



# Agenda

## Planning Committee

|                    |                                                                                                                                                                                                                                                                |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date:              | Wednesday, 2 November 2022 at 10:00 am                                                                                                                                                                                                                         |
| Venue:             | Town Hall, St Annes, FY8 1LW                                                                                                                                                                                                                                   |
| Committee members: | <p>Councillor Trevor Fiddler (Chairman)</p> <p>Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Gavin Harrison, Kiran Mulholland, Jayne Nixon, Linda Nulty, Liz Oades, David O'Rourke, Heather Speak, Ray Thomas, Stan Trudgill.</p> |

### Public Speaking at the Planning Committee

Members of the public may register to speak on individual planning applications: see [Public Speaking at Council Meetings](#).

Please note that this meeting will be recorded and posted on the internet following the meeting. Please see our Privacy Notice [here](#) for committee speakers.

|   | PROCEDURAL ITEMS:                                                                                                                                                                                                                                                                                                                                                                                                     | PAGE   |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1 | <b>Declarations of Interest:</b><br>Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided. | 1      |
| 2 | <b>Confirmation of Minutes:</b><br>To confirm the minutes, as previously circulated, of the meeting held on <a href="#">6 October 2022</a> as a correct record.                                                                                                                                                                                                                                                       | 1      |
| 3 | <b>Substitute Members:</b><br>Details of any substitute members notified in accordance with council procedure rule 24.                                                                                                                                                                                                                                                                                                | 1      |
|   | DECISION ITEMS:                                                                                                                                                                                                                                                                                                                                                                                                       |        |
| 4 | Planning Matters                                                                                                                                                                                                                                                                                                                                                                                                      | 3 - 40 |
|   | INFORMATION ITEMS:                                                                                                                                                                                                                                                                                                                                                                                                    |        |
| 5 | List of Appeals Decided                                                                                                                                                                                                                                                                                                                                                                                               | 41     |

Contact: Lyndsey Lacey-Simone - Telephone: (01253) 658504 – Email: [democracy@fylde.gov.uk](mailto:democracy@fylde.gov.uk)

The code of conduct for members can be found in the council's constitution at  
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

**© Fylde Council copyright 2022**

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context.

The material must be acknowledged as Fylde Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at [www.fylde.gov.uk](http://www.fylde.gov.uk)

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to [listening@fylde.gov.uk](mailto:listening@fylde.gov.uk).

# Planning Committee Agenda

## 02 November 2022

| Item No. | Appn No. | Location                                                                     | Proposal                                                                                                                                                                                               | Recommendation | Page No |
|----------|----------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------|
| 1        | 22/0267  | BLACKPOOL AIRPORT ENTERPRISE ZONE / LAND AT COMMON EDGE ROAD LYTHAM ST ANNES | OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR BUSINESS, INDUSTRIAL AND STORAGE/WAREHOUSING USES (CLASSES E, B2 AND B8) AND ANCILLARY BUSINESS AND SUPPORT FACILITIES AND HIGHWAY IMPROVEMENT WORKS | Granted        | 4       |
| 2        | 22/0664  | 87 WADDINGTON ROAD LYTHAM ST ANNES FY8 3RA                                   | CONSTRUCTION OF REAR DORMER                                                                                                                                                                            | Granted        | 24      |
| 3        | 22/0666  | 14 HARROGATE ROAD LYTHAM ST ANNES FY8 3QQ                                    | SINGLE STOREY SIDE AND REAR EXTENSION                                                                                                                                                                  | Granted        | 33      |

### Background Papers

The background papers used in the compilation of reports relating to planning applications are listed below, except for such documents that contain exempt or confidential information defined in Schedule 12A of the Local Government Act 1972:

- Fylde Local Plan to 2032 (incorporating Partial Review) – December 2021
- Joint Lancashire Minerals and Waste Local Plan
- Bryning-with-Warton Neighbourhood Plan
- Saint Anne's on The Sea Neighbourhood Development Plan
- National Planning Policy Framework 2021
- National Planning Practice Guidance
- The Community Infrastructure Levy Regulations 2010 (as amended)
- Conservation of Habitats and Species Regulations 2010 (as amended)
- Other Supplementary Planning Documents, Guidance and evidence base documents specifically referred to in the reports.
- The respective application files
- The application forms, plans, supporting documentation, committee reports and decisions as appropriate for the historic applications specifically referred to in the reports.
- Any additional information specifically referred to in each report.

