6.0 Avoidance, mitigation and enhancement). These included an ecological clerk of works (paragraph 6.2.1), dust management (6.2.3), noise control (6.2.4), protection of retained habitats (section 6.3), control of species listed under Schedule 9 Wildlife and Countryside Act 1981 (as amended) (paragraph 6.3.8), precautionary tree felling measures for the avoidance of impacts on bats (6.4.5 – 6.4.7), and avoidance of impacts on nesting birds (6.4.8). These are appropriate and should obviously be implemented as part of any planning approval.

I appreciate that nest and roost boxes will be installed on retained trees, but the development also offers the opportunity to incorporate bird nesting and bat roosting opportunities into the fabric of the development (*i.e.* in buildings). This is a more permanent approach to provision of opportunities for wildlife that largely depend on the built environment (birds such as house sparrows, swallows, swifts, martins, and bats). Further details of such provision (for approval, subsequent implementation and retention) could be a requirement of planning condition.

It should be ensured that lighting proposals avoid artificial illumination/ light pollution of features of nature conservation value (including trees, woodland edges, hedgerows, bat roosting features, etc) (see NPPF paragraph 125).

Lastly, if it is not dealt with elsewhere, it should be ensured that all boundary treatments are permeable to the passage of wildlife (such as hedgehogs and amphibians). In practice this means that close boarded fencing should be avoided or, where used, that the fence is not flush to the ground for the entirety of its length or that appropriately sized gaps are left to enable wildlife to pass through garden spaces.

BAE Systems Ltd

No response received

Ministry of Defence - Safeguarding

No response received

Environmental Protection Team

There are no objections to the above proposals as all issues relating to noise, air quality and contaminated land are currently being attended to.

Observations of Other Interested Parties

Lancashire Constabulary:

I note from the Design and Access statement that considerable detail has been given to reducing crime and anti-social behaviour. In particular paragraphs **4.4 By Design (DETR/CABE)**, **4.5 Safer Places**, **4.6 Secured by Design Part 1** and **10 Designing Out Crime**. It appears clear that it is the intention of the Developer to complete the site to Secured by Design standard, however I have had no direct request from them. Should the

application be granted I would ask that completion to Secured by Design is made a condition of the application.

Neighbour Observations

Neighbours notified: 17 December 2013 & site notice displayed

No. Of Responses Received: 7 letters of SUPPORT/OBJECTION

Nature of comments made:

Concern re;

1. The amount of public open space is less than the policy requirement.
2. The size of the affordable dwellings at 2 bedrooms is too small, there should be a mix of 2-3 bed accommodation.
3. The proposed 2.5 & 3 storey houses are out of character with the village.
4. Tall buildings are out of scale and inappropriate in this location.
5. The development should provide for housing for the elderly, e.g. 2 & 3 bed bungalows or sheltered accommodation.
6. The need for 4 bed houses is questioned. This is contrary to the Bryning with Warton Parish Plan 2013 which states no respondents indicated any requirement for further executive style homes.
7. The density of development is too great.
8. Additional school places are needed.
9. Massive impact on infrastructure without any improvements to services.
10. Consideration should be given to an ecological approach to energy provision to help eradicate fuel poverty.
11. Proposal will have a significant negative impact on traffic & safety issues will need to be considered.
12. Proper surface water disposal facilities must be considered. Surface water drainage facilities must be of sufficient capacity to accommodate the greatly increased run off.
13. Additional noise and fumes from vehicles will be harmful to amenity & health.
14. Potentially harmful impact on Pool Stream, flooding and the local ecology. Protective fencing should be considered.
15. Removal of trees has had a harmful impact on visual amenity.
16. Property devaluation.
17. Are the developers aware of the potentially harmful impact fracking & the proposed supermarket nearby with late night opening hours could have on this scheme?
18. Secondary vehicle access off Mill Lane should be implemented to relieve congestion.
19. The original proposal was for 240 dwellings, not 258 as now stated.

Relevant Planning Policy

Fylde Borough Local Plan:

EMP2	Existing business & industrial uses
EMP4	Buffer zones and landscaping
EP12	Conservation trees & woodland
EP19	Protected species
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
EP27	Noise pollution
EP29	Contaminated land
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
SP01	Development within settlements
SP15	British Aerospace airfield
TR01	Improving pedestrian facilities

TR03	Increasing provision for cyclists
TR05	Public transport provision for large developments
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments

Other Relevant Policy:

NPPF: National Planning Policy Framework

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

Principle of Development

The principle of the development has been accepted with the granting of the outline application, which approved a residential development and the access road.

Design and Scale of Dwellings

The site sits between the existing office and industrial buildings at British Aerospace and residential developments within Warton & Freckleton. The dwellings are of a range of styles and vary between 2 and 3 storeys. The neighbouring residential development is largely at 2 storey, however, the neighbouring commercial buildings at British Aerospace are of a much greater size, therefore, it is considered that the 3 storey dwellings are of an acceptable scale. The proposal contains a mixture of dwelling designs from this developer's standard portfolio, which is considered to be acceptable given that the area has no particular established residential style. Amended plans have been requested following negotiations between Council Officers & the Applicant's Design team in order to enhance the layout and cluster house types together in order to add character to the development.

Layout of Dwellings

The layout has also been improved since first submission with the dwellings having better relationships to each other. The proposed dwellings are also a sufficient distance from the existing dwellings situated around the perimeter of the site, so as not to lead to any harmful impact on residential amenity. The layout is largely geometric to follow the pattern established by the design parameters of the outline approval and to facilitate access through the site.

Affordable Housing

The section 106 agreement under the outline approval required 10% affordable housing provision. This reserved matters application proposes 26 affordable houses (all 2 bed, 2 storey dwellings) to be constructed by Barratts. The dispersal of these dwellings in 3 locations within the site is considered to be a benefit. There is a demand for affordable housing in this part of the borough and the units which this development would provide will be beneficial in meeting the identified demand for affordable housing in the area and the borough as a whole in the time scale of its development.

Public Open Space

A condition on the outline planning permission requires that the reserved matters application includes the provision of public open space and play facilities in line with Policy TREC17 of the Local Plan. This scheme proposes a play area within an area of open space in the centre of the site. It is also proposed to develop a landscaped pedestrian/cycle link to Mill Lane & significant areas of landscaped open space elsewhere within the development.

The centrally located play area is easily accessible and is overlooked by a number of dwellings. The

use of this area for the siting of the open space in this area is an obvious benefit of the layout.

The Applicant proposes the management & maintenance of open space and play areas through the formation of a Management Company, therefore, a condition is required regarding the ongoing maintenance of the open space, to ensure the management of the open space continues in perpetuity.

Highways

With regard to the previous application (ref: 12/550) for the access road which also established the principle of the residential development, the County Highway Authority raised no objection. They concluded there is adequate capacity on the existing highway network to safely accommodate the traffic that will be associated with the proposal and raise no objection, subject to the proposed junction improvements at the main entrance to the site. It was concluded that there was sufficient capacity for the highway network to cope with the altered traffic flow.

The proposed development will undoubtedly increase traffic in the locality as can be seen from the Traffic Assessment that has been submitted. Whilst some properties will be more affected by the revised access to BAE Systems, a greater number of properties will benefit from the revised arrangements that will route traffic away from Mill Lane and Lytham Road. Therefore, it is considered that the proposal will have an overall beneficial impact on residential amenity.

The internal layout of the development is considered acceptable with a satisfactory network of primary and secondary routes and car parking provision within the site.

An emergency access route is to be provided in the location of the access to the former GEC factory off Mill Lane. This also provides a dedicated route for cyclists & pedestrians with a link to Holy Family School via Westfield Drive. The aim is to develop pedestrian and cycle links through and out of the site which link the development to existing facilities of BEActive & Holy Family School.

Noise

A Noise Assessment was undertaken as part of the outline application & background noise levels were measured at the nearest houses to the site to establish the situation. Noise levels associated with both operational & traffic flows were measured and compared against the background levels. The Assessment showed that the adjacent dwellings will experience a negligible & non-perceptible increase in noise levels. No objection has been received from the Council's Consumer Wellbeing Officer subject to the recommendations of the noise report being implemented into the design & construction of the dwellings.

Flood Risk

The site is not within an area at risk of flooding according to the Flood Risk Map & the Environment Agency are satisfied that the proposed development will not be at an unacceptable risk of flooding, nor will it exacerbate flood risk elsewhere, subject to an appropriately worded condition relating to surface water run off. Overall, there are considered to be no significant increased off site flooding risks as a result of the proposed development.

Drainage

United Utilities have no objection to the proposed development providing the site is drained on a separate system with only foul drainage connected into the public sewer. Surface water should discharge to a soakaway or suds (sustainable urban drainage system) or directly to the nearby watercourse. Surface water should not be allowed to drain to the existing sewer as there are sufficient alternatives available.

The previous industrial buildings have been demolished and the site cleared. If the development proceeds, there will be more landscaped areas created by gardens which will improve the quality of the environment. It will reduce surface water run-off and provide more permeable surfaces to capture and retain peak rainfall events. If the Committee are minded to approve the application, full details of the

surface & foul water drainage connections would be required by planning condition.

Ecology

The layout of the development provides the opportunity for enhancement to habitat and improved management measures for ongoing ecological and biodiversity improvements. The landscaped area around Pool Stream would be retained and the planting would be enhanced to improve its ecological value. Lancashire County Council's Ecologist has assessed the proposal on behalf of the Council and raised no objections.

Conclusions

The application is for the approval of reserved matters on a residential development proposal on land at Warton between BAE Systems and surrounding residential development. The scheme proposes 258 dwellings and the formation of areas of public open space following the approval of the outline application in 2013.

The scheme delivers the affordable houses, on site public open space, vehicular access and an appropriately designed layout. As such the proposal is in full accordance with the relevant policies of the Fylde Borough Local Plan and other material considerations. Therefore it is recommended that the reserved matters be approved subject to a series of conditions relating to matters not included in the outline planning permission.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

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

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

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

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

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

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

5. No more than 240 dwellings within the development hereby approved shall be occupied prior to the completion & permanent opening of the vehicular access from the proposed Spine Road to the Enterprise Zone at BAE Systems, Warton.

In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions.

6. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding.

7. Surface water run-off from the proposed development will be managed in accordance with the conclusions of the Flood Risk Assessment (FRA) prepared by SCP dated December 2013 and referenced JGM/12535/FRA/1 and the site shall include at least 25m² of permeable paving within the driveways of each dwelling as recommended in the e-mail dated 9 January 2014 from SCP to the Environment Agency.

To prevent flooding by ensuring the reduction of and satisfactory disposal of surface water from the site.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/13/0786	Address Former GEC Marconi Site, Mill Lane, Warton	Grid Ref. E.3418 : N.4284	Scale 0 15 30 45 60 m

Application Reference:	13/0798	Type of Application:	Full Planning Permission
Applicant:	Mr W Rawkins	Agent :	S.D.Gee Drawing & Building Ser
Location:	THE COACH HOUSE, CHURCH ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3SH		
Proposal:	PROPOSED TWO STOREY EXTENSION TO SIDE AND ERECTION OF PORCH TO FRONT		
Parish:	Treales, Roseacre and Wharles	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Ruth Thow
Reason for Delay:	Need to determine at Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks permission for a two storey side extension and a porch to the front elevation. The property has previously been granted permission for a single storey extension of the same footprint as that proposed in this application. Given the design and location of the dwelling, the position of the extension and the scale of the neighbouring property, this current proposal is considered to be acceptable and recommended for approval by Members.

Reason for Reporting to Committee

The application is on the agenda as the Parish Council's comments on the application are contrary to officer recommendation and under the Council's Scheme of Delegation such applications are to be determined by the Development Management Committee

Site Description and Location

The application site is The Coach House, Church Road, Treales. The property currently is a two storey 'L' shaped detached dwelling designed with hipped roofs set within a small group of properties which include Treales School, Christ Church and 'Kirkwood' the former vicarage set back from the road, with open fields to the rear and a small woodland to the north.

The property has a large side garden with a further garden area to the rear. The front of the property is hard surfaced with loose gravel leading to the property with an additional garden area to the front of the dwelling.

Planning permission was granted in July 2013 for a single storey side extension and a detached double garage, the garage has been constructed and is to the north side of the dwelling.

The site is within the designated countryside on the Fylde Borough Local Plan, as altered (October 2005).

Details of Proposal

This application seeks permission for a two storey extension to the side elevation of the property of the

same footprint as that approved at single storey under application 13/0352, which measures 4.8 metres in side projection by 6.8 metres in depth and which is position in the same location as the previous application. However, as this proposal is for two storeys the height has increased and now proposes an eaves height of 4.7 metres with an overall ridge height of 7.3 metres to line in with the existing ridge.

The application also includes the addition of porch to front of the dwelling which is semi-hexagonal in shape with sides of 2.7 metres in projection, with a hipped and flat roof to an overall height of 3.1 metres.

The side extension is designed with a 'Juliet' balcony on the rear elevation with a further balcony of the same designed to be inserted on the existing side of the dwelling.

The extensions are to be constructed in the same materials as the existing dwelling.

Relevant Planning History

Application No.	Development	Decision	Date
13/0352	PROPOSED SINGLE STOREY EXTENSION TO SIDE AND DETACHED DOUBLE GARAGE TO FRONT (REVISED SCHEME TO PLANNING PERMISSION 11/0012)	Granted	23/07/2013
11/0012	RESUBMISSION OF APPLICATION 10/0706 FOR SINGLE STOREY SIDE EXTENSION AND DETACHED DOUBLE GARAGE	Granted	01/03/2011
10/0706	PROPOSED SINGLE STOREY SIDE EXTENSION AND DETACHED DOUBLE GARAGE.	Refused	20/12/2010
03/0770	PROPOSED AMENDMENTS TO APPROVED EXTENSION ON APPLICATION 5/02/18	Granted	09/10/2003

Relevant Planning Appeals History

None.

Parish Council Observations

Treales, Roseacre & Wharles Parish Council notified on 23 December 2013

Summary of Response

"The parish council object to the planning application. The plans do not comply with HL4 cumulatively the extension looks to exceed 25-33% limitation. The plans look like the extension would take the house to 100% of the original dwelling. The plans do not comply with SP2, the proposal is not a minor extension. To allow the application would set a dangerous precedent for future developments."

Statutory Consultees

Not applicable

Observations of Other Interested Parties

Christ Church Treales - *"We have no objection in principle to this planning application if it is granted in accordance with Fylde Borough Council Planning Policy."*

Neighbour Observations

Neighbours notified: 23 December 2013
No. Of Responses Received: (as above, Christ Church Treales)

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL04	Replacement and extension of rural dwellings
HL05	House extensions
EP11	Building design & landscape character

Other Relevant Policy:

NPPF:	National Planning Policy Framework
JHE	Joint House Extensions SPD

Site Constraints

Within countryside area

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Background

This particular property was originally the coach house to the adjacent vicarage. Planning permission was granted permission for a conversion to a dwelling in 2002 and a further permission was given for a two storey extension to the front elevation of the property in 2003.

There have been several applications submitted in recent years, application 10/0706 for a single storey extension, garage and wall was refused on the impact of the wall on the visual amenity. Application 11/0012 was a resubmission which deleted the proposed wall and redesigned the shape of the pitch of the roof on the side extension, this application was granted. Application 13/0352 re-introduced the wall but of a much lower height and with inset railings and included a revised position for the side extension. This was considered to be acceptable and permission granted.

Since the granting of the most recent application the applicants have constructed the garage and commenced on works for the boundary wall however, the side extension has not been constructed and is now proposed in this application, to be two storeys and includes the addition of a front porch.

Policies

The main issues to consider in determining this application are the criteria set out in policies SP2, HL4, HL5 and EP11 of the Fylde Borough Local Plan, as altered (October 2005) and the supplementary planning document 'Extending Your Home'.

Policy SP2 refers to development in countryside areas and allows for the limited extension or alteration of existing dwellings.

Policy HL4 goes further and requires that proposals to enlarge or replace dwellings in the countryside should not result in a dwelling, which is substantially larger than the original dwelling. Furthermore,

the preamble to the policy requires that extensions should not normally exceed 25% of the volume of the original premises, but in no circumstances exceed 33%.

Policy EP11 refers to new development in rural areas and states that this should be sited in keeping with the distinct landscape character types and requires that the development must be of a high standard of design. Matters of scale, features and building materials should reflect the local vernacular style.

Policy HL5 and the SPD 'Extending Your Home' provides the development control criteria for house extensions. The principal issues to consider are the impact of the development on the street scene and the character of the area and its impact upon the amenity of occupiers of neighbouring properties.

The Joint House Extensions document advises that the bulk and scale of extensions should appear subordinate to the original property and should not change the general character of the area and should not form an overly dominant feature in the street or as seen from neighbouring homes or garden areas.

Current application

The starting point is that which has previously been granted permission. In this instance several applications have been granted for this property which have significantly increased the volume over the original dwelling. The Parish Council have objected to the application on the basis of the scale of the proposed extension citing Policy HL4. The tolerances in this policy are expressed as guidelines to the policy and each application should therefore be assessed on its merits and its impact within its setting.

Whilst this extension adds to the volume of the original dwelling it does not propose to increase the footprint of the previous single storey side extension over that which was previously approved. The proposed extension has been designed to match the right hand wing of the property. The addition of a first floor now balances the existing side projection creating an overall 'T' shaped dwelling, as opposed to the current 'L' shape.

This property is viewed in conjunction with its neighbour 'Kirkwood', the former vicarage, which is a large two storey property which has also benefited from permissions for extensions and which has a large two storey garage/studio. This neighbouring property is substantially larger than the application property, with the only other neighbours in close proximity being the school house and the church, ensuring that the Coach House is viewed within this group. Views of the side extension would be partially restricted by the double garage and its proposed position on the dwelling. Notwithstanding this it is considered that the proposed side extension does not create a dwelling which would be out of keeping with its neighbours or the rural character of the area, for the above reasons.

The front porch is small scale and of a design appropriate to the design of the property. Accordingly the proposal is considered acceptable and in compliance Policies SP2, HL4 and Criterion 1 of Policy HL5 of the local plan.

In considering the proposal with regard to impact on neighbours, the nearest those at 'Kirkwood' given the location of the extensions it is considered that there would be no loss of neighbour amenity by way of loss of light, privacy, or overlooking as a result of these proposals.

The property benefits from a substantial garden areas and sufficient would remain following the development to serve the needs of the occupiers of the dwelling.

Whilst there are mature trees to the boundary of the site it is not intended to fell any trees to provide the extension and no works are proposed close to it.

Access and parking provision remain as existing and would not be prejudiced by the addition of the side extension and porch.

Conclusions

The development is considered to be of an acceptable scale and design given the design and location of the host dwelling and the scale of its neighbours, and will not result in any detriment to the visual amenity or amenity of the occupiers of the adjacent neighbours. Accordingly it complies with the criteria of Policies SP2, HL4, EP11 and HL5 of the Fylde Borough Local Plan as altered (October 2005) and Paragraph 215 of the NPPF which requires that due weight should be given to the relevant policies of the development plans according to their degree of consistency with the NPPF. In this instance it is considered that significant weight should be afforded to the above policies of the Fylde Borough Local Plan, as altered (October 2005) as this is consistent with the aims of Paragraph 17 of the NPPF which seeks to secure high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

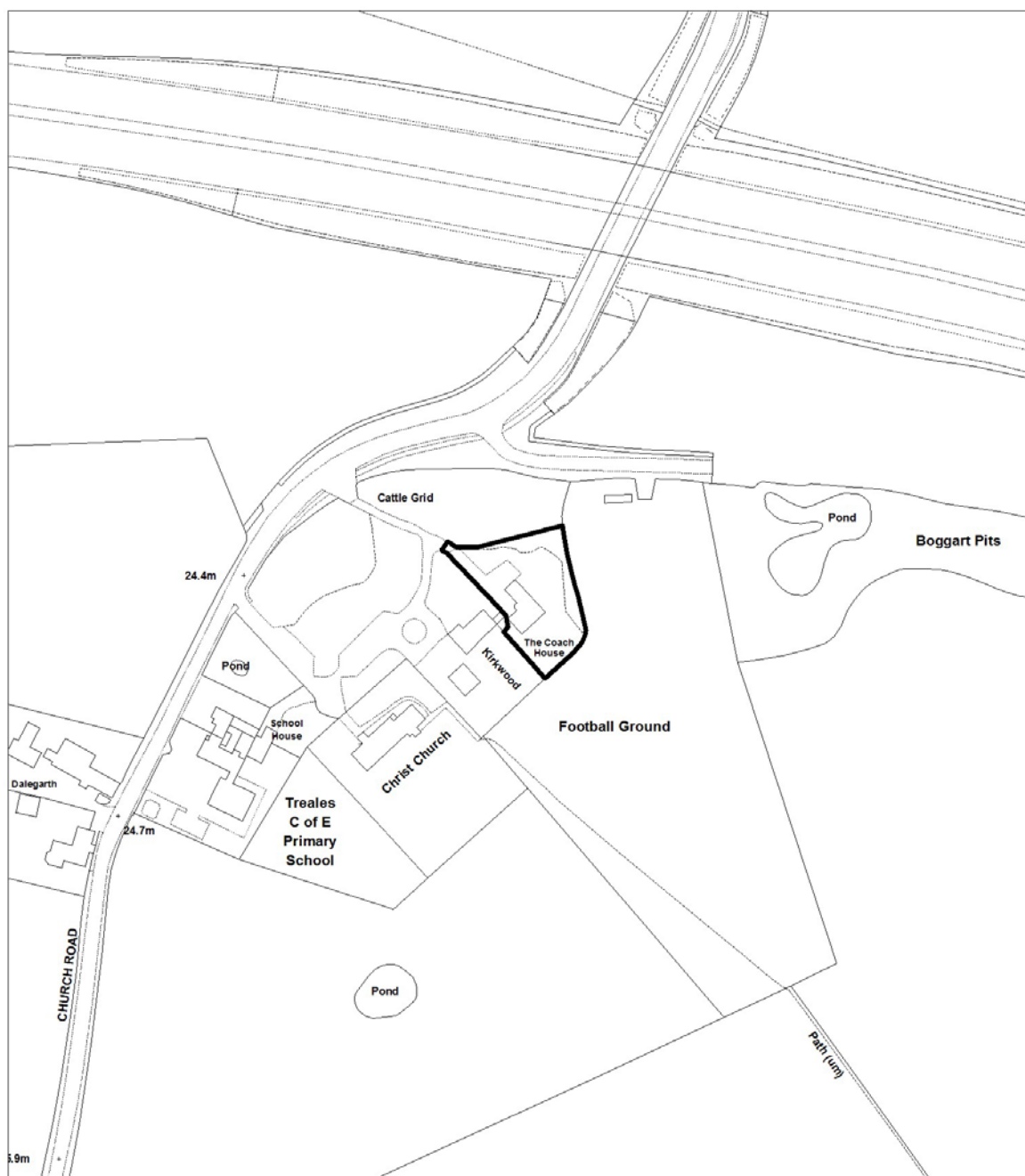
1. The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

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

2. This consent relates to the revised plan[s] received by the Local Planning Authority on the 14th January 2014.
For the avoidance of doubt and as agreed with the applicant / agent.

3. The materials of construction and/or finish in respect of the extension(s) hereby approved shall match those of the existing building entirely to the satisfaction of the Local Planning Authority.

To ensure visual harmony in respect of the overall development.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/13/0798	Address The Coach House, Church Road, Treales	Grid Ref. E.3445 : N.4346	Scale 0 10 20 30 40 m

Item Number: 8 **Committee Date:** 26 February 2014

Application Reference:	14/0089	Type of Application:	Scoping Opinion (EIA)
Applicant:	Cuadrilla	Agent :	Lancashire County Council
Location:	ROSACRE WOOD, LAND AT ROSEACRE HALL FARM, ROSEACRE ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3UE		
Proposal:	CONSULTATION ON SCOPING OPINION FOR ENVIRONMENTAL STATEMENT TO ACCOMPANY APPLICATION FOR CONSTRUCTION OF A WELL PAD, DRILLING AND HYDRAULIC FRACTURING OF FOUR EXPLORATORY BOREHOLES, TESTING PROCEDURES AND RESTORATION OF SITE		
Parish:	Treales, Roseacre and Wharles	Area Team:	
Weeks on Hand:	3	Case Officer:	Mr M Evans
Reason for Delay:	N/A		

Summary of Recommended Decision: No Comment

Summary of Officer Recommendation

This report considers a consultation from Lancashire County Council regarding the scope of a proposed Environmental Impact Assessment (EIA) relating to a shale gas exploration project. It is not an application for the development itself, which would need to be the subject of a separate planning application at which the merits of the proposed development would be considered.

It is proposed that the EIA would address matters of: air quality, archaeology and cultural heritage, greenhouse gas emissions, community and socio-economics, ecology, hydrogeology and ground gas, induced seismicity, land use and agriculture, landscape and visual amenity, lighting, noise, resources and waste, site monitoring, traffic and water resources and flood risk. Electromagnetic interference, microclimate and subsidence would not be addressed in the proposed Environmental Statement.

Having reviewed the content of the proposed Environmental Impact Assessment as set out in the applicant's Scoping Report, it is considered that the submission has been prepared in accordance with the relevant guidelines and best practice and addresses all of the likely environmental impacts of the proposed development.

Reason for Reporting to Committee

Given the contentious nature of shale gas extraction proposals, the Development Management Committee has requested that all proposals relating to Shale Gas exploration be considered by the Committee rather than in line with the agreed scheme of delegation.

Site Description and Location

The site is located approximately 400 metres south-east of the village of Roseacre and some 800m north-west of the village of Wharles, approximately 500m from Roseacre Road, along a minor road linking the villages of Elswick, Roseacre and Wharles.

Roseacre Road, a single carriageway minor road, is located approximately 400m to the East, and is linked to the site by an existing farm access track. Roseacre Road connects to the B5269 Preston Rd via Inskip Rd and Higham Side Rd, both of which are classified as minor roads.

The site itself is in agricultural production and is bordered on all sides by farmland. A farm ditch also runs along the eastern edge of the site and parallel to the proposed access. There are also a further two field ponds located within 500m of the site perimeter. An area of woodland (Roseacre Wood) is located adjacent to the agricultural access track between Roseacre Rd and the site, and is some 200m from the site boundary. Holmes Wood, a rectangular block of woodland is located about 500m south-west of the site.

There are no statutory designated ecological sites within the site or within a 5km radius surrounding it. The following designations have been identified within a 10km radius surrounding the site:

- Morecambe Bay Ramsar and Special Protection Area (SPA) - located approximately 6km to the north;
- Wyre Estuary Site of Special Scientific Interest (SSSI) - located approximately 6km to the north;
- Newton Marsh SSSI – located approximately 7.1km south;
- Ribble and Alt Estuaries SPA and Ramsar Site – located approximately 8.7km south;
- Ribble Estuary SSSI and National Nature Reserve (NNR) – located approximately 8.7km south; and
- Marton Mere SSSI and Local Nature Reserve (LNR) – 9.3km west.
- Lytham Coastal Changes SSSI – 9.8km south-west.

No non-statutory designations are located within the site boundary. Medlar Woods Biological Heritage Site (BHS) is located approximately 2km to the southwest.

Details of Proposal

The applicant has made a formal submission to Lancashire County Council (LCC) for a Scoping Opinion in line with the Environmental Impact Regulations 2011. As part of the consideration of that submission, LCC have requested the views of Fylde Borough Council. This submission requests comments on the scope of the proposed Environmental Impact Assessment, i.e. what likely environmental impacts should be addressed in the Environmental Statement that is submitted with the application. It does not seek permission to carry out that activity.

The applicant intends to submit planning applications to Lancashire County Council (LCC), for development of temporary exploratory drilling and testing facilities associated with the exploration for natural gas from shale formations underlying Lancashire. The project comprises one of two proposed exploration well sites (Roseacre Wood and another site at Preston New Road also on this agenda for consideration) in this general area. The applicant will submit a planning application for each site, with each proposal being subject to a full Environmental Impact Assessment. The Project also includes a seismometer array located around the site and proposals for Extended Flow Testing, which will be the subject of planning applications in their own right.

The proposed surface operations (well pad and access track) are proposed to occupy approximately 2.2ha of land between Roseacre and Wharles. The site is currently in agricultural production and can be reached only by farm access tracks. There are no known nationally important receptors or designated sites within the proposed site (surface works) boundary. The project also consists of below ground works. These are proposed to extend beyond the footprint of the surface works to a distance of 1000-2000m from the well head.

The project will entail the construction of a temporary well pad, landscape bunds and access track,

approximately 2.2 hectares (ha) in area, followed by the drilling, hydraulic fracturing and temporary flow testing of up to four exploration wells from the site. Each of the exploration wells will consist of an initial vertical borehole drilled from surface into the subsurface shale rock, followed by a horizontal wellbore section drilled laterally underground through the shale rock.

To assist in the determination of the application, an Environmental Impact Assessment (EIA) will be undertaken under the provisions of The Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (The EIA Regulations). The outcome of the EIA will be a detailed Environmental Statement (ES) which will accompany the planning applications.

A Scoping Report accompanies a request for a Scoping Opinion in accordance with the Regulations (Part 4; Regulation 13(1)), and is intended to assist Lancashire County Council (LCC) in the preparation of its Scoping Opinion.

The Scoping Report provides a description of the project and local environment, plus an indication of the possible environmental effects of the project. It identifies a suite of proposed technical topics that may be included in the EIA, and summarises the suggested scope of assessments required to address these topics.

As required by Regulation 13 the Scoping Report includes the following information:

- A plan to identify the land;
- A brief description of the nature and purpose of the development and of its possible effects on the environment; and
- Such other information or representations as the person making the request may wish to provide or make.

The total area of the surface works is 2.2ha, of which 1.5ha is a stoned surface well pad from which the drilling, hydraulic fracturing and flow testing activities will be undertaken. A 400m access track, along the route of an existing farm track is proposed to be constructed (area of approximately 0.25ha). The remainder of the 2.2ha will consist of surface water collection ditches, landscaped bunds (from topsoil and subsoil excavated during construction of the well pad) and fencing.

It is anticipated that up to four horizontal wells could be drilled and tested from the well pad.

Relevant Planning History

There are no previous applications relating to the proposed exploration of minerals at this site, although there have been a series of planning applications relating to agricultural developments of the holding upon which this project is located.

Relevant Planning Appeals History

None.

Parish Council Observations

Not applicable, the views of the Parish Council will be sought separately by LCC.

Statutory Consultees

Not applicable, the views of consultees will be sought separately by LCC.

Observations of Neighbours and Other Interested Parties

The views of all interested parties should be sent direct to LCC.

Comment and Analysis

In order to assist in determining the scope of the proposed EIA, it is necessary to outline the key features of the development that is being assessed in order to understand the potential environmental effects.

The overall purpose of the Project is to establish whether the Bowland Shale deposits could provide a commercially viable supply of natural gas (primarily methane) and associated liquid hydrocarbons. In order to do this it is necessary to drill exploratory wells into the shale to provide detailed geological data about the rock formations and measure the flow and quality of natural gas from the shale.

To extract the natural gas reserves in the shale a process called hydraulic fracturing is used to open the natural fractures in the rock to allow natural gas to flow to the surface. Up to 4 wells will be drilled from the site. The first vertical well will be drilled to obtain detailed geological data. A horizontal well will also be drilled from the vertical well, and then hydraulically fractured and flow tested. Alternatively, depending on the conditions encountered, the vertical section of the first well may be hydraulically fractured. Should this be done then a horizontal well will not be drilled from this vertical. Depending on the well results, up to three further wells will also be drilled (first vertically to the desired depth, and then horizontally), hydraulically fractured and flow tested from the well pad. These three wells are referred to in the Scoping Report as the horizontal wells. By drilling more than one well the applicant will be able to hydraulically fracture and test the flow of natural gas from different stratigraphic depths and areas and horizons of the shale. This will provide data to help appraise the potential of the Bowland Shale in this part of the licence area.

Additionally, two seismometer arrays will be constructed. One will consist of 8 seismometers just below the surface of the ground (referred to as the surface array). These seismometers will detect vibrations at the ground level and will allow the applicant to monitor any induced seismic effects from the hydraulic fracturing process and mitigate any potential impacts. A second set of up to 80 seismometers (the buried array) will be located in boreholes (up to 100m below ground level). These will be used to monitor the direction and extent of the small fractures created in the shale, which in turn will allow the applicant to monitor and optimise the hydraulic fracturing process. The buried array will be the subject of a separate planning application.

The Site will be accessed by an existing track, which will be upgraded to a stoned haul road from the well pad to junction with the highway. The junction between the access track and the highway will be tarmac. The route will follow the existing agricultural track from Roseacre Road, past Roseacre Wood, to the Site.

Site development traffic will reach the pad by taking a route from junction 3 of the M55, northwards on the A585, then eastwards on the B5269, followed by minor roads from Elswick to the Site entrance. This route was identified following consideration of different possible access routes.

The equipment required to undertake drilling will be brought to the Site by HGVs, and will include:

- Plant and equipment specific to the drilling unit used, including a mast with an erected height of between 30m and up to 50m;
- 40ft 'shipping containers' for stores of equipment, workshops, and modules for office, welfare and onsite accommodation;
- Cranes to assemble the drilling rig and other equipment;
- Drilling mud logging equipment;
- Well cementing equipment;
- Wireline logging equipment;

- Drilling materials and fluids; and
- Casings and tubulars.

The equipment mobilisation period for the drilling stage will typically last for two weeks.

Up to four exploration wells will be drilled at the site. The first well will be drilled vertically through the geological profile to a maximum depth of c. 3,500m. The geological information from this first vertical well will provide data on the characteristics of the shale. From this data, the depths within the shale at which the horizontal wells will be drilled and their direction will be selected.

The drilling of the first horizontal (Horizontal Well 1), will then be drilled to its anticipated lateral extent 1000-2000m. Horizontal Wells 2, 3 and 4 will be drilled from the surface to depths determined by geological information derived from Vertical Well 1.

Vertical Well 1 will be drilled over an anticipated period of approximately 3 months with horizontal well-bore 1 taking a further 2 months to drill. Vertical and Horizontal Well-bores 2, 3 and 4 will each take approximately 3 months to drill.

Once commenced, drilling works will take place 24-hours/7 days a week. Drilling of the well includes the following elements, mud engineering, cementing, data acquisition via coring and wireline logging, and directional drilling. Licensed, sealed nuclear sources are commonly used for measurement purposes in wireline logging and logging while drilling.

The proposed approach for drilling is under development. However, it is currently proposed that water based drilling muds are used to drill the well from the surface to the Manchester Marl. Once the casings from the surface into the marl are cemented, completed and tested to provide a barrier to the movement of fluid from the well into the surrounding rock, low toxicity oil based muds or water based muds may be used to drill the remaining portion of each well.

The hydraulic fracturing equipment, accommodation and ancillary equipment will be brought onto the Site in a pre-planned sequence, over a period of approximately two weeks. HGVs and other commercial vehicles will deliver (indicative description):

- Storage units (steel containers);
- Steel water tanks;
- Sand storage/delivery units;
- Flare stack;
- High volume separator;
- Work-over rig;
- Hydraulic fracture pumps;
- Blender unit;
- Manifold unit;
- Coiled tubing unit;
- Coiled tubing support tower; and
- Monitoring cabin.

Hydraulic fracturing (commonly referred to as “fracking” or “fracking”) is a process which is undertaken to improve the flow of liquids and gases through relatively impermeable underground rocks. It is used in situations where, under natural permeability conditions, fluids or gases will not flow freely, for example in shale or in rocks such as granite. It has been frequently carried out onshore in the UK on oil and gas wells in low-permeability reservoirs, and also carried out in geothermal energy developments, to create fractures for water to flow through crystalline rocks such as granite.

Decommissioning and restoration would include the following activities (in line with industry standards

for the oil and gas sector):

- The well would be plugged and abandoned in accordance with Oil and Gas UK guidelines;
- The wellhead would be removed and the well casing cut off at least 2.0m below ground level and plugged in accordance with industry procedures and regulatory requirements;
- Removal of remaining plant, equipment and temporary buildings (if the Site has not been put into the suspension beforehand);
- Removal of the surface array;
- Removal of the buried array surface features;
- The ditches would be drained (with the water removed for disposal at an approved location);
- All utilities would be disconnected and the layers of aggregate, high density poly ethylene membrane, geotextile and felt would be removed;
- Sub-soil stored on Site would be treated with selective herbicides, as appropriate, prior to placement on the site sub-grade;
- Topsoil stored on site would be treated with selective herbicides, as appropriate, prior to placement on the replaced subsoils;
- Removal of site boundary fencing;
- Reinstatement of fences and gates; and
- Reinstatement of field drainage.

The EIA is proposed to be carried out in stages as follows:

- Preparation of a Scoping Report;
- Baseline data gathering and consultation;
- Preliminary impact assessment;
- Identification of mitigation measures;
- Residual impact assessment;
- Public Consultation and Stakeholder Engagement events; and
- Preparation of Environmental Statement (ES) and Non-Technical Summary (NTS).

The request for a Scoping Opinion has had regard to the following, so far as current and relevant:

- Circular 02/99 Environmental Impact Assessment¹²;
- Circular 01/2006 Guidance on Changes to the Development Control System;
- Guidance on EIA Scoping;
- Environmental Impact Assessment: A guide to good practice and procedures (consultation paper); and
- Policies and guidance relevant to the environmental topics being assessed.

A Scoping Opinion has been sought to reach agreement on the topics and issues that should be addressed as part of the EIA and reported in the ES.

For each technical topic, the likelihood of significant impacts arising will be considered in terms of:

- Direct and indirect impacts during construction (namely the preparation of the site, the construction of access track, installation of the surface network and buried monitoring array);
- Direct and indirect impacts during operation (namely the operation of drilling, hydraulic fracturing and flow back testing plant, materials/ waste storage and buildings);
- Direct and indirect impacts during well suspension or decommissioning (this includes works to remove plant, buildings and other equipment from the Site and, depending on whether the Site is viable for future production or not, the pad area, subsoil and topsoil replacement and Site restoration); and
- Cumulative impacts arising from the Project, which will include interactions between

environmental parameters, and with other development that has extant planning permission or is under construction. This assessment will also assess the cumulative effects of this Site, and other gas exploration sites in the area where site establishment, drilling, hydraulic fracturing, flow back testing and site restoration activities may coincide.

The EIA regulations require the consideration of likely significant environmental effects. Effects of lesser magnitude can therefore be scoped out of individual technical assessments, where appropriate and with the agreement of consultees and stakeholders.

By correlating the attributes of the project with the characteristics of the local environment, a proposed scope of the EIA has been prepared by the applicant and is set out below. The table describes those topics that are suggested for inclusion in (or exclusion from) the scope of the EIA and provides an explanation, with reference to relevant baseline conditions and the characteristics of the proposed exploration works.

Topic	Scoping Outcome	Justification
Air quality	Included	Vehicle movements, emissions from equipment used during the Project and the flaring of gas will each result in emissions to the atmosphere and the potential for fugitive emissions from above ground equipment.
Archaeology and cultural heritage	Included	The Project includes works below the existing ground level with the potential to impact upon buried archaeology. There may also be potential for visual impacts on the setting of listed or other heritage features.
Greenhouse Gas Emissions	Included	This assessment is only concerned with the potential effects of the Project in terms of greenhouse gas emissions from vehicle movements, energy consumption, fugitive emissions and direct emissions (e.g. flaring of produced gas). The effects of climate change on the Project will be assessed within the relevant chapters. In general terms, climate change adaptation is not an important issue for the Project because it is temporary and the duration of its effects are therefore limited
Community and socio-economics	Included	The Project may give rise to impacts on local communities during construction and operation, and will include consideration of access and socioeconomic impacts.
Ecology	Included	The Project has the potential to, directly or indirectly, affect species and habitats of interest that may be present in or close by the Site.
Electromagnetic Interference	Excluded	Due to the nature of the proposed exploration it is considered that electromagnetic interference may be excluded from the assessment, subject to discussion with the MoD relating to Inskip communications site.
Hydrogeology and Ground Gas	Included	An assessment of the hydrogeological characteristics of the Site and impacts of the Project during stages on hydrogeological resources will be undertaken. It will also assess the risk of ground gas migration and pollution from the Project activities.
Induced seismicity	Included	Potential effects on geological stability to be considered.
Land use & agriculture	Included	Although the scale of proposed use of agricultural land (2.2ha) is small and the occupation of the Site will be temporary an assessment of the effects on landowner / occupiers farm operations and the productivity of the land will be assessed.
Landscape and visual amenity	Included	The Project has the potential to temporarily alter the local landscape across the Site with the potential for effects on the wider landscape and visual amenity.
Lighting	Included	A technical chapter will be included, which predominantly focuses on light spill from pad to nearby sensitive receptors. Other chapters in the ES, including Ecology and Landscape and Visual, will refer to this chapter for input to the assessments.

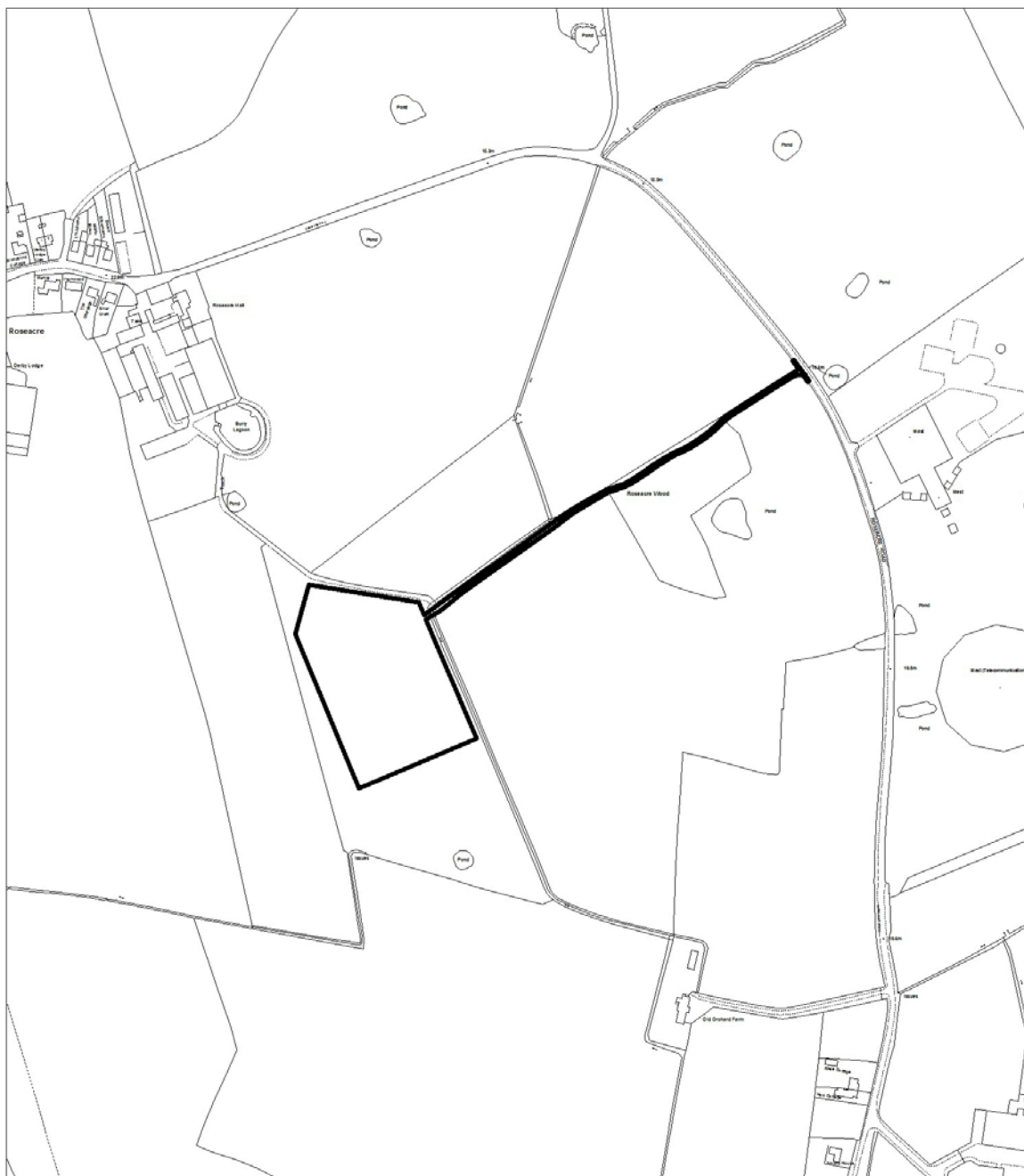
Microclimate	Excluded	Given the scale of the Project it is unlikely that there will be any significant effects relating to microclimate (wind and shadowing).
Noise	Included	All the stages of the Project (with the exception of suspension) have the potential to generate noise emissions that may affect sensitive receptors.
Resources and Waste	Included	The Project will generate waste (e.g. drill cuttings, flow back water) that requires treatment.
Site monitoring & Management	Included	Site monitoring procedures will be described in the scheme description reported within the ES. However, it will not form a standalone assessment in the ES. An Environmental Management Plan will also be included in the ES setting out the mechanisms and measures that will be used to manage the significant environmental aspects of the Project.
Subsidence	Excluded.	The size of the fractures created by hydraulic fracturing, the type of rock (non-porous) depth at which the fractures occur (several kilometres below ground surface) means that shale gas exploration is not likely to result in subsidence. Furthermore, there are no examples of shale gas exploration or production causing subsidence that results in damage at the surface.
Traffic and transportation	Included	Traffic generation and vehicle movements may have an effect on surrounding roads and road users.
Water resources and flood risk	Included	The Project will change the drainage regime across the Site and will also temporarily increase water demand locally. It has been confirmed with the EA that a Flood Risk Assessment will be required.

Conclusions

Having reviewed the proposed content of the proposed Environmental Impact Assessment as set out in the applicant's Scoping Report, it is considered that the submission has been prepared in accordance with the relevant guidelines and best practice and addresses all of the likely environmental impacts of the proposed development.

Recommendation

That Lancashire County Council be advised that Fylde Borough Council accepts the scope of the proposed Environmental Impact Assessment and that no further information is required to that set out in the scoping report.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0089	Address Roseacre Wood, Land at Roseacre Hall Farm, Roseacre Road, Roseacre	Grid Ref. E.3439 : N.4364	Scale 0 25 50 75 100 m

Item Number: 9

Committee Date: 26 February 2014

Application Reference: 14/0090		Type of Application: Scoping Opinion (EIA)	
Applicant:	Cuadrilla	Agent :	Lancashire County Council
Location:	LAND NORTH OF PRESTON NEW ROAD, PART OF PLUMPTON HALL FARM, PRESTON NEW ROAD, WESTBY WITH PLUMPTONS, PRESTON, PR4 3PJ		
Proposal:	CONSULTATION ON SCOPING OPINION FOR ENVIRONMENTAL STATEMENT TO ACCOMPANY APPLICATION FOR CONSTRUCTION OF A WELL PAD, DRILLING AND HYDRAULIC FRACTURING OF FOUR EXPLORATORY BOREHOLES, TESTING PROCEDURES AND RESTORATION OF SITE		
Parish:	Westby with Plumptons	Area Team:	
Weeks on Hand:	3	Case Officer:	Mr M Evans
Reason for Delay:	N/A		

Summary of Recommended Decision: No Comment

Summary of Officer Recommendation

This report considers a consultation from Lancashire County Council regarding the scope of a proposed Environmental Impact Assessment (EIA) relating to a shale gas exploration project. It is not an application for the development itself, which would need to be the subject of a separate planning application at which the merits of the proposed development would be considered.

It is proposed that the EIA would address matters of: air quality, archaeology and cultural heritage, greenhouse gas emissions, community and socio-economics, ecology, hydrogeology and ground gas, induced seismicity, land use and agriculture, landscape and visual amenity, lighting, noise, resources and waste, site monitoring, traffic and water resources and flood risk. Electromagnetic interference, microclimate and subsidence would not be addressed in the proposed Environmental Statement.

Having reviewed the content of the proposed Environmental Impact Assessment as set out in the applicant's Scoping Report, it is considered that the submission has been prepared in accordance with the relevant guidelines and best practice and addresses all of the likely environmental impacts of the proposed development.

Reason for Reporting to Committee

Given the contentious nature of shale gas extraction proposals, the Development Management Committee has requested that all proposals relating to Shale Gas exploration be considered by the Committee rather than in line with the agreed scheme of delegation.

Site Description and Location

The Site is located between Blackpool and Kirkham on the south-west of the Fylde coastal plain. The Site is approximately 500 metres west of the village of Little Plumpton and around one kilometre west of the village of Great Plumpton, between Moss House Lane and Preston New Road (A583). It is

approximately two kilometres east of Junction 4 of the M55. The main road running east-west 200m to the south of the Moss House Lane site is the Preston New Road (A583). This road connects to M55 at Junction 4 approximately two kilometres west of the Site.

The site covers 2.5 ha of land that is currently an undeveloped greenfield site currently in agricultural production and can be reached only by farm access tracks. There are no known nationally important receptors or designated sites within the proposed site (surface works) boundary. The Site is surrounded by agricultural land on all sides. Carr Bridge Brook runs westward along the north boundary of the field upon which the site is located. A number of small wooded areas and ponds are located in the adjacent fields.

Moss House Farm is located approximately 800 metres to the north-west of the site, on the northern side of Moss House Lane. Approximately 200 metres further along the road is Moss Cottage and about 400 metres to the south-west of the site is Staining Wood Farm. A number of residential properties are located approximately 500 metres to the south east of the Site in the village of Little Plumpton and 900 metres to the east in the village of Great Plumpton. Another residential area is situated approximately 1,200 metres to the west at Carr Bridge. Commercial/industrial facilities near Moss House Lane site include Blackpool Fylde Industrial Estate and Whitehills Business Park, which are situated adjacent to M55 Junction 4 on the south west of the junction.

No statutory designations are located within the proposed development site or within a 3km radius surrounding it. The following designations have been identified within a 10km radius surrounding the site:

- Marton Mere Blackpool Site of Special Scientific Interest (SSSI) and Local Nature Reserve (LNR) – located approximately 3.2km north-west;
- Lytham St Annes Dunes SSSI and LNR – located approximately 6.4km southwest;
- Ribble and Alt Estuaries SPA and Ramsar Site – located approximately 6.7km south;
- Ribble Estuary SSSI – located approximately 6.7km south;
- Newton Marsh SSSI – located 8.7km south-east;
- Morecambe Bay SPA and Ramsar - located approximately 6.7km to the north;
- Wyre Estuary SSSI - located approximately 6.7km to the north; and
- Liverpool Bay SPA – located approximately 7.4km to the west.

Details of Proposal

The applicant has made a formal submission to Lancashire County Council (LCC) for a Scoping Opinion in line with the Environmental Impact Regulations 2011. As part of the consideration of that submission, LCC have requested the views of Fylde Borough Council. This submission requests comments on the scope of the proposed Environmental Impact Assessment, i.e. what likely environmental impacts should be addressed in the Environmental Statement that is submitted with the application. It does not seek permission to carry out that activity.

The applicant intends to submit planning applications to Lancashire County Council (LCC), for development of temporary exploratory drilling and testing facilities associated with the exploration for natural gas from shale formations underlying Lancashire. The project comprises one of two proposed exploration well sites (this site and another at Roseacre Wood, also on this agenda for consideration) in this general area. The applicant will submit a planning application for each site, with each proposal being subject to a full Environmental Impact Assessment. The Project also includes a seismometer array located around the site and proposals for Extended Flow Testing, which will be the subject of planning applications in their own right.

The Project will entail the construction of a temporary well pad, landscape bunds and access track, approximately 2.5 hectares (ha) in area, followed by the drilling, hydraulic fracturing and temporary

flow testing of up to four exploration wells from the site. Each of the exploration wells will consist of an initial vertical borehole drilled from surface into the subsurface shale rock, followed by a horizontal wellbore section drilled laterally underground through the shale rock.

To assist in the determination of the application, an Environmental Impact Assessment (EIA) will be undertaken under the provisions of The Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (The EIA Regulations). The outcome of the EIA will be a detailed Environmental Statement (ES) which will accompany the planning applications.

A Scoping Report accompanies a request for a Scoping Opinion in accordance with the Regulations (Part 4; Regulation 13(1)), and is intended to assist Lancashire County Council (LCC) in the preparation of its Scoping Opinion.

The Scoping Report provides a description of the project and local environment, plus an indication of the possible environmental effects of the project. It identifies a suite of proposed technical topics that may be included in the EIA, and summarises the suggested scope of assessments required to address these topics.

As required by Regulation 13 the Scoping Report includes the following information:

- A plan to identify the land;
- A brief description of the nature and purpose of the development and of its possible effects on the environment; and
- Such other information or representations as the person making the request may wish to provide or make.

The total area of the surface works is 2.5ha, of which 1.5ha is a stoned surface well pad from which the drilling, hydraulic fracturing and flow testing activities will be undertaken (see 3.5 to 3.7). A new 200m access track will also be constructed (area approximately 0.12ha) The remainder of the 2.5ha will consist of surface water collection ditches, landscaped bunds (from topsoil and subsoil excavated during construction of the well pad) and fencing.

It is anticipated that up to four horizontal wells could be drilled and tested from this well pad.

Relevant Planning History

There are no previous applications relating to the proposed exploration of minerals at this site, although there have been a series of planning applications relating to agricultural developments of the holding upon which this project is located.

Relevant Planning Appeals History

None.

Parish Council Observations

Not applicable, the views of the Parish Council will be sought separately by LCC.

Statutory Consultees

Not applicable, the views of consultees will be sought separately by LCC.

Observations of Neighbours and Other Interested Parties

The views of all interested parties should be sent direct to LCC.

Comment and Analysis

In order to assist in determining the scope of the proposed EIA, it is necessary to outline the key features of the development that is being assessed in order to understand the potential environmental effects.

The overall purpose of the project is to establish whether the Bowland Shale deposits could provide a commercially viable supply of natural gas (primarily methane) and associated liquid hydrocarbons. In order to do this it is necessary to drill exploratory wells into the shale to provide detailed geological data about the rock formations and measure the flow and quality of natural gas from the shale.

To extract the natural gas reserves in the shale a process called hydraulic fracturing is used to open the natural fractures in the rock to allow natural gas to flow to the surface. The total area of the surface works is 2.5ha, of which 1.5ha is a stoned surface wellpad from which the drilling, hydraulic fracturing and flow testing activities will be undertaken. Up to 4 wells will be drilled from the site. The first vertical well will be drilled to obtain detailed geological data. A horizontal well will also be drilled from the vertical well, and then hydraulically fractured and flow tested. Alternatively, depending on the conditions encountered, the vertical section of the first well may be hydraulically fractured. Should this be done then a horizontal well will not be drilled from this vertical. Depending on the well results, up to three further wells will also be drilled (first vertically to the desired depth, and then horizontally), hydraulically fractured and flow tested from the well pad. These three wells are referred to in the Scoping Report as the horizontal wells. By drilling more than one well the applicant will be able to hydraulically fracture and test the flow of natural gas from different stratigraphic depths and areas and horizons of the shale. This will provide data to help appraise the potential of the Bowland Shale in this part of the licence area.

Additionally, two seismometer arrays will be constructed. One will consist of 8 seismometers just below the surface of the ground (referred to as the surface array). These seismometers will detect vibrations at the ground level and will allow the applicant to monitor any induced seismic effects from the hydraulic fracturing process and mitigate any potential impacts. A second set of up to 80 seismometers (the buried array) will be located in boreholes (up to 100m below ground level). These will be used to monitor the direction and extent of the small fractures created in the shale, which in turn will allow the applicant to monitor and optimise the hydraulic fracturing process. The buried array will be the subject of a separate planning application.

The proposed site is located off Preston New Road (A583). Preston New Road is an A classified single carriageway road with road markings and a footway on one side. To the west of the site Preston New Road heads north, forming Junction 4 of the M55. Preston New Road connects into Blackpool Town Centre becoming Whitegate Drive. The most appropriate means of access is therefore likely to be to/from the west. This would allow for vehicles to route along the motorway network.

The equipment required to undertake drilling will be brought to the site by HGVs, and will include:

- Plant and equipment specific to the drilling unit used, including a mast with an erected height of between 30m and up to 50m;
- 40ft 'shipping containers' for stores of equipment, workshops, and modules for office, welfare and onsite accommodation;
- Cranes to assemble the drilling rig and other equipment;
- Drilling mud logging equipment;
- Well cementing equipment;
- Wireline logging equipment;
- Drilling materials and fluids; and
- Casings and tubulars.

The equipment mobilisation period for the drilling stage will typically last for two weeks.

Up to four exploration wells will be drilled at the site. The first well will be drilled vertically through the geological profile to a maximum depth of c. 3,500m. The geological information from this first vertical well will provide data on the characteristics of the shale. From this data, the depths within the shale at which the horizontal wells will be drilled and their direction will be selected.

The drilling of the first horizontal (Horizontal Well 1), will then be drilled to its anticipated lateral extent 1000-2000m. Horizontal Wells 2, 3 and 4 will be drilled from the surface to depths determined by geological information derived from Vertical Well 1.

Vertical Well 1 will be drilled over an anticipated period of approximately 3 months with horizontal well-bore 1 taking a further 2 months to drill. Vertical and Horizontal Well-bores 2, 3 and 4 will each take approximately 3 months to drill.

Once commenced, drilling works will take place 24-hours/7 days a week. Drilling of the well includes the following elements, mud engineering, cementing, data acquisition via coring and wireline logging, and directional drilling. Licensed, sealed nuclear sources are commonly used for measurement purposes in wireline logging and logging while drilling.

The proposed approach for drilling is under development. However, it is currently proposed that water based drilling muds are used to drill the well from the surface to the Manchester Marl. Once the casings from the surface into the marl are cemented, completed and tested to provide a barrier to the movement of fluid from the well into the surrounding rock, low toxicity oil based muds or water based muds may be used to drill the remaining portion of each well.

The hydraulic fracturing equipment, accommodation and ancillary equipment will be brought onto the site in a pre-planned sequence, over a period of approximately two weeks. HGVs and other commercial vehicles will deliver:

- Storage units (steel containers);
- Steel water tanks;
- Sand storage/delivery units;
- Flare stack;
- High volume separator ;
- Work-over rig;
- Hydraulic fracture pumps;
- Blender unit;
- Manifold unit;
- Coiled tubing unit;
- Coiled tubing support tower; and
- Monitoring cabin.

Hydraulic fracturing (commonly referred to as “fracking” or “fraccing”) is a process which is undertaken to improve the flow of liquids and gases through relatively impermeable underground rocks. It is used in situations where, under natural permeability conditions, fluids or gases will not flow freely, for example in shale or in rocks such as granite. It has been frequently carried out onshore in the UK on oil and gas wells in low-permeability reservoirs, and also carried out in geothermal energy developments, to create fractures for water to flow through crystalline rocks such as granite.

Decommissioning and restoration would include the following activities (in line with industry standards for the oil and gas sector):

- The well would be plugged and abandoned in accordance with Oil and Gas UK guidelines;
- The wellhead would be removed and the well casing cut off at least 2.0m below ground level and plugged in accordance with industry procedures and regulatory requirements;
- Removal of remaining plant, equipment and temporary buildings (if the Site has not been put into the suspension beforehand);
- Removal of the surface array;
- Removal of the buried array surface features;
- The ditches would be drained (with the water removed for disposal at an approved location);
- All utilities would be disconnected and the layers of aggregate, high density poly ethylene membrane, geotextile and felt would be removed;
- Sub-soil stored on Site would be treated with selective herbicides, as appropriate, prior to placement on the site sub-grade;
- Topsoil stored on site would be treated with selective herbicides, as appropriate, prior to placement on the replaced subsoils;
- Removal of site boundary fencing;
- Reinstatement of fences and gates; and
- Reinstatement of field drainage.

The EIA is proposed to be carried out in stages as follows:

- Preparation of a Scoping Report;
- Baseline data gathering and consultation;
- Preliminary impact assessment;
- Identification of mitigation measures;
- Residual impact assessment;
- Public Consultation and Stakeholder Engagement events; and
- Preparation of Environmental Statement (ES) and Non-Technical Summary (NTS).

The request for a Scoping Opinion has had regard to the following, so far as current and relevant:

- Circular 02/99 Environmental Impact Assessment/2;
- Circular 01/2006 Guidance on Changes to the Development Control System;
- Guidance on EIA Scoping;
- Environmental Impact Assessment: A guide to good practice and procedures (consultation paper); and
- Policies and guidance relevant to the environmental topics being assessed.

A Scoping Opinion has been sought to reach agreement on the topics and issues that should be addressed as part of the EIA and reported in the ES.

For each technical topic, the likelihood of significant impacts arising will be considered in terms of:

- Direct and indirect impacts during construction (namely the preparation of the site, the construction of access track, installation of the surface network and buried monitoring array);
- Direct and indirect impacts during operation (namely the operation of drilling, hydraulic fracturing and flow back testing plant, materials/ waste storage and buildings);
- Direct and indirect impacts during well suspension or decommissioning (this includes works to remove plant, buildings and other equipment from the Site and, depending on whether the Site is viable for future production or not, the pad area, subsoil and topsoil replacement and Site restoration); and
- Cumulative impacts arising from the Project, which will include interactions between environmental parameters, and with other development that has extant planning permission or is under construction. This assessment will also assess the cumulative effects of this Site, and other

gas exploration sites in the area where site establishment, drilling, hydraulic fracturing, flow back testing and site restoration activities may coincide.

The EIA regulations require the consideration of likely significant environmental effects. Effects of lesser magnitude can therefore be scoped out of individual technical assessments, where appropriate and with the agreement of consultees and stakeholders.

By correlating the attributes of the project with the characteristics of the local environment, a proposed scope of the EIA has been prepared by the applicant and is set out below. The table describes those topics that are suggested for inclusion in (or exclusion from) the scope of the EIA and provides an explanation, with reference to relevant baseline conditions and the characteristics of the proposed exploration works.

Topic	Scoping Outcome	Justification
Air quality	Included	Vehicle movements, emissions from equipment used during the Project and the flaring of gas will each result in emissions to the atmosphere and the potential for fugitive emissions from above ground equipment.
Archaeology and cultural heritage	Included	The Project includes works below the existing ground level with the potential to impact upon buried archaeology. There may also be potential for visual impacts on the setting of listed or other heritage features.
Greenhouse Gas Emissions	Included	This assessment is only concerned with the potential effects of the Project in terms of greenhouse gas emissions from vehicle movements, energy consumption, fugitive emissions and direct emissions (e.g. flaring of produced gas). The effects of climate change on the Project will be assessed within the relevant chapters. In general terms, climate change adaptation is not an important issue for the Project because it is temporary and the duration of its effects are therefore limited
Community and socio-economics	Included	The Project may give rise to impacts on local communities during construction and operation, and will include consideration of access and socioeconomic impacts.
Ecology	Included	The Project has the potential to, directly or indirectly, affect species and habitats of interest that may be present in or close by the Site.
Electromagnetic Interference	Excluded	Due to the nature of the proposed exploration it is considered that electromagnetic interference may be excluded from the assessment, subject to discussion with the MoD relating to Inskip communications site.
Hydrogeology and Ground Gas	Included	An assessment of the hydrogeological characteristics of the Site and impacts of the Project during stages on hydrogeological resources will be undertaken. It will also assess the risk of ground gas migration and pollution from the Project activities.
Induced Seismicity	Included	Potential effects on geological stability to be considered.
Land use & agriculture	Included	Although the scale of proposed use of agricultural land (2.2ha) is small and the occupation of the Site will be temporary an assessment of the effects on landowner / occupiers farm operations and the productivity of the land will be assessed.
Landscape and visual amenity	Included	The Project has the potential to temporarily alter the local landscape across the Site with the potential for effects on the wider landscape and visual amenity.
Lighting	Included	A technical chapter will be included, which predominantly focuses on light spill from pad to nearby sensitive receptors. Other chapters in the ES, including Ecology and Landscape and Visual, will refer to this chapter for input to the assessments.
Microclimate	Excluded	Given the scale of the Project it is unlikely that there will be any significant effects relating to microclimate (wind and shadowing).
Noise	Included	All the stages of the Project (with the exception of suspension) have

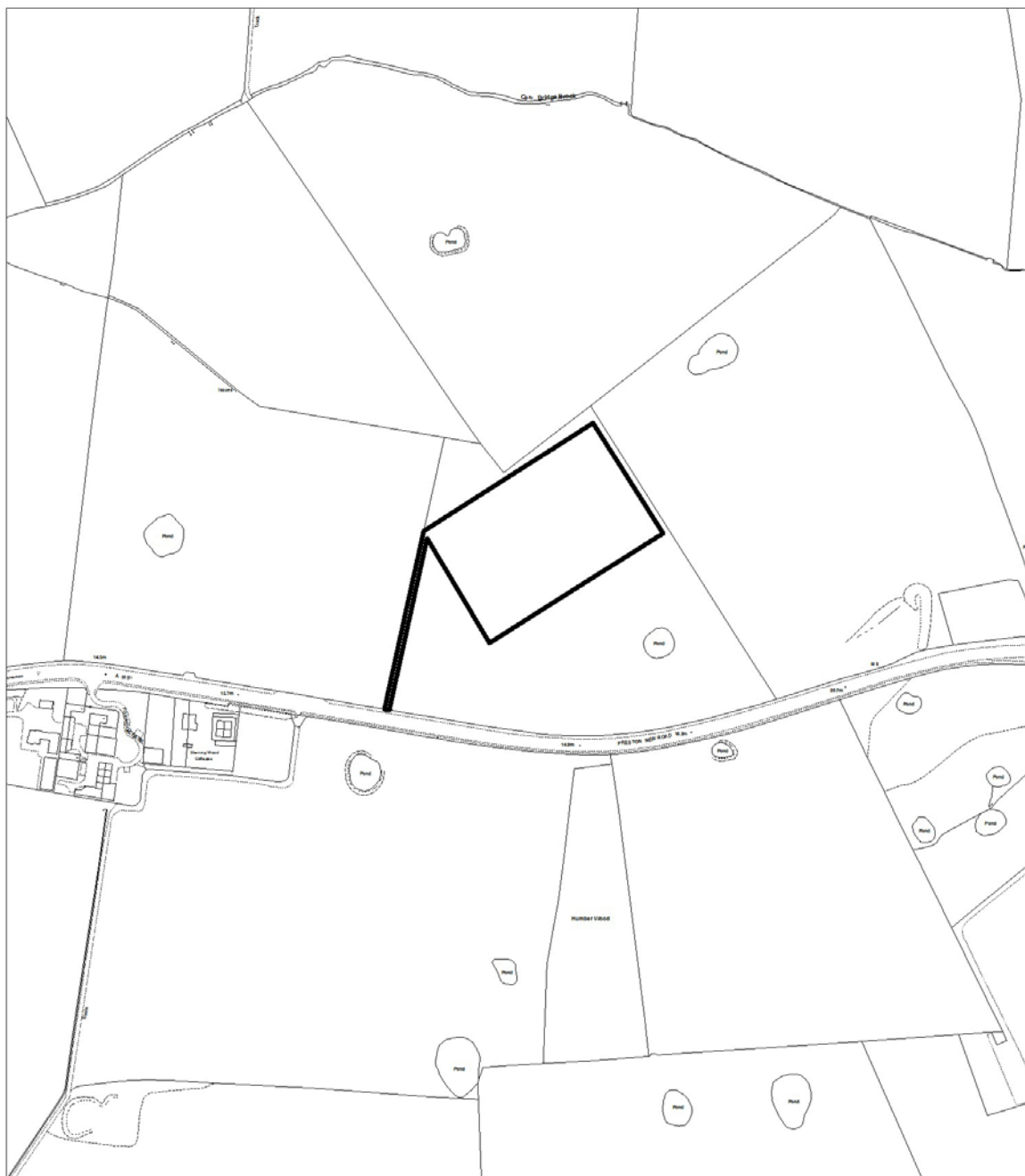
		the potential to generate noise emissions that may affect sensitive receptors.
Resources and Waste	Included	The Project will generate waste (e.g. drill cuttings, flow back water) that requires treatment.
Site monitoring & management	Included	Site monitoring procedures will be described in the scheme description reported within the ES. However, it will not form a standalone assessment in the ES. An Environmental Management Plan will also be included in the ES setting out the mechanisms and measures that will be used to manage the significant environmental aspects of the Project.
Subsidence	Excluded.	The size of the fractures created by hydraulic fracturing, the type of rock (non-porous) depth at which the fractures occur (several kilometres below ground surface) means that shale gas exploration is not likely to result in subsidence. Furthermore, there are no examples of shale gas exploration or production causing subsidence that results in damage at the surface.
Traffic and transportation	Included	Traffic generation and vehicle movements may have an effect on surrounding roads and road users.
Water resources and flood risk	Included	The Project will change the drainage regime across the Site and will also temporarily increase water demand locally. It has been confirmed with the EA that a Flood Risk Assessment will be required..

Conclusions

Having reviewed the proposed content of the proposed Environmental Impact Assessment as set out in the applicant's Scoping Report, it is considered that the submission has been prepared in accordance with the relevant guidelines and best practice and addresses all of the likely environmental impacts of the proposed development.

Recommendation

That Lancashire County Council be advised that Fylde Borough Council accepts the scope of the proposed Environmental Impact assessment and that no further information is required to that set out in the scoping report.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0090	Address Land North of Preston New Road, Part of Plumpton Hall Farm, Westby	Grid Ref. E.3374 : N.4327	Scale 0 25 50 75 100 m

LIST OF APPEALS DECIDED

The following appeal decision letters were received between 08/01/2014 and 14/02/2014. Copies of the decision letters are attached.

Rec No: 1 01 July 2013	13/0183	MILL COTTAGE, MILL LANE, STAINING, BLACKPOOL, FY3 0BQ CERTIFICATE OF LAWFULNESS FOR EXISTING USE OF LAND AS DOMESTIC CURTILAGE	Public Inquiry
Appeal Decision:		Withdrawn: 23 January 2014	

Rec No: 2 25 October 2013	13/0360	69 CLIFTON STREET, LYTHAM ST ANNES, FY8 5ER RETROSPECTIVE APPLICATION FOR REPLACEMENT SHOP FRONTAGE.	Written Representations
Appeal Decision:		Dismiss: 07 February 2014	

Rec No: 3 16 December 2013	13/0603	36 EAST BEACH, LYTHAM ST ANNES, FY8 5EX PROPOSED TWO STOREY SIDE EXTENSION WITH BALCONY TO FRONT AND REAR, SINGLE STOREY REAR EXTENSION, AND PROVISION OF NEW ACCESS AND PARKING AREA TO FRONT	Householder Appeal
Appeal Decision:		Dismiss: 20 January 2014	

Appeal Decision

Site visit made on 13 January 2014

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 February 2014

Appeal Ref: APP/M2325/A/13/2207215

**Lytham Hearing Centre, 69 Clifton Street, Lytham St. Annes, Lancashire
FY8 5ER**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Wilkinson against the decision of Fylde Borough Council.
 - The application Ref 13/0360, dated 3 June 2013, was refused by notice dated 22 August 2013.
 - The development proposed is a retrospective planning application to change shop frontage.
-

Decision

1. The appeal is dismissed

Procedural Matter

2. The appeal concerns a development that has already taken place

Main Issue

3. The main issue in this case is whether the development would preserve or enhance the character or appearance of the Lytham Conservation Area.

Reasons

4. 69 Clifton Street is a mid terraced property situated on the main shopping street in Lytham town centre, within the Lytham Conservation Area. From the photographic and written evidence I have been given, the former shopfront was traditional in terms of its character and appearance. The shopfront incorporated traditional features and detailing including a panelled stallriser, fascia with cornice, pilasters and decorative capitals. In common with many of the other properties on this street it also had a projecting bay which formed the display window. The door to the shop was set to the side of the bay window and the entrance to the accommodation on the floors above the shop was entirely separate in terms of both its position and its detailing. The fascia extended across the front of the bay only. The shopfront, because of its form and detailing made a positive contribution to the character and appearance of the area.
5. The shopfront which forms the subject of the appeal is of a different character and appearance to the one it has replaced, being of a modern design and

- materials. The fascia is set at a higher position, altering the proportions of the window below it, and extends across the shopfront and the separate upper floor entrance door. Detailing is very simple; the frame of the shopfront which is aluminium extends from ground level to the fascia. There is no stallriser or pilasters and no decorative features.
6. I noted at my site visit and from the photographs provided by the appellant that there is a variety in shopfront design across the town centre. Nevertheless the Victorian character of the area has been retained and the Council's aim through the designation of the area as a Conservation Area is that such character is preserved or enhanced. The Councils Shop Front Design Guide is intended to guide development to achieve that aim. As this is an adopted document I give it considerable weight in the consideration of the appeal.
 7. I agree with the appellant's contention that modern interventions do not necessarily harm the traditional character of the area and there are examples of modern design within the town centre that preserve and enhance the area's character. In addition I have no reason to dispute the appellant's statement that the replaced shopfront was in very poor condition. However, the shopfront that forms the subject of the appeal incorporates a number of features that cumulatively make it an unsympathetic example of development. The proportions of the shopfront; the use of aluminium; the lack of a projecting display window and the dominant, high level and overly long projecting fascia contribute to a development that does not respect the character of the building or the street scene. As such the development neither preserves nor enhances the character or appearance of the Conservation Area.
 8. The appellant points out that although the shopfront extends across the full width of the premises, the sign is above the shop window only. Whilst this is the case for the dominant part of the advertisement, I note that lettering extends across its whole width. Notwithstanding this, the matter has no bearing on the appropriateness of the shopfront as a whole.
 9. I am aware that there are other examples of unsympathetic development within the Conservation Area, some of which display certain of the characteristics of the appeal proposal. However, this does not persuade me that the proposal is an example of development that should be permitted.
 10. Given that the development relates to one property in a much wider Conservation Area I consider that the harm caused to the significance of a designated heritage asset is less than substantial. Paragraph 134 of the National Planning Policy Framework states that in such cases, the harm should be weighed against the public benefits of the proposal. I acknowledge that the proposal has improved access into the shop through the creation of the double doors and has provided an 'open' environment for users of the facility. However, while harm to the significance of the Conservation Area would be less than substantial, the public benefits are not sufficient to outweigh that harm.
 11. For these reasons the proposal is contrary to Policies EP3 and EP8 of the Fylde Borough Council Local Plan which seek to ensure that the character or appearance of the area are appropriately conserved or enhanced; that new development is appropriately designed and respects the quality of the environment; and seeks to ensure that shopfronts of particular character are

not lost or that necessary replacements are compatible with the building of which they form part and are complementary to the street scene.

12. I have noted the appellant's contention that the dismissal of the appeal would result in the potential closure of the shop and thereby be contrary to the Government's initiative to support town centre regeneration. It appeared to me that Lytham is a thriving town centre and there is no evidence that the vitality or viability of the shop unit or the town centre would be compromised as a result of the dismissal of the appeal. I also note the support from third parties and local businesses but that does not outweigh the harm I have found.

Conclusion

13. For the above reasons, taking into account other matters raised, I conclude that appeal should be dismissed.

S. Ashworth

INSPECTOR

Appeal Decision

Site visit made on 13 January 2014

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 January 2014

Appeal Ref: APP/M2325/D/13/2210107

36 East Beach, Lytham St Annes, Lancashire FY8 5EX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jessica Fell against the decision of Fylde Borough Council.
 - The application Ref 13/0603, dated 18 September 2013, was refused by notice dated 14 November 2013.
 - The development proposed is two storey house side extension including single storey rear extension and garage rebuild with off street parking.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I note that the proposed garage referred to in the description of development was removed from the application prior to its refusal. I have not therefore given it consideration as part of the appeal.

Main Issue

3. The main issue is the effect of the development on the living conditions of neighbouring residents with particular reference to light and outlook.

Reasons

4. 36 East Beach is a two storey semi-detached property situated adjacent to a four storey block of residential flats, facing Lytham Green. The appeal proposal seeks to extend the property by way of a two storey extension to the side of the building and a single storey extension to the rear. The extensions would be constructed in materials and with detailing to match the original dwelling.
5. The adjacent flats, Riversdale Lodge, lie to the east side of the appeal site and the facing side elevation of this building contains living room, kitchen and bathroom windows to flats on three floors plus windows within the third floor roof space. There is currently approximately 4.5m between the side elevation of this building and the side elevation of 36 East Beach.
6. The proposed development would extend up to the common boundary and would effectively reduce the distance between the appeal property and the flats by just less than 2m to approximately 2.7m. I noted at my site visit that the windows on the side wall of the flats, including the ground floor windows, were

in full sun. As a result of the height of the development and its proximity to the common boundary the proposed two storey side extension would have a negative and material impact on sunlight and daylight to those windows on the ground and first floors. In addition, the impact of the development at 2.7m from the windows would have a greater visual impact than the existing building and would appear overbearing from those windows. The loss of light coupled with the overbearing nature of the development would render the living room and kitchen on the ground and first floor considerably gloomier and less pleasant.

7. I understand that the living room windows on the side elevation are secondary windows, the main windows being to the south, facing Lytham Green. However, these living rooms appear to be long rooms which have clearly been designed with secondary windows in order to make the rear section of the room more pleasant and useable. The appellant points out the kitchens do not have dining areas. Nevertheless, a kitchen forms an important part of daily life and I am not persuaded that outlook and light to those rooms is not important.
8. The appellant has pointed out that a single storey extension could be constructed without the need for planning permission. Be that as it may, such an extension would not be as substantial as the proposal now before me and in any case it is incumbent on me to determine the appeal as it stands. Similarly there is no reason to suggest that planning permission would be granted for a new apartment block on the site or that this would be the only alternative to the development currently proposed.
9. Policy HL5 of the Fylde Borough Local Plan seeks to ensure, amongst other things, that the amenities of adjacent residents are not unduly prejudiced by loss of sunlight or daylight or by the creation of dominant or overbearing development. This aim is consistent with one of the core planning principles of the National Planning Policy Framework which is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. As the development would be materially harmful to the living conditions of the adjoining residents in the ground and first floor flats, I conclude it would be contrary to these policies.
10. The Council have raised no objection to the form or design of the extension and I have no reason to disagree that in visual terms the extension is well designed and would sit comfortable in the street scene. This does not however, outweigh my view on the issue of impact on the neighbours living conditions.
11. I have noted that the side extension to No 35 East Beach extends up to the boundary with its neighbour, Salters Court the side of which contains a number of windows. I am not aware of the circumstances of this development and nevertheless it does not alter my view on the significant effect the proposed development would have on the flats facing it.

Conclusion

12. For the reasons outlined above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S. Ashworth

INSPECTOR

REPORT

REPORT OF		MEETING	DATE
RESOURCES DIRECTORATE		DEVELOPMENT MANAGEMENT COMMITTEE	26 FEBRUARY 2014

SUBSTITUTE MEMBERS AT DEVELOPMENT MANAGEMENT COMMITTEE

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

In accordance with council procedure rules, the committee is asked to nominate an additional member to serve as a potential substitute on the committee

RECOMMENDATION

The committee nominate an additional member of the committee to be a reserve DM member under council procedure rule 24.

CABINET PORTFOLIO

This item falls within the following cabinet portfolio(s):

Planning and Development:

Councillor Dr Trevor Fiddler

SUMMARY OF PREVIOUS DECISIONS

15 June 2011: The committee appointed four councillors as reserve DM members

17 August 2011: Following a change in council procedure rules, the committee appointed two more councillors as reserve DM members.

REPORT

1. Under the council procedure rule 24, only a member nominated by the committee as a “reserve DM member” can act as substitute for an absent member at a meeting of the Development Management Committee.
2. The committee can nominate up to six reserve DM members. However, the committee can only nominate a member whom they consider has a sufficient level of experience or training to

enable him/her to contribute to the work of the committee; and is willing and available to frequently attend meetings of the committee (whether or not acting as a substitute). .

3. There are presently five reserve DM members. The committee is invited to nominate a further reserve DM member to bring the number to the maximum of six.

IMPLICATIONS	
Finance	No implications
Legal	No implications
Community Safety	No implications
Human Rights and Equalities	No implications
Sustainability and Environmental Impact	No implications
Health & Safety and Risk Management	No implications

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	01253 658506	14 February 2014	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		