



# MINUTES

## Planning Committee

<b>Date:</b>	Wednesday, 1 February 2023
<b>Venue:</b>	Council Chamber, Town Hall, St Annes Road West, St Annes, FY8 1LW
<b>Committee Members Present:</b>	Councillor Trevor Fiddler (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Gavin Harrison, Jayne Nixon, Linda Nulty, Liz Oades, Heather Speak, Ray Thomas, Stan Trudgill
<b>Officers Present:</b>	Mark Evans, Andrew Stell, Rob Buffham, Matthew Taylor, Ian Curtis, Anita Elliott, Christine Wood
<b>Members of the Public:</b>	3 members of the public attended the meeting

A recording of the meeting can be viewed online at the following link <https://www.fylde.gov.uk/planning-committee/1-february-2023>

### Minute Silence

Prior to commencement of the meeting, a minute silence was observed in memory of Councillor Kiran Mulholland, who passed away recently.

### Public Speaking at Planning Committee

There were 3 registered speakers in relation to the following applications:

Item no	Application reference	Site location	Name	Object/Support
4.5	21/1053	120 Mythop Road, Lytham St Annes, FY8 4HQ	Linda Pickin	Objector
4.5	21/1053	120 Mythop Road, Lytham St Annes, FY8 4HQ	Mr Paul Duckworth	Applicant/Supporter
4.7	22/0874	10 The Boulevard, FY8 1EH	Mr Jonathan White	Objector

### Procedural Items

#### 1. Declarations of Interest

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

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on Wednesday, 11 January 2023 as a correct record for signature by the Chairman.

3. Substitute Members

There were no substitutions

Decision Items

4. Planning Matters

The Committee considered the report of Mark Evans (Head of Planning) which set out the various planning applications. A copy of the Late Observations Schedule was circulated prior to the meeting.

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

- 4.5 – Application reference -21/1053 (As Councillor Nixon had not been attendance for the duration of presentation of this application, she did not take part in discussions or vote on this item)
- 4.7 – Application reference - 22/0874
- 4.3 – Application reference – 21/0847
- 4.4 – Application reference – 21/0904
- 4.6 – Application reference – 22/0188
- 4.1 – Application reference – 20/0094
- 4.2 – Application reference – 20/0306

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

Information Items

5. List of Appeals Decided

It was reported that the Council had received one appeal decision between 3 January and 20 January 2023.

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### Item Number 1

<b>Application No:</b>	20/0094	<b>Application Type:</b>	Outline planning application
<b>Applicant:</b>	Dr Ramsden	<b>Agent:</b>	David Hadwin
<b>Location:</b>	LAND TO REAR OF FORMER LYTHAM POLICE STATION, BANNISTER STREET, LYTHAM ST ANNES, FY8 5HP		
<b>Proposal:</b>	OUTLINE APPLICATION FOR THE ERECTION OF FOUR DWELLINGS (ACCESS, SCALE, APPEARANCE AND LAYOUT APPLIED FOR WITH ALL OTHER MATTERS RESERVED) FOLLOWING REMOVAL OF EXISTING BUILDINGS		
<b>Ward:</b>	Clifton	<b>Parish:</b>	none

### Decision

The decision to GRANT planning permission is delegated to the Head of Planning, in consultation with Chairman and Vice Chairman, subject to the drafting of a suitable schedule of planning conditions to ensure that the development accords with policy, with these including the following matters and any others that the Head of Planning considers necessary:

- a. Time for commencement
- b. Outline details
- c. Approved Plans
- d. Materials for dwellings to be brick and slate
- e. Materials for hard standing areas
- f. Remove PD rights
- g. Provide parking space to each dwelling and retain it available for parking
- h. No gates to enable use of parking areas
- i. Provide cycle parking details and then provide parking
- j. Provide details if refuse store and then provide it
- k. Archaeology recording
- l. Construction management scheme to be agreed, especially access and contractor parking
- m. Contamination examination and remediation
- n. Foul and Surface Water drainage
- o. Ecological enhancements
- p. Protection or relocation of gas assets

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### Item Number 2

<b>Application No:</b>	20/0306	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	Mr Ramsden	<b>Agent:</b>	Mr Hadwin
<b>Location:</b>	THE COURT HOUSE ( FORMER LYTHAM POLICE STATION), BANNISTER STREET, LYTHAM ST ANNES, FY8 5HP		
<b>Proposal:</b>	PARTIAL DEMOLITION OF EXISTING BUILDING TO CREATE A SINGLE DWELLING HOUSE IN THE FORMER POLICE STATION AND COURT HOUSE. CHANGE OF USE OF FORMER POLICE STATION TO 3NO RESIDENTIAL DWELLINGS (CLASS C3)		
<b>Ward:</b>	Clifton	<b>Parish:</b>	None

### Decision

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

- 1) The further consideration of the internal works to the court house element of the building with particular regard to the assessment of the internal details as are relevant to eh listed building application, and to allow any consequential amendments to be incorporated into this decision through revised plans and additional information regarding the materials to be used in the conversion.
- 2) The submission of a suitable ecological survey of the building and site to determine the likelihood of it being used by bats or other protected species. If this survey, and the assessment of it by the council guided by its ecological consultees as appropriate, concludes that further surveys or mitigation is required as a result then this is to be progressed to ensure compliance with Policy ENV2 and the associated legislation.
- 3) The drafting of a suitable schedule of planning conditions to ensure that the development accords with policy, with those including the following matters and any others that the Head of Planning considers necessary:
  - a) Time for commencement
  - b) Approval of plans
  - c) Agreement of any phasing of the demolition and other development to ensure that this is undertaken in a logical way and delivers the repurposing of the Court House element at an early stage of the overall scheme
  - d) Confirmation of the details for the conversion detail and any repairs, with this phased if needed
  - e) Agreement of the materials to be used in the conversion with this to be phased if needed
  - f) Agreement of the design and materials for any replacement windows with this to be phased if needed
  - g) Provide parking to frontage
  - h) Provide landscaping to frontage
  - i) Provide parking to rear properties
  - j) Secure revisions to highway to allow access to rear parking areas
  - k) Provide any ecological mitigation and habitat enhancement measures that are needed
  - l) Ensure provision of the bin store

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- m) Secure details of the cycle store and its provision
- n) Secure details of any boundary treatments including their height and materials, and secure their implementation
- o) Undertake archaeological investigation and recording
- p) Submit and implement a suitable Construction Method Statement with particular regard to hours of work and contractor parking

### Item Number 3

<b>Application No:</b>	21/0487	<b>Application Type:</b>	Reserved Matters application
<b>Applicant:</b>	Whyndyke	<b>Agent:</b>	Cassidy & Ashton Group Ltd
<b>Location:</b>	WHYNDYKE FARM, PRESTON NEW ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 4XQ		
<b>Proposal:</b>	APPLICATION FOR APPROVAL OF RESERVED MATTERS OF LAYOUT, SCALE, APPEARANCE, ACCESS AND LANDSCAPING PURSUANT TO PLANNING PERMISSION 11/0221 RELATING TO ERECTION OF 1 NO. PUBLIC HOUSE INCLUDING ACCESS WORKS, PARKING FACILITIES AND LANDSCAPING TREATMENT		
<b>Ward:</b>	Warton and Westby	<b>Parish:</b>	Westby with Plumptions

### Decision

Granted

### Conditions

1. The development hereby permitted shall be begun not later than two years from the date of approval of these reserved matters.

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

2. This permission relates to the following plans:

- Location plan – Drawing 10879 WPH-CAA-XX-XX-DR-A-1004
- Proposed site layout plan – Drawing 10789 WPH-CAA-XX-XX-DR-A-1005 Rev P3
- Proposed ground floor layout plan – Drawing 10789 WPH-CAA-XX-XX-DR-A-2003 Rev P3
- Proposed first floor layout plan - Drawing 10789 WPH-CAA-XX-XX-DR-A-2004 Rev P3
- Proposed roof plan – Drawing 10789 WPH-CAA-XX-XX-DR-A-2005 Rev P3
- Proposed elevation drawings – Drawing 10789 WPH-CAA-XX-XX-DR-A-2006 Rev P3
- Proposed landscaping plan Drawing - 10789 WPH-CAA-XX-XX-DR-A-1006 Rev P3

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

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the

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policies contained within the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

3. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order revoking and re-enacting that Order with or without modification, the development hereby approved shall only be used as a public house (formerly Class A4 Drinking Establishment) as described as 'Sui Generis' item (p) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument amending or replacing that Order.

Reason: To ensure that the future use of the premises reflects the submitted use and the indicated use of this part of the Whyndyke site as shown on the parameters plan to outline planning permission 11/0221 which this application relates to. This is to ensure compliance with the requirements of policies SL2, EC5 and GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review), and the National Planning Policy Framework.

4. Notwithstanding any description of materials in the application and the requirements of condition 1 of this approval, no above ground works of development shall take place until samples or full details of all materials to be used on the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

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

5. Unless any alternative details have subsequently been submitted to and approved in writing by the local planning authority the external surface areas of the site shall be surfaced, and the various means of enclosure erected, in accordance with the details shown on the Landscape Plan hereby Approved (drawing WPH-CAA-XX-XX-DR-A-1006. Rev P3) prior to the first trading of the public house. These surfaces and means of enclosure shall be retained as shown on that plan at all times thereafter.

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

6. The car parking spaces indicated on drawing WPH-CAA-XX-XX-DR-A-1005 Rev P3 shall all be marked out in accordance with the details shown on the approved plan and made available for use before first trading of the public house hereby approved, and shall be retained as such thereafter for the parking of vehicles.

Reason: In order to ensure adequate provision for vehicle parking off the highway in the interests of road safety and the amenity of existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T5, and the National Planning Policy Framework.

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7. The bicycle parking spaces indicated on drawing WPH-CAA-XX-XX-DR-A-1005 shall be constructed and made available for use in accordance with the duly approved scheme prior to the first trading of the public house hereby approved, and shall be retained as such thereafter.

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

8. Prior to the first trading of the public house hereby approved a scheme for the provision of charging points for plug-in and other ultra-low emission vehicles within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify the number, siting and design of the charging points. All the charging points shall be provided and made available for use in accordance with the duly approved scheme before the first trading of the public house, and shall be retained as such thereafter.

Reason: To support the shift towards new technologies and fuels by promoting low carbon travel choices and to ensure that the development delivers suitable infrastructure which is designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy T4 i) and paragraphs 107 e) and 112 e) of the National Planning Policy Framework.

9. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing WPH-CAA-XX-XX-DR-A-1006 Rev P3 shall be carried out during the first planting season that occurs following the first trading of the public house.

The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the local planning authority before the first trading of the public house. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To secure appropriate landscaping of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

10. Prior to the first trading of the public house a scheme for the provision of a bin store for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:

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

The bin store shall be constructed in accordance with the duly approved scheme and made available for use before first trading of the public house, and shall be retained as such thereafter.

Reason: To ensure that adequate provision is made for the storage of refuse and recycling receptacles in the interests of the amenity of future occupiers and to achieve an appropriate

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appearance for these storage facilities in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7.

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

- a) hours and days of work for site preparation, delivery of materials and construction;
- b) areas designated for the loading, unloading and storage of plant and materials;
- c) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
- d) arrangements for the parking of vehicles for site operatives and visitors;
- e) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- f) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- g) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- h) measures to control the emission of dust and dirt during the construction period;
- i) measures to monitor and control noise and vibration during the construction period, including the management of complaints;
- j) the siting, luminance and design of any external lighting to be used during the construction period;
- k) the erection and maintenance of security hoarding;
- l) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjacent to the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

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

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

### Informative(s)

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

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



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### Item Number 4

<b>Application No:</b>	21/0904	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	Turner	<b>Agent:</b>	Lewis
<b>Location:</b>	LAND TO THE EAST OF PEEL ROAD LAWNS FARM, BALLAM ROAD, WESTBY WITH PLUMPTONS, PRESTON, FY8 4LE		
<b>Proposal:</b>	INSTALLATION OF A PHOTOVOLTAIC SOLAR FARM WITH ASSOCIATED INFRASTRUCTURE AND ACCESS VIA PEEL ROAD.		
<b>Ward:</b>	Warton and Westby	<b>Parish:</b>	Westby with Plumptons

### Decision

Granted

### Conditions

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Site Location Plan Drawing no. UK\_LWN\_AD-SLP\_00
- Basic Design Layout Drawing no. GBR\_LWN\_LP3-BDL rev 01
- Solar Panel Elevations Drawing no. PNL\_4L-25-6665
- Detailed Landscape Proposals Drawing no. P20-20878.007 rev D
- Road Cross Section Drawing no. UK\_EPD\_RCS
- Spare Parts Storage Container Drawing no. UK\_EPD\_S40
- Transformer Drawing no. UK\_EPD\_TFM
- Inverter Drawing no. K\_EPD\_INV
- Switchgear/production substation/LV&MV Kiosk Drawing no. UK\_EPD\_SWG
- Customer Substation Drawing no. UK\_EPD\_CSS
- Substation Drawing no. UK\_EPD\_DNO
- Auxiliary Transformer Drawing no. UK\_EPD\_AUX
- Monitoring House/ Communication Building Drawing no. UK\_EPD\_MH/CB
- GRP Cabinet DNO Meter Drawing no. UK\_EPD\_MTR
- Pole Mounted CCTV Camera Drawing no. UK\_EPD\_CAM
- Toilet Drawing no. UK\_EPD\_TLT
- Deer Fence Drawing no. UK\_EPD\_FNC
- Deer Fence Gate Drawing no. UK\_EPD\_GTD
- Wild Mesh Fence Drawing no. UK\_EPD\_WMF
- Wild Mesh Gate Drawing no. UK\_EPD\_WMG

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

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

3. Within five days of the solar farm first becoming operational, the site operator shall issue written confirmation notifying the Local Planning Authority of the date upon which that use commenced.

The solar arrays and all associated above and below ground infrastructure hereby approved shall be removed from the site on or before the expiration of 40 years from the date that the solar farm first became operational and the land restored to its former appearance, in accordance with a restoration scheme which has first been submitted to and approved in writing by the Local Planning Authority.

The restoration scheme shall be submitted no later than 12 months prior to the expiration of the 40 year period and shall include:

- a) Details and a schedule for the dismantling of all apparatus (including hardstandings) associated with the solar farm.
- b) Details and a schedule of all surface treatment and landscaping works required to return the site to its former agricultural use.
- c) A timetable for implementation.

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

Reason: The solar farm has a limited life expectancy and will need to be recommissioned at the end of its period of this period of use. The site falls within the Countryside Area and is currently in agricultural use (including being designated as best and most versatile land). Therefore, the land should be restored to its former use/appearance in the interests of visual amenity, landscape character and to ensure its future productivity for agricultural purposes in accordance with Policies CL3 and ENV1 of the adopted Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

4. Notwithstanding the requirements of condition 3 of this permission, if the solar farm hereby approved fails to produce electricity to the grid for a continuous period of 12 months the solar arrays and all associated above and below ground infrastructure shall be removed from the site within a period of 6 months from the end of that 12 month period and the land restored to its former appearance in accordance with a restoration scheme which has first been submitted to and approved in writing by the Local Planning Authority.

The restoration scheme shall include:

- a) Details and a schedule for the dismantling of all apparatus (including hardstandings) associated with the solar farm.
- b) Details and a schedule of all surface treatment and landscaping works required to return the site to its former agricultural use.
- c) areas designated for the loading, unloading and storage of plant and materials;

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- d) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
- e) arrangements for the parking of vehicles for site operatives and visitors;
- f) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- g) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- h) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- i) off site highway works to facilitate access to the site by all vehicles;
- j) measures to control the emission of dust and dirt during the construction period;
- k) measures to monitor and control noise and vibration during the construction period, including the management of complaints;
- l) the siting, luminance and design of any external lighting to be used during the construction period;
- m) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjacent to the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.
- n) A timetable for implementation.

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

Reason: The solar farm's function is to generate renewable energy which would contribute to government targets by transferring a proportion of this energy to the National Grid. The benefits arising from this function provide the principal justification for the development's siting within the Countryside Area. If the solar farm ceases to fulfil this function it will no longer be fit for purpose and this justification will not exist. In such an instance, the land should be restored to its former appearance/use in the interests of preserving visual amenity, landscape character and a productive agricultural use, in accordance with Policies CL3 and ENV1 of the adopted Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

5. a) No commercial export of electricity to the grid ("the first export date") from the development hereby approved shall be permitted until a scheme to determine the nature and extent of any electro-magnetic interference (EMI) emanating from the solar farm ("the Stage I EMI scheme") has been submitted to and approved in writing by the Local Planning Authority. The Stage I EMI scheme shall include methodology and timetable and shall be implemented in full thereafter.
- b) No later than 12 months from the first export date, a site-specific report ("the Stage II EMI scheme") based upon the agreed methodology and timetable shall be submitted to and approved in writing by the Local Planning Authority. The Stage II EMI scheme shall include the following:
- (1) a survey of the extent, scale and nature of EMI from the solar farm;
  - (2) an assessment of any potential risks to flight safety;
  - (3) if necessary, a remediation strategy to mitigate any identified EMI related risks to flight safety resulting from the solar farm including timetable and monitoring.

The Stage II EMI scheme shall be implemented in full thereafter.

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Reason: In order that appropriate investigations are undertaken to determine the nature and extent of EMI from the development, to ensure that airport safety at Blackpool Airport is not prejudiced in accordance with Policy DLF1 of the Fylde Local Plan to 2032 (Incorporating Partial review) and the National Planning Policy Framework.

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

Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, none of the structures or ancillary buildings shown on the following drawings:

- a) Solar Panel Elevations Drawing no. PNL\_4L-25-6665
- b) Inverter Drawing no. K\_EPD\_INV
- c) Toilet Drawing no. UK\_EPD\_TLT
- d) Substation Drawing no. UK\_EPD\_DNO
- e) GRP Cabinet DNO Meter Drawing no. UK\_EPD\_MTR

shall be erected until details of the materials to be used on their external surfaces have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, texture, colour and finish of the materials. With regards to the solar panel details, provision shall be made for the use of non-glare and non-reflective solar panels, unless otherwise agreed in writing with the Local Planning Authority.

The development shall be constructed in accordance with the duly approved materials, and retained as such for the lifetime of the development.

Reason: In order to ensure use of appropriate materials which are sympathetic to the character of the site and its surroundings, in accordance with Policies CL3 and ENV1 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

7. The development hereby approved shall be constructed in complete accordance with the submitted Flood Risk Assessment (Ref: Nijhuis Industries, L-15018 edition 01, dated August 2021). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

8. Prior to commencement of the development hereby approved, a surface water sustainable drainage strategy for the site shall be submitted to and approved in writing by the local planning authority. The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment (Ref: Nijhuis Industries, L-15018 edition 01, dated August 2021) and indicative sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to

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discharge to the public foul sewer(s), directly or indirectly. Those details shall include, as a minimum:

a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with an allowance for urban creep.

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;

ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;

iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;

iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;

v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of any buildings and utility plants to confirm minimum 150mm+ difference for FFL;

vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;

vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

Prior to the first operation of the solar farm hereby approved, the drainage scheme shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

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

a) Measures taken to ensure surface water flows are retained on-site during the construction period and, if surface water flows are to be discharged from the site, that they are done so at a specified, restricted rate.

b) Measures taken to prevent siltation and pollutants from the site entering into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

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

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

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

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

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

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable.

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

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

12. Notwithstanding the details indicated on the drawing titled 'Road Cross Section drawing no. UK\_EPD\_RCS', unless otherwise agreed in writing by the Local Planning Authority the top surface of the road shall be constructed of stone.

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Reason: To ensure satisfactory treatment of hard surfaced areas in the interests of visual amenity, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7.

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

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

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

14. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, prior to commencement of the development hereby approved a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) details of trees, hedges and shrubs to be retained.
- b) provision of a suitable species rich grassland that will facilitate use of the land for grazing purposes.
- c) details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs.

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

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

15. All existing and newly planted hedgerows shall be allowed to grow to and be maintained at a minimum height of 3m. The newly planted hedgerow located to the southern boundary of the south western portion of the site shall be allowed to grow to and be maintained at a minimum height of 4.5m.

Reason: To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the street scene and to provide biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

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

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

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

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

17. Prior to commencement of the development hereby approved, a Biodiversity Enhancement Plan (BEP) for the development shall be submitted to and approved in writing by the Local Planning Authority. The BEP shall include, but is not limited to, the incorporation of the following biodiversity enhancement measures, including details of their number, location and specification, into the development and a timetable for their provision:

- a) The introduction of a suitable species rich grassland that will facilitate use of the land for grazing purposes.
- b) The introduction of native tree and hedgerow planting as part of the soft landscaping scheme required by condition 14 of this permission.

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

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

18. Within 6 months of commencement of the development hereby approved, carbon dating of the human remains found on the site shall be undertaken and a final report on the significance of the archaeological interest shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable programme of scientific dating of the human remains recovered from the site is completed, in order to advance the understanding of the archaeological and historical significance of the site for archival and research purposes in accordance with the requirements of Fylde Local Plan to 2032 policy ENV5 and the National Planning Policy Framework.



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19. No part of the development hereby approved shall be commenced until all the temporary highway works within the adopted highway, required to facilitate construction access to the application site, have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority.

The highway improvement works shall be implemented in full accordance with the duly approved scheme and made available for use prior to any works on the site commencing, or within any other timescale that has first been approved in writing by the Local Planning Authority.

The approved temporary works within the adopted highway shall be removed and the land reinstated to its former appearance within 3 months of completion of the development.

Reason: In order to achieve a safe and suitable means of construction access to the site in the interests of highway safety, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy CL3 and the National Planning Policy Framework.

20. No part of the development hereby approved shall be commenced until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include the following details:

- a) areas designated for the loading, unloading and storage of plant and materials;
- b) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
- c) arrangements for the parking of vehicles for site operatives and visitors;
- d) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- e) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- f) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- g) measures to control the emission of dust and dirt during the construction period;
- h) measures to monitor and control noise and vibration during the construction period, including the management of complaints;
- i) the siting, luminance and design of any external lighting to be used during the construction period;
- j) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjacent to the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

The development shall thereafter be constructed in complete accordance with the duly approved CMS.

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

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21. No later than 12 months prior to the expiration of the 40 year period required by condition 3 of this consent, a Decommissioning Method Statement (DMS) shall be submitted to and approved in writing by the Local Planning Authority. The DMS shall include the following details:

- a) areas designated for the loading, unloading and storage of plant and materials;
- b) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
- c) arrangements for the parking of vehicles for site operatives and visitors;
- d) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
- e) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- f) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- g) measures to control the emission of dust and dirt during the construction period;
- h) measures to monitor and control noise and vibration during the construction period, including the management of complaints;
- i) the siting, luminance and design of any external lighting to be used during the construction period;
- j) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjacent to the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.
- k) off site highway works required to facilitate vehicular access to the site.

The development shall thereafter be decommissioned in complete accordance with the duly approved DMS.

Reason: In order to ensure that appropriate measures are put in place before any decommissioning commences to limit the potential for nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the construction of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy CL3 and the National Planning Policy Framework.

22. Prior to the first operation of the development hereby approved, a Grazing Management Plan (GMP) shall be submitted to and approved in writing by the Local Planning Authority. The GMP shall outline how the site will be made available for grazing purposes throughout the operational life of the development.

The development shall operate in accordance with the approved GMP.

Reason: Part of the applicant's justification for the principle of development is reliant on a continuation of agricultural use of the application site for grazing purposes, as well as diversification of the existing farming enterprise. The condition is therefore necessary to ensure that the land remains in agricultural use, in accordance with Policies GD4 and CL3 of the adopted Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

23. The development hereby approved shall operate in strict accordance with those requirements and activities set out in the submitted Bird Strike Hazard Management Plan (avianecology, ref:

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Light-068-1087 issue V2, dated 03/11/2022) shall be implemented, operated and complied with as such thereafter.

Reason: To ensure that appropriate measures are put in place to minimise the potential to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety in order to limit the risk of bird strike to aircraft operating in the area in the interests of aviation safeguarding for Blackpool Airport in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy T2 and the National Planning Policy Framework.

24. Construction and decommissioning works shall only take place between the following hours:-

08.00 and 18.00 hours Monday to Friday and between 08.00 and 13.00 hours on Saturdays, with no site work on Sundays or bank and public holidays.

Reason: To safeguard the amenities of the occupiers of adjoining residential properties, in accordance with CL3 of the adopted Fylde Local Plan to 2032 (Incorporating Partial Review).

### Informative(s)

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

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

2. Habitat Regulation Assessment Adoption Informative

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

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

3. Blackpool Airport Informative:

a) If any EMI related effects are experienced by aircraft overflying the development which:

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- (i) cause reason for the captain to be concerned for the safety of the aircraft, or
- (ii) cause a negative effect on the aircraft's navigational aids or the representation of associated data, or
- (iii) cause issues with any other aircraft functions that could normally be expected to be carried out on approach into Blackpool Airport,

then Blackpool Airport Operations Ltd and/or the Civil Aviation Authority reserve the right to compel the operators of Lawns Farm solar farm to cease operations immediately until such time that the factors causing the EMI issues have been addressed to their mutual satisfaction.

b) If any incident occurs for which the emission of EMI may be a contributory factor, the operators of Lawns Farm solar farm are to cease operations immediately upon instructions from Blackpool Airport Operations Ltd and/or the Civil Aviation Authority until such time that permission is granted by Blackpool Airport or the CAA to resume solar farm operations.

Note:

(1) For the avoidance of doubt, 'ceasing operations' means putting the site into such a condition that reduces EMI generated by the DC/AC converting equipment to zero.

(2) Mitigation may require amendment of the original planning approval and it is advised that any alteration of the approved scheme is first discussed with the Local Planning Authority.

#### 4. Crane Height Informative

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

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### Item Number 5

<b>Application No:</b>	21/1053	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	Mrs Duckworth	<b>Agent:</b>	Mrs Duckworth
<b>Location:</b>	120 MYTHOP ROAD, LYTHAM ST ANNES, FY8 4HQ		
<b>Proposal:</b>	ERECTION OF DETACHED DORMER BUNGALOW FOLLOWING DEMOLITION OF EXISTING TRUE BUNGALOW (PART RETROSPECTIVE)		
<b>Ward:</b>	St Johns	<b>Parish:</b>	None

### Decision

Granted

### Conditions

1. This permission relates to the following plans:

- Location Plan - Drawing no. LA630828
- Proposed Site, floor and elevation plans - Drawing no. FBC-1112-21-11-001 REV. D

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

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

2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the application form and / or approved plans listed in condition 1 to this planning permission.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review).

3. Prior to the first occupation of the dwelling hereby approved all the windows at ground floor and first floor to the east facing elevation as are indicated as being fitted with obscured glazing shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between the development and adjacent properties in order to preserve the privacy

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of adjoining occupiers in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

4. Prior to the first occupation of the dwelling hereby approved the hedge that is shown to be planted on part of the western elevation of the site with Fairsnape Road shall be planted as shown on that plan to provide an element of screening to the amenity space of the property without the need for the construction of any fixed boundary treatment. This hedge shall be retained as the only fixed boundary treatment to any part of the or northern site boundaries thereafter,

Reason: To provide an element of screening to protect the residential amenity of the occupiers of the property without creating any undue harm to the open character of the streetscene in the surrounding areas. This is to accord with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

5. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the dwelling hereby approved shall not be altered or extended, and no buildings or structures shall be erected within its curtilage.

Reason: To prevent overdevelopment of the site, to ensure that satisfactory provision of outdoor amenity space for future occupiers of the dwelling is maintained and to safeguard the amenities of the occupiers of adjacent dwellings in accordance with the requirements of Fylde Local Plan to 2032 policy GD7.

6. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the revocation and re-enactment thereof (with or without modification), no gates, fences, walls or other means of enclosure shall be erected, constructed, improved or altered within the area of the application site as identified by the land outlined in red on the location plan listed in condition 1 of this planning permission.

Reason: To ensure that any boundary treatments provided to enclose the garden area are of an appropriate design that is sympathetic to the character and appearance of the site and its surroundings in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7, and the National Planning Policy Framework.

### **Informative(s)**

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

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during pre-application discussions in order to ensure that the proposal comprises sustainable development and would improve the economic, social and environmental conditions of the area in accordance with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 38 and 39 of the National Planning Policy Framework.

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### Item Number 6

<b>Application No:</b>	22/0188	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	Rowland Homes Limited	<b>Agent:</b>	Mr Alexis De Pol
<b>Location:</b>	LAND SOUTH OF QUEENSWAY LYTHAM ST ANNES LANCASHIRE FY8 3FY		
<b>Proposal:</b>	CONSTRUCTION OF SIGNAL CONTROLLED CROSSROADS AT JUNCTION OF KILNHOUSE LANE, QUEENSWAY AND THE PROPOSED HEYHOUSES BYPASS (THE 'T5' ROAD) TO PROVIDE INTERIM MEANS OF ACCESS TO THE RICHMOND POINT DEVELOPMENT (THE 'INTERIM QUEENSWAY JUNCTION') INCLUDING ASSOCIATED HIGHWAY RECONFIGURATION WORKS AND CONSTRUCTION OF PART OF THE HEYHOUSES BYPASS UP TO AND INCLUDING THE FIRST VEHICULAR ENTRANCE TO THE RICHMOND POINT DEVELOPMENT		
<b>Ward:</b>	Kilnhouse	<b>Parish:</b>	St Anne's on the Sea

### Decision

The authority is delegated to the Head of Planning to GRANT planning permission subject to stipulations 1 and 2 below being satisfied and the conditions in stipulation 3 (including any amendment to the wording of these conditions or additional conditions that the Head of Planning considers necessary to make otherwise unacceptable development acceptable), or otherwise to refuse permission:

#### Stipulation 1:

The Council's approval of an application made under Section 106A of the Town and Country Planning Act 1990 which provides for modifications to the definitions of "Planning Permission" and "Interim Queensway Junction" contained in the Queensway Unilateral Undertaking dated 09.01.12 (as amended) to include reference to the permission to be granted pursuant to this application (reference 22/0188).

#### Stipulation 2:

The local planning authority adopting the document titled "Habitat Regulations Assessment Update September 2021" prepared by 'The Environment Partnership' (TEP) which forms Appendix A of the document titled "Ecology Technical Note" (reference 8862.008, version 2.0, dated 16.08.22) as part of its decision in order to discharge the obligations contained in regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 (as amended).

#### Stipulation 3:

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

1. The development must be begun not later than the expiration of three years from the date of this permission.

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Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

Drawing no. R108/1000/3 Rev A – Location plan.

Drawing no. SCP/210287/D03 Rev M – Signalised junction arrangement.

Drawing no. SCP/210287/ATR01 Rev G – Swept path analysis – 16.5m long articulated HGV.

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

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

3. Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them), no development shall take place until a scheme for the design and construction of the following works (the layout and extent of which are shown on drawing no. SCP/210287/D03 Rev M) has been submitted to and approved in writing by the Local Planning Authority:
- i) the formation of the new access on the southeast side of the B5261;
  - ii) the modification works to the existing highway within and surrounding the junction of the B5261 with Kilnhouse Lane and the new access in i); and
  - iii) the construction of the new road extending from the access in i) up to and surrounding the junction with Parkinson Boulevard.

The scheme shall include, but not be limited to, the following details:

- a) full engineering, drainage, street lighting and constructional details of carriageways and footways;
- b) details of the visibility splays to be provided in both directions at the junction of the new access in i) with the B5261;
- c) the installation of traffic signal heads;
- d) the provision of pedestrian refuges and traffic islands;
- e) the provision of Toucan and Pegasus crossings;
- f) signing and carriageway marking details;
- g) the provision of tactile paving and dropped kerbs.

All of the works described in i), ii) and iii) shall be constructed and made available for use in full accordance with the duly approved scheme before the new road in iii) is first opened to traffic (other than construction traffic). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent order following the revocation or re-enactment thereof (with or without modification), the visibility splays in b) shall thereafter be kept free of any obstructions (including buildings, walls, gates, fences, hedges, trees, shrubs or any other obstruction) over 1 metre in height.

Reason: To ensure a safe and suitable means of access for all users, to secure the delivery of a comprehensive package of highway improvements to mitigate the development's effects on network capacity, to support the enhancement of sustainable travel modes and to



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achieve a satisfactory standard of engineering works in the interests of highway safety and capacity, and because matters concerning the scheme's detailed design have not been provided as part of the application, in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies M1, GD7 and T4, and the National Planning Policy Framework.

4. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include:
  - a) hours and days of work for site preparation, delivery of materials and construction;
  - b) arrangements for the parking of vehicles for site operatives and visitors;
  - c) details of areas designated for the loading, unloading and storage of plant and materials;
  - d) arrangements for the provision of wheel washing and road sweeping facilities, including details of how, when and where the facilities are to be used;
  - e) routes to be used by construction vehicles and deliveries to the site;
  - f) a construction strategy that ensures the impacts on the B5261 and side roads are minimised during construction of the approved access;
  - g) a Management Plan to identify potential ground and water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction;
  - h) a scheme to control noise during the construction phase;
  - i) the erection and maintenance of security hoarding;
  - j) measures to control the emission of dust and dirt during construction; and
  - k) a scheme for recycling/disposing of waste resulting from construction work (which shall avoid any burning of waste on the site).

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

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

5. Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them), no development shall take place until a hard landscaping scheme for the development has been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include the following details:
  - a) Carriageway, footway and cycleway surfacing materials.
  - b) The layout, scale, design, materials and colour treatment of all highway appurtenances and other street furniture associated with the construction of the works described in i), ii) and iii) of condition 3 of this permission.

All hard landscaping works shall be carried out in accordance with the duly approved scheme before the new road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic).

Reason: To ensure that elements of hard landscaping associated with the development achieve a high standard of design in order to achieve a sympathetic treatment and

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successful integration of the junction into the corridor of the B5261 which forms one of the main thoroughfares into St Annes and a gateway to the Queensway urban extension in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies M1 and GD7, Saint Anne's on the Sea Neighbourhood Development Plan policies DH1 and DH2, and the National Planning Policy Framework.

6. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them), no development shall take place until a soft landscaping scheme for the development has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the local planning authority, the soft landscaping scheme shall include the following details:
  - a) all trees, hedgerows and any other vegetation on/overhanging the site to be retained;
  - b) all trees, hedgerows and any other vegetation on/overhanging the site to be removed;
  - c) compensatory planting to replace any trees or hedgerows to be removed under b);
  - d) the introduction of landscaping to provide suitably tree-lined streets in the following locations: 1) alongside the site's south-eastern frontage with the B5261 in the area indicated on drawing no. 4178/IJ/01 Rev B; and 2) alongside the north and south sides of the new road described in iii) of condition 3 of this permission for its full length between its junctions with the B5261 and Parkinson Boulevard;
  - e) the introduction of additional planting within the site which does not fall within a), c) or d);
  - f) the number, size, species (which shall include native and wildlife attracting species), siting, planting distances/densities and the programme of planting of trees, hedges and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season that occurs after the access road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic). The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the Local Planning Authority before the access road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic). Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To achieve appropriate soft landscaping of the development which secures a high standard of design, to ensure that the new access road into the Richmond Point residential development is tree-lined and to achieve a sympathetic integration of the development into the corridor of the B5261 which forms one of the main thoroughfares into St Annes and a gateway to the Queensway urban extension in the interests of visual amenity, and to provide appropriate biodiversity enhancements and green infrastructure networks in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies M1, GD7, ENV1 and ENV2, Saint Anne's on the Sea Neighbourhood Development Plan policies EN2, DH1 and DH2, and the National Planning Policy Framework.

7. Notwithstanding the provisions of conditions 3, 5, 6 and 9 of this permission, no clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a

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

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

8. No development shall take place until a method statement for the containment, control and/or removal of Japanese Rose within the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:
  - a) Measures to prevent the spread of invasive species during any operations (e.g. strimming, soil movement or land remodelling works) and to ensure that any soils brought to the site are free of the seeds, root or stem of any invasive plant (as defined by the Wildlife and Countryside Act 1981, as amended).
  - b) A timetable for implementation (including any phasing for removal/control on different parts of the site).

The development shall thereafter be carried out in accordance with the details, timetable and phasing contained within the duly approved method statement.

Reason: To ensure the satisfactory treatment and disposal of invasive plant species which have been identified at the site before any development commences on affected areas of the site in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

9. Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them), no development shall take place until a scheme for the disposal of surface water from the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with the principles contained within the document titled "Flood Risk & Drainage Assessment" by Ironside Farrar Limited dated April 2022 (report reference 30511/SRG) and be based on the sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and shall include:
  - a) Sustainable drainage calculations for peak flow control and volume control (1 in 1 year, 1 in 30 year +40% climate change event, and 1 in 100 year +50% climate change event).
  - b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
    - i. A plan identifying areas contributing to the drainage network, including surface water flows from outside the site as necessary.
    - ii. The sustainable drainage system layout showing all pipe and structure references, dimensions and design levels.

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- iii. Details of all sustainable drainage components, including drawings showing their topography and slope gradient as appropriate.
  - iv. A plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems.
  - v. Finished levels for the development in AOD with adjacent ground levels on all sides of the development and connecting cover levels to confirm a minimum 150mm+ difference for finished levels.
  - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary.
  - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and deliver suitably clean water to sustainable drainage components.
- c) Evidence of an agreement in principle with any third party landowners to connect to the off-site surface water drain (where applicable).

The duly approved scheme shall be implemented before the new road described in iii) of condition 3 of this permission is first opened to traffic (other than construction traffic).

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

10. The new road described in iii) of condition 3 of this permission shall not be first opened to traffic (other than construction traffic) until an Operation and Maintenance Scheme for the lifetime of the surface water drainage system to be installed pursuant to condition 9 of this permission has been submitted to and approved in writing by the Local Planning Authority. The Operation and Maintenance Scheme shall include:

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

The surface water drainage system shall thereafter be managed and maintained in accordance with the duly approved Operation and Maintenance Scheme.

Reason: To ensure that flood risks from the development to the future users of the development and the occupiers of neighbouring land are minimised, together with those

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risks to controlled waters, property and ecological systems, and to ensure that suitable measures are put in place for the future management and maintenance of the surface water drainage system in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2, and the National Planning Policy Framework.

11. Other than works involving the clearance and surcharging of the land (including associated enabling works to facilitate them), no development shall take place until a Construction Surface Water Management Plan (CSWMP) has been submitted to and approved in writing by the local planning authority. The CSWMP shall set out how surface water and stormwater will be managed on the site to prevent pollution during the construction period (excluding during works involving the clearance and surcharging of the land) and shall include the following details:
  - a) measures taken to ensure surface water flows are retained on-site during the construction period (including temporary drainage systems) or, if surface water flows are to be discharged from the site, that they are done so to a suitable location at a specified, restricted rate that has first been agreed in writing with the Local Planning Authority.
  - b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

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

12. The new road described in iii) of condition 3 of this permission shall not be first opened to traffic (other than construction traffic) unless and until a Verification Report for the construction of the surface water drainage system to be installed pursuant to condition 9 of this permission has been submitted to and approved in writing by the Local Planning Authority. The Verification Report shall: i) demonstrate that the surface water drainage system installed pursuant to condition 9 of this permission has been constructed in accordance with the duly approved scheme (or detail any variations) and is fit for purpose; and ii) contain information and evidence, including photographs and full as-built drawings, showing details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets and control structures). The surface water drainage system shall thereafter be retained in accordance with the details in the duly approved Verification Report.

Reason: To ensure that flood risks from the development to the future users of the development and the occupiers of neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development is constructed in accordance with the duly approved surface water drainage

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scheme in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2, and the National Planning Policy Framework.

### **Informatives:**

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

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

#### Highways:

The applicant's attention is drawing to the following informative notes contained within the Local Highway Authority's comments on the application dated 08.12.22:

- The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
- The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact Lancashire County Council, County Hall, Preston PR1 0LD, in the first instance, to ascertain the details of such an agreement and the information to be provided.
- Traffic Regulation Orders, diversions of Public Rights of Way, Stopping Up of existing highway, changes to public transport scheduling/routing and other activities require separate statutory consultation processes beyond the planning application process. The applicant will be obliged to meet all the costs associated with these of works and ensure that any works which rely upon them do not commence until all legal processes have been satisfactorily completed.

#### Adoption of Habitat Regulations Assessment:

In issuing this decision the local planning authority has had regard to the document titled "Habitat Regulations Assessment Update September 2021" prepared by 'The Environment Partnership' (TEP) which forms Appendix A of the document titled "Ecology Technical Note" (reference 8862.008, version 2.0, dated 16.08.22) and the comments from Natural England in their letter dated 20.09.22 confirming that they are in agreement with the conclusions in the Habitat Regulations Assessment that, with appropriate mitigation in place (as is secured through an extant planning obligation to which this permission is linked), the development, either alone or in combination with other plans or projects, would not have an adverse effect on the integrity of the Ribble and Alt Estuaries Ramsar site, Special Protection Area and Site of Special Scientific Interest, nor would it damage the interest features for which those sites have been notified.

In order to fulfil its duty as a Competent Authority in accordance with the requirements of regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 (as amended),

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the local planning authority has adopted the abovementioned Habitat Regulations Assessment by 'The Environment Partnership' as part of its decision.

### Water voles:

Whilst there is only a low risk of water vole being present, the applicant is reminded that under schedule 5 of the Wildlife & Countryside Act 1981 (as amended) it is an offence kill or recklessly damage, destroy or obstruct habitat utilised by water vole. If a water vole is found during the development all work should cease immediately and a suitably licensed ecologist employed to assess how best to safeguard the water voles(s). Natural England should also be informed.

### Item Number 7

<b>Application No:</b>	22/0874	<b>Application Type:</b>	Householder Planning Application
<b>Applicant:</b>	Mrs K Dykes	<b>Agent:</b>	Abbot Hull Associates
<b>Location:</b>	10 THE BOULEVARD LYTHAM ST ANNES LANCASHIRE FY8 1EH		
<b>Proposal:</b>	SINGLE STOREY REAR AND SIDE EXTENSION, FIRST FLOOR REAR EXTENSION AND REAR DORMER		
<b>Ward:</b>	Fairhaven	<b>Parish:</b>	St Anne's on the Sea

### Decision

Granted

### Conditions

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Location plan - Drawing no. 22070\_LOC
- Proposed site plan - Drawing no. 22070\_11S REV. C
- Proposed floor & elevation plans - Drawing no. 22070\_110 REV. D

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

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

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

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

### Informative(s)

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

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

2. St Annes Neighbourhood Plan

The applicant is encouraged to investigate and implement appropriate measures to provide renewable energy, to maximise energy efficiency, and to incorporate water recycling technology into the development wherever possible to reflect the aspirations of St Annes Town Council as set out in Policy HOU4 of the St Annes Neighbourhood Plan. Plus, the use of high standard insulation, frosted glazing on ground floor, roof lights, light wells, double glazing and trickle ventilators, to meet with the aspirations for quality living accommodation of the Neighbourhood Plan Design Guide by maximising the opportunity for natural light and ventilation.