These Background Documents are available online at [www.fylde.gov.uk/resident/planning](http://www.fylde.gov.uk/resident/planning)

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

### Item 1

|                              |                                                                                                                                                                                                                 |                           |                                                     |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------|
| <b>Application No:</b>       | 22/0267                                                                                                                                                                                                         | <b>Case Officer:</b>      | Andrew Stell<br>Area Team 2                         |
| <b>Applicant:</b>            | Blackpool Council                                                                                                                                                                                               | <b>Agent:</b>             | Mr A Cassidy                                        |
| <b>Location:</b>             | BLACKPOOL AIRPORT ENTERPRISE ZONE / LAND AT COMMON EDGE ROAD<br>LYTHAM ST ANNES BLACKPOOL LANCASHIRE                                                                                                            |                           |                                                     |
| <b>Proposal:</b>             | OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR BUSINESS,<br>INDUSTRIAL AND STORAGE/WAREHOUSING USES (CLASSES E, B2 AND B8) AND<br>ANCILLARY BUSINESS AND SUPPORT FACILITIES AND HIGHWAY IMPROVEMENT<br>WORKS |                           |                                                     |
| <b>Ward:</b>                 | Kilnhouse                                                                                                                                                                                                       | <b>Parish:</b>            | St Anne's on the Sea                                |
| <b>Statutory Expiry:</b>     | 4 November 2022                                                                                                                                                                                                 | <b>Earliest Decision:</b> | 9 June 2022                                         |
| <b>Reason for any delay:</b> | Awaiting consultation reply from key<br>consultee                                                                                                                                                               |                           | <b>Online application file</b> <a href="#">here</a> |

### Summary of Officer Recommendation: Grant

#### Summary of Officer Considerations

The application proposal is submitted in outline and is a major development of employment land with a new access road and supporting infrastructure associated with the next phase of the development of the Blackpool Airport Enterprise Zone. As such the majority of the application site is located within the area of Blackpool Borough with only a small section of the highway alterations needed to accommodate the new road being located within Fylde Borough.

However, this ensures that the scheme is a cross-boundary development and requires that planning permission is secured from both local planning authorities, with the decisions on each relating to the works that are within the respective administrative areas. The employment development, new road and the majority of the other development is located within Blackpool and secured a resolution to grant planning permission at a meeting of that council's Planning Committee in mid-October. This application follows on from that and relates to the highway works, with the slight delay being a consequence of the logistics of the Committee timetabling between the authorities and some outstanding views from Lancashire County Council as local highway authority on the highway arrangements that are to be introduced to accommodate the development.

The actual works in Fylde are limited to the area at the junction of Division Lane with Queensway and Common Edge Road, extending a short distance in all road directions from that junction. These are associated with a series of carriageway widenings to allow for right turn lanes to be provided for Division Lane heading north, for the sports ground heading south, and for the access to the garden centre heading north. These are all located in the green belt as allocated in the Fylde Local Plan to 2032 (incorporating Partial Review) and the St Annes Neighbourhood Plan, but are not considered to compromise the openness of the green belt in that location and so accord with local and national planning policy.

The further development of the Enterprise Zone will be a key benefit to the local economy and so is to be welcomed. With appropriate safeguards in place over the detailed design of the road junction and the conclusion over the green belt impact it is your officers' view that this application should be recommended for approval. The only rider to this is that the final comments of the local

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

highway authority are currently outstanding, but are expected by the date of Committee and are expected to confirm that they are satisfied with the highway arrangements that are now proposed. As a safeguard on this a condition is proposed to require that the detailed design of these works is to be submitted for approval prior to the commencement of development.

### **Reason for Decision Level**

Whilst the element of the application site that lies within Fylde Borough is modest, the overall scheme is for 'major development' and is a key part of the development of the Enterprise Zone. As such the Head of Planning considers that it is appropriate to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The red line of this application site extends to an area of around 13.6 Ha that is an irregular shape and lies to the east of the employment development at Amy Johnson Way (which is accessed off Squires Gate Lane) and Common Edge Road which is the northern extension of Queensway. As such the majority of the application site lies within the area of Blackpool Borough. There is a small section of the site that is within Fylde Borough around the junction of Division Lane with Queensway/Common Edge Road.

In circumstances where the application site falls into more than one local planning authority area, as is the case here, there is a need for planning permission to be secured from both authorities for the development. An application for the element within Blackpool was considered by that authority's Planning Committee on 11 October 2022 when the resolution was to grant planning permission subject to a reference to the Secretary of State under the green belt directive as a consequence of the extent of the application site in Blackpool that is on land designated as Green Belt.

Taking the application site as a whole with the land within Blackpool Borough included there is around 7.2 Ha of the site that is in use as playing fields and associated infrastructure. The remaining areas are associated with the airport, albeit not elements that were seemingly critical to its former operation. There is also a dwelling, areas of highway and other areas of land that are seemingly unused.

The area in Fylde is very limited and extends to the carriageway of Queensway for a distance of around 70m from its junction with Division Lane, a similar distance northwards along Common Edge Road from that junction which is to the borough boundary, the carriageway on Division Lane for around 50m, and an area of land to the west of Queensway to the immediate west of the public right of way that runs southwards and includes an area of marshy ground.

All the land that is in Fylde is designated as Green Belt under Policy GD2 of the Fylde Local Plan to 2032 (incorporating Partial Review). That part of the site that is to the west of the public right of way is designated as part of the Blackpool Airport Enterprise Zone under Policy EC4 of that Plan. The site is also covered by the St Annes Neighbourhood Plan which also designates it as Green Belt.

The public right of way referred to here is a track called Moss Edge Lane which runs to the west of Queensway from opposite its junction with Division Lane in a more direct route south to re-join Queensway closer to the junction with Kilnhouse Lane.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

### Details of Proposal

The application is submitted in outline with all matters reserved. The scope of the decision is therefore limited to the principle of the development only.

From the submission documents the overall scheme is for:

- Reconfiguration of Common Edge Road to create a new point of access into the Enterprise Zone and provision of new spine road from this access point to Amy Johnson Way;
- Erection of up to 35,000sqm of business, industrial and storage and warehousing uses (Classes E(g), B2 and B8);
- Erection of up to 130sqm day nursery floorspace (class E(f));
- Erection of up to 275sqm retail floorspace (class E(a));
- Erection of up to 275sqm cafe floorspace (class E(b));
- Highways works including reconfiguration of the junction of Common Edge Road and School Road;
- Associated infrastructure including drainage works, electric vehicle charging hub, substation, car parking and landscaping

In descriptive terms the scheme is to provide a new road that links Common Edge Road in the east to Amy Johnson Way and then Squires Gate Lane in the west. This road joins Common Edge Road at a new junction which is located mid-way between the existing junctions of Common Edge Road with Division Lane and School Road, and so is generally opposite the Garden Centre. The road facilitates the provision of an area of employment development at both sides of the new link road between its two end points. To accommodate the road, and the traffic that would be attracted to it, a series of highway works are proposed to Amy Johnson Way, to Common Edge Road, and to the Division Lane and School Road junctions.

The element within Fylde Borough is limited to alterations to the road layout on the approaches to the new junction from the south around Division Lane to provide right turn lanes into Division Lane, into the new sports facilities, and into the service road for the Garden Centre. An area of surface water drainage facilities is also shown on the land to the west of the public right of way.

The application is submitted with an extensive suite of supporting documents including

- Design and Access Statement
- Planning Statement
- Flood Risk Assessment
- Air Quality Assessment
- Archaeological Report
- Transport Assessment
- Framework Travel plan
- Noise Assessment
- Ecological Appraisal
- Cricket Club Risk Assessment
- Geo-Environmental Report
- Arboricultural Impact Assessment
- Air Quality Assessment
- Shadow Habitat Regulation Assessment

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

### Relevant Planning/Appeal History

There is no planning history associated with this specific scheme. However, there is an extensive history that relates to the existing uses of land within the site for its sporting use. Most recently there has been a series of applications that relate to the revised location and enhancement of the open space / sporting facilities that are also within both boroughs. The Fylde applications are those listed below and so are most relevant to this submission.

| Reference | Description                                                                                                                                                                                                                                                                                                                                                                                                                                  | Decision         | Date       |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|
| 22/0554   | APPLICATION TO DISCHARGE CONDITIONS 2 (DESIGN AND LAYOUT OF THE ARTIFICIAL GRASS PITCH), 3 (RUGBY PITCH SPECIFICATION AND MAINTENANCE SCHEME) AND 8 (TRAVEL PLAN) OF PLANNING PERMISSION 20/0677                                                                                                                                                                                                                                             | Issued           | 19/09/2022 |
| 22/0399   | ERECTION OF FENCING BETWEEN 1.2 METRES AND 2.4 METRES IN HEIGHT TO NORTHERN PERIMETER OF GRASS SPORTS PITCHES FLANKING ACCESS ROAD AND TO ENCLOSE REFUSE AREA                                                                                                                                                                                                                                                                                |                  |            |
| 20/0677   | CONSTRUCTION OF A 3 G FOOTBALL / RUGBY PITCH AND PROVISION OF A GRASS RUGBY PITCH AND TRAINING AREA ALONGSIDE AN ANCILLARY CHANGING / SPECTATOR BUILDING OF 675 SQM GIA, RECONFIGURATION AND EXTENSION TO EXISTING CAR PARK, PROVISION OF SPECTATOR HARDSTANDING AREAS AND NEW LANDSCAPING AND FENCING WITH JUNCTION WORKS TO THE EXISTING ACCESS ROAD AND THE CREATION OF A NEW FOOTWAY AND CYCLEWAY TO LINK FACILITIES TO COMMON EDGE ROAD | Granted          | 08/06/2022 |
| 20/0520   | APPLICATION TO DISCHARGE CONDITIONS 17 (COMPLIANCE WITH WRITTEN SCHEME OF INVESTIGATION) AND 18 (PROTECTIVE FENCING AROUND ARCHAEOLOGICAL STUDY AREA) OF PLANNING PERMISSION 20/0114                                                                                                                                                                                                                                                         | Advice Issued    | 22/07/2020 |
| 20/0114   | FORMATION OF 12 NO. NEW NATURAL GRASS SPORTS PITCHES                                                                                                                                                                                                                                                                                                                                                                                         | Granted          | 26/06/2020 |
| 18/0935   | SCREENING OPINION PURSUANT TO THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 IN RESPECT OF 90,000SQM OF B1, B2 & B8. 8,000 SQM OF D2. 275 SQM OF A1. 275 SQ OF A3. 56 UNITS OF C3. 2 NO. ARTIFICIAL SPORTS PITCHES AND STADIA FACILITIES WITH ANCILLARY ELEMENTS INCLUDING ACCESS ROAD, CAR PARKING, PUBLIC OPEN SPACE AND SPORTS PITCHES.                                                                 | EIA not required | 21/12/2018 |

### Parish/Town Council Observations

| Parish/Town Council   | Observations                                                                                                                               |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| St Annes Town Council | <u>Comments received on 19 April 2022</u><br>Support on the basis that <i>"This is in accordance with Town Council Neighbourhood Plan"</i> |

### Statutory Consultees and Observations of Other Interested Parties

| Consultee    | Comments                                                                                                                                                                                                  |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LCC Highways | <u>Initial Comments of 28 July 2022</u><br><br>Highlight that there are a number of matters that require further information to be provided from the applicant and so further discussions are needed with |

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                            | <p>the applicant to scope these. They therefore recommend that the application is not progressed to a decision until these matters are resolved.</p> <p><u>Further Comments of 15 September 2022</u></p> <p>Following some discussion between highway engineers for LCC and the applicant a further response was received which highlighted some specific concerns with that part of the scheme that is within Fylde Council (and so Lancashire). These relate to:</p> <ul style="list-style-type: none"> <li>• Size of a bus layby</li> <li>• Clarification of the operation of the junction to enable convenient bus use</li> <li>• Clarification of the movements out of the Garden Centre access road</li> <li>• Request changes to some proposed road markings</li> <li>• Request details of a safety audit for the proposed access junction</li> </ul> <p><u>Final Comments</u></p> <p>At the time of writing this report these are outstanding. However, the planning officer has been included in correspondence between the officers at LCC and the highway consultant that confirms that there is general agreement on the majority of matters, with further dialogue taking place on the few details that remain outstanding. These outstanding matters relate to the finer detail of the scheme such as the exact format of the road lining, the position of a bus layby and the design of the junction to the garden centre to ensure that vehicles can exit it without obstructing the carriageway.</p> <p>It is not considered that these points are fundamental to the scheme and are details that are properly assessed through a subsequent reserved matters application where 'means of access' is agreed, and then through conditions as appropriate.</p> |
| Lead Local Flood Authority | <p>Confirm a lack of objection subject to the inclusion of conditions.</p> <p>These conditions are to ensure that the development is undertaken in accordance with the submitted flood risk assessment and drainage strategy principles, that a final scheme for the provision of the detailed surface water drainage strategy is provided, and that details for its on-going management and maintenance are agreed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Environment Agency         | <p>Confirm a lack of objection subject to the inclusion of conditions.</p> <p>These conditions are to ensure that a pre-development risk assessment is made relating to the previous uses of the site and so potential for contamination, that a remediation strategy is designed and implemented, and that a verification report to confirm that this has been undertaken is submitted for approval.</p> <p>They also ask that a series of informative notes be added to any planning permission to highlight the scope of permits and other requirements under legislation administered by the Environment Agency. These cover the pollution points highlighted in their comments, but also the use of sustainable</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |



## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | drainage systems, the need to secure biodiversity enhancements, and the requirements for undertaking building work close to regulated waste sites.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Sport England | <p>They have not provided any comments to Fylde Council on this application. However, they did raise an objection to the application for the part of the development that is with Blackpool Council. This objection was based on the loss of the sporting pitches that would be involved in the scheme. However, that objection was subsequently withdrawn following the provision of additional information to Sport England, principally relating to the progress towards the provision of the replacement pitches under Fylde reference 20/0677.</p> <p>Their comments on this state:</p> <p><i>Based on the above assessment, Sport England is of the view that the proposal meets exception E4 of our Playing Fields Policy and criteria in paragraph 99 of the NPPF. Therefore, Sport England can withdraw its objection to this application and has no objection to the scheme provided that the following condition is imposed on any planning consent granted:</i></p> <p>The requested planning condition would prevent any development on the application site until these pitches are fully implemented and available for use.</p> |

### **Neighbour Observations**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Neighbours notified:</b> | 12 April 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Site Notice Date:</b>    | 12 April 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Number of Responses</b>  | Total number of comments      1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Summary of Comments</b>  | <p>The letter is from a resident close to the eastern boundary of the site in Blackpool. They raise objection on the basis that:</p> <ul style="list-style-type: none"> <li>• the proposals include the potential for a large employment building to be located in close proximity to the boundary of the site with neighbouring dwellings in that area</li> <li>• that the application details are very vague and that makes it difficult to provide any meaningful comment</li> <li>• that the alterations to the highway operation in the area will create some local issues</li> </ul> |

### **Relevant Planning Policy & Government Guidance**

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

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory

## **AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE**

development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

### **Fylde Local Plan to 2032 (incorporating Partial Review):**

GD2 - Green Belt Lytham St Annes)

EC4 - Enterprise Zones Blackpool

### **Other Planning Policy and Guidance**

STANP - St Annes on the Sea Neighbourhood Plan

NPPF – National Planning Policy Framework (July 2021)

NPPG – Planning Practice Guidance

### **Environmental Impact Assessment**

The development is of a type and scale listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

With that in mind the applicant submitted a Screening Opinion request to both Blackpool Council and Fylde Council (18/0935 refers) to establish whether the councils considered that the applications would need to be supported with an Environmental Impact Assessment.

On the basis of the information provided at that time the Screening Opinions both concluded that the proposal is not considered to give rise to any likely significant effects and is not considered to be 'Environmental Impact Assessment development'. The application submission now under consideration reflects the scope of works that described in that screening request, and so the Opinion remains valid and no Environmental Impact Assessment is needed with this application.

### **Comment and Analysis**

#### **Scope of Decision**

The application is made as a bare outline only, meaning that all the reserved matters of access, appearance, landscaping, layout and scale are left for future consideration through one or more reserved matters submissions.

Submitting an application with all matters reserved maximises flexibility, but is constrained by the description of the development that is set out in the Proposals section of this report. In support of these elements, a plan has been provided that provides for the details of the road junction, its route through the site, the broad plot layout and the technical works that would be required to support the development. These would all be subject to assessment through further Reserved Matters submissions, but are helpful details in establishing whether the site is able to deliver the scope of development that is proposed and how that delivery could occur on the ground.

Having said that, the element of these works that is in Fylde Borough is very limited, and relates to alterations to the highway on the approach to the site and some drainage infrastructure. As such the scope of the council's considerations of this application are equally limited as Fylde Borough does not have any role in assessing many of the impacts of the development itself as they are outside of the borough. However, the application involves a significant scale of development and will fundamentally change the highway operations in the area, and so the impacts of that in terms of highway capacity and its operation are a matter that is to be considered.

## **AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE**

### **Policy Background**

In respect of the part of the site that lies in Blackpool, the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (adopted January 2016) and the Policies Saved from the Blackpool Local Plan 2001-2016 (those policies not superseded by the Core Strategy) together with the minerals and waste plans noted above form the adopted development plan for that area. These policies would therefore inform Blackpool Council's assessment of the majority of the application.

The areas that are located in Fylde are all designated as green belt where Policy GD2 of the Fylde Local Plan to 2032 (Incorporating Partial Review) applies and directs development to simply be assessed against national Green Belt planning policies as set out in the NPPF.

With the site being in St Annes it is also necessary to consider compliance with the policies of the St Annes Neighbourhood Plan. Policy SS1 of the Neighbourhood Plan states that land within the boundaries of the airport designated as Green Belt will be safeguarded, and this should be reflected in the agreed Masterplan.

### **Principle of Development**

The developments proposed for the area that lies within Fylde are restricted to highway works to the existing highway. When assessing these works against national green belt policy it is necessary to consider the content of paragraph 150 of the Framework. This lists the types of development other than buildings that are not inappropriate development where they preserve the openness of the green belt and do not conflict with the purposes of including land within it. These types of development include material changes in the use of land, engineering operations, and local transport infrastructure requiring a green belt location. It is considered that the proposed highway works can be described as falling to some degree within each of these three. The development that is proposed would take place without extending to any material degree beyond the existing extent of the highway, will remain as transport infrastructure and will not alter the use of the area as highway. The development on the area of the site within Fylde is therefore not inappropriate within the green belt and so is compliant with national and local plan policy.

Part of the area of the application site within Fylde lies within the area designated under Policies EC3 and EC4 as Enterprise Zones. Policy EC4 supports the development in support of the delivery of the Enterprise Zone; and given that the thrust of this application is directed to that, the development proposed complies with Policy EC4.

With regards the Neighbourhood Plan, the requirements of Policy SS1 are aimed at safeguarding the green belt in accordance with local and national policy. Given the assessment made above that the highway works in the green belt are not considered inappropriate development in the green belt, then they are also compliant with the neighbourhood plan policy.

The scheme is therefore acceptable in principle, but will have a series of consequential impacts that also require assessment. The location of the development ensures that the majority of these are matters for Blackpool Council to consider only, but several will have key impacts on Fylde and so need to be assessed in this application. The remainder of this report undertakes that assessment, beginning with the highway impacts as the key element for Fylde.

### **Highway Matters**

#### **Policy Background**

There are a range of local and national transport related policy obligations to consider when assessing a planning application of any scale, but particularly one where the scale of highway impacts are as

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

significant as would be the case here. The introduction of the new road to link Common Edge Road with Squires Gate Lane will bring a new route through the Blackpool Airport Enterprise Zone which will open that land up for development and allow significant changes to be brought to the wider operations of the road network.

Nationally, the NPPF in various elements of Section 9 requires that transport development is undertaken in a sustainable way, with new development that would attract large numbers of movements being located in areas that are as accessible as possible by a range of travel measures. The NPPF refers to the need to consider new infrastructure at the beginning of a project, and then ensures that proper consideration is given to ensuring that the design of the infrastructure is undertaken safely and will bring sustainability enhancements.

Locally, the Enterprise Zone policy in the Fylde Local Plan to 2032 (incorporating Partial Review), Policy EC4, doesn't make any direct reference to the need for a new road. However, Policy T3 which is a specific policy for Blackpool Airport in the transport section of the plan does do, and explains that the council will support improvements to surface access to the Airport from surrounding areas and other transport nodes. Other policies of the transport section are relevant where they promote the provision of appropriate pedestrian, cycling and public transport facilities through all development. Finally, Policy GD7 has relevance as its general guidance on the design elements of all development includes a specific section covering highway safety matters, promoting the needs of non-motorised users, and ensuring that development meets the needs of its community with regards its transport connections.

With the application being a bare outline only, then the means of access is one of the matters that is not actually for consideration at this stage, and would need to be the subject of full consideration through a future reserved matters application. However, it is necessary to consider whether the key parameters of the development, such as the principle of that scale of employment development, the provision of a new road, the linkage of the road, etc and the traffic generation implications of these are acceptable. Notwithstanding that the means of access is not a matter for consideration at this stage, the application is supported with some access information and so that is discussed in the following section.

### Network Operation

The application includes a detailed indicative road layout and supporting documentation which includes a Transport Assessment. These are designed to demonstrate whether the scheme can be accommodated on the highway network without causing severe impacts on its operation, or lead to unacceptable safety situations.

Members will recognise that Queensway and Common Edge Road are subject to high traffic volumes throughout the day and feature significant levels of congestion at peak hours. The Transport Assessment recognises that and factors in the changes to the network operation that are anticipated to occur as a result of the proposed development of the Enterprise Zone, the change in trip movements through the new link road through the employment area, and the impact of the proposed opening of the M55 link road in around 12 months time.

This Transport Assessment has been considered by highway officers from both Blackpool Council and Lancashire County Council in their roles as the respective local highway authorities. Blackpool Council have concluded that the impact on the road network would be acceptable based upon the phased implementation of the highway works in this application. The latest comments from the local highway authority come to the same conclusion on that aspect, as they are focussed on consideration of the details of the design.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

Whilst LCC as local highway authority have provided comments on the details of the indicative road layout, and have some reservations with details of it, they have not raised an issue with the principle of forming an additional access point in the proposed location.

### Junction Works

The junction works are designed to improve the operation of the entrance from Queensway/Common Edge Road to Division Lane, the sports pitches and the garden centre. This is achieved through the provision of a series of right turn refuges in the carriageway. Alongside these are some changes to the junction radii, the carriageway widths and revisions to the lining to support this.

These are all benefits to the operation of the highway network in the area as the current situation in all these locations is that the traffic is held up by those waiting to turn right into these junctions, resulting in a reduced efficiency of the network operation.

At the time of writing this report the LCC highway officer has some outstanding queries over the details of aspects of this element of the proposal, but these are not fundamental to the scheme and so a condition to require that these details are provided as part of the reserved matters submission for the means of access would be an appropriate way to secure satisfactory details in the event that they are not resolved by time of Committee.

There is also an indicative phasing of the development included in the application, This envisages that the works in Fylde will be undertaken first, followed by the extension of Amy Johnson Way and the construction of the enterprise zone link road itself, and then concluding with the connection of the link road to Common Edge Road and the revisions to the Common Edge Road / Jepson Way / School Road junction that are required to ensure it can accommodate the new development. This phasing is appropriate for the scheme and is the subject of a condition to be imposed on the decision made by Blackpool Council.

### Model Shift

The scheme includes a range of enhancements to ensure that the existing bus, cycle and pedestrian facilities in the area are maintained and enhanced with new connections for each being incorporated into the detailed design. This may involve a minor relocation of the existing bus stop on Common Edge Road as that is one of the outstanding issues under consideration by the officers at the highway authority.

In a wider sense the application is supported with a Framework Travel Plan that confirms that the site will be developed with sustainable access principles in mind, albeit those details are all within the area of Blackpool Borough so would not be for consideration by Fylde. Similarly, there is a Public Transport Strategy which highlights that the existing services along Squires Gate Lane and Common Edge Road would be over the target distance for destinations within the site itself. This information will be used to support funding bids to government aimed at establishing a new service to permeate the site, with the development being physically designed to accommodate that service when it is provided.

The later design of the site will need to ensure that appropriate access junctions, parking areas, electric charging points, etc are all accommodated within each plot, but again this is a matter for consideration by Blackpool Council as the local planning authority that would determine the submissions in that area at the time of those future applications.

The key aspect for Fylde is that the development incorporates a range of pedestrian, cycle and public transport facilities in the section of the site that is in Fylde. This includes a new pedestrian refuge to

## **AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE**

assist with the crossing of Queensway that is to be located between the sports pitch access point and a remodelled junction at Division Lane, and so will benefit sustainable connectivity as a result.

### Sports Pitch operation

One of the access points on the section of the site in Fylde serves the replacement sports pitch development that is currently being established as a phased development. The proposed works will provide an appropriate access to this site and so is not a matter of concern. The operation of this facility has generated some parking pressures in recent months which the highway authority have highlighted in initial consultation responses. This is actually the subject of a planning condition that is attached to the planning permission for those facilities that requires that a Car Parking Management Strategy to be submitted, agreed and implemented. This is the subject of on-going discussion to ensure that effective arrangements are in place and this Strategy will need to accommodate the changes introduced through this scheme if it is implemented.

### Conclusion on Highway Matters

The full scheme will bring significant changes to the highway operation on Queensway / Common Edge Road, with consequential changes to the wider network such as on School Road and Squires Gate Lane. The element of this which is for consideration within Fylde is much more limited as a consequence of the small element of the site that is located in the borough.

The comments that have been provided by the local highway authority indicate that their concerns are focussed on resolving some relatively minor details of the scheme, rather than raising any fundamental issues over its principle. As such it is officer view that the impact so the development involved in this application will not create the severe impacts on highway operation that would be needed to justify a refusal of the application, and will deliver the appropriate safety and connectivity benefits that are a requirement of any highway scheme.

LCC as local highway authority raise no objection to the principle of creating a new access in this location, the construction of the link road through the enterprise zone, and the associated alterations to the junctions to accommodate this. The comments that have been made relate to the details of the indicative junction arrangement and associated elements of the highway design such as carriageway widths, road lining, bus stop location, etc. all of which are matters that are for full and proper consideration as part of a subsequent application for the reserved matter of access. This would be an application that would need to be made to both Blackpool and Fylde Councils and so those aspects would be considered at that time.

### **Other Matters**

#### Neighbours

The element of the overall scheme that is in Fylde Borough can only really have impacts on a very small number of neighbouring properties, with those being the ones that are clustered around the junction of Division Lane and Common Edge Road / Queensway. In that respect, and bearing in mind the properties are actually located in Blackpool Borough and so would have their amenity fully considered in the decision made by Blackpool Council on the wider development, the actual implications are limited.

There is a limited carriageway widening but this takes land from the verge on the western side of the road and so does not bring the road any nearer to the neighbouring residential properties. There are alterations to the junctions, but these are to improve their accessibility by drivers, and their navigation by pedestrians. This can only have a positive impact on the amenity of residents in the area, including those on Division Lane who will benefit from the improved functioning of that road junction.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

There will be increased activity in the area, but this is offset by the economic and other public benefits of the development of the Enterprise Zone to the borough and sub-region, with that aspect fully considered in the initial designation of the land as Enterprise Zone through a range of policies including those of the Fylde Local Plan to 2032 (Incorporating Partial Review). It is anticipated that following the opening of the M55-Heyhouses Link Road, many drivers who currently use Queensway to access the M55 will choose to use that link road and this will help offset any increase in traffic on the highway network in the vicinity of the access proposed in this application.

Accordingly it is not considered that there are any neighbouring relationships that would have any bearing on the determination of the application.

### Drainage

The wider development will have some considerable impacts on the drainage arrangements in the area as it will include the development of extensive areas of greenfield land. This requires the imposition of a carefully designed drainage strategy to ensure that surface water is managed to accommodate the increased rate of run-off and the other changes that climate change will bring.

With the outline nature of the application there is limited detail available on this aspect at this stage although a Flood Risk Assessment and Drainage Strategy document has been submitted with this application. This confirms that infiltration will be suitable in many parts of the site, which is high on the drainage hierarchy so is a helpful approach. However, this will not handle all site drainage and so a hybrid scheme will need to be designed as the further development of the site is progressed. To accommodate the expected storage needs for the proposed development, the scheme features a detention basin which is located on the area of marshy land that is to the west of the public right of way running south in the Fylde section of the application.

This approach is one that the Lead Local Flood Authority have accepted in their comments to Blackpool Council is feasible, but given the lack of any certainty over the drainage arrangements at this stage the capacity and design of this basin is unknown. A condition to require that these details are provided prior to the commencement of any development is therefore an appropriate approach on this matter.

### Ecology

The wider proposal will involve built development in the form of a road and a series of employment units built on land that is currently open and available for use by a range of species, including those that are functionally linked to the Ribble Estuary. This requires careful consideration of the impacts of the change in this environment, but as these are all located within Blackpool that is a consideration for them to make. The works that are within Fylde are limited to highway verge and other areas with negligible ecological value.

The screening opinion issued on the application carefully considered the extent of possible ecological impacts, including consultation with Natural England, and the decision made by Blackpool similarly required a careful assessment of those matters. The potential impact in Fylde is much more narrowly focused and it is considered that no harmful ecological impacts are likely from the development. The reserved matters submission will need to address matters of landscape and this would be the appropriate opportunity to ensure that the roadside is flanked by native hedgerows and that other such opportunities are taken to enhance the biodiversity they could provide.

### Open Space / Sport Use

The initial submission led to Sport England raising an objection to the application on the basis that the scheme involved the loss of a significant area of open space and playing field without appropriate

## **AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE**

compensatory areas being available. In response the agent provided some clarification over the extent of replacement provision that is currently under construction to the south of the existing areas, partly within Fylde Borough, and the likely timing for that to be completed and so fully operational and available for use.

The views of Sport England were sought on this approach, and they have subsequently confirmed that they no longer have any objection to the application that was submitted to Blackpool Council, subject to a condition being imposed that requires that the replacement/enhanced sports provision is all available and operational prior to the commencement of any development on this application as that would inevitably mean that the current facilities are lost to public use. The decision made by Blackpool Council recently, includes such a condition.

The works that are proposed as part of the application within Fylde do not have any direct impact on open space provision and so there has been no reason to consult with Sport England or any other body in this regard. However, it is useful for members to be aware of this situation, and from the details explained above it seems clear that the development will not cause any detrimental impact on open space provision. It is, however, considered appropriate to ensure that the condition that is applied to the Blackpool decision be repeated to that within Fylde for consistency and completeness.

### **Employment Benefit**

The wider scheme is designed to deliver significant economic benefits by providing opportunities for new business to operate and to help diversify and grow the local economy thereby providing additional and diverse employment opportunities during both construction and operational phases. The development would provide critical infrastructure and improve access that could not otherwise be achieved and would support future phases of employment development on the Enterprise Zone, enabling more businesses to locate in the local area and so create future jobs.

The benefits of a strong economy to the area are obvious, and the development will help provide a location for that, as well as contributing to the local strategic requirements for delivering employment land. Whilst this is all located in Blackpool it will clearly be beneficial to sub-regional growth. This must be considered as a positive factor in the planning balance.

### **Green Belt Direction**

The decision made by Blackpool Council's Planning Committee was to grant planning permission following a referral to the Secretary of State to see if he/she wished to call in the application. This is a requirement for the decision in Blackpool under the 'Green Belt Direction'.

This Direction applies when the application involves inappropriate development in the green belt that would create over 1,000m<sup>2</sup> of floorspace or has a significant impact on the openness of the green belt. From the policy assessment above, the development in Fylde is not inappropriate development and does not create any floorspace or impact on the openness of the green belt. As such there is no obligation to undertake a referral on this decision.

### **Conditions**

The decision on any planning application will include conditions, and with the scale of the wider scheme here it could be expected that the list of conditions would be extensive. However a local planning authority is only able to enforce conditions within its administrative boundary. This means that with the area of the site being limited in its scale and the nature of its use, the list of conditions to be imposed will be limited. These will cover the normal procedural matters such as the timescale, need for further details at reserved matters stage, and the scope of the permission: and those related



## **AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE**

to details of the highway works that are involved to ensure that these are part of the future reserved matters submission and are appropriately implemented when agreed.

### **Conclusion**

The application relates to a series of highway works associated with a significant level of employment development on land located within Blackpool Borough, including a new link road through the Enterprise Zone between Common Edge Road and Amy Johnson Way / Squires Gate Lane. The overwhelming majority of this development is located within Blackpool Borough and is the subject of a favourable resolution from that authority's Planning Committee. The works in Fylde are limited in scope and area that is focussed on consequential improvements to a small number of highway junctions.

These works are designed to improve the operation of those junctions to assist with accommodating the revised, and increased, volumes of traffic on the wider highway network. Whilst the final views of LCC as the local highway authority are outstanding at the time of drafting this report, it is understood that there are no major 'stumbling blocks' in their assessment of the scheme, and it is expected that final comments will be available for the Committee meeting and so presented as part of the late observations.

The development works are all located in the green belt and so have been assessed against local and national policy. The key element of this being para 150 of NPPF which advises that engineering works that do not impact on the openness of the site, or works that are essential transport infrastructure, are not inappropriate development and so are acceptable in the green belt.

The wider development proposed in this scheme are designed to allow the Enterprise Zone to be fully developed and so deliver real economic boosts to the sub-regional economy and so the scheme is to be viewed as a positive development in the area. The proposed works will assist in facilitating that objective without bringing any significantly harmful impacts and so it is recommended that planning permission be granted.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

1. Application for approval of all of the following reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission.
  - Access
  - Layout
  - Scale
  - Appearance
  - Landscaping

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

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

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.

3. This permission relates to the following plans:

- Location plan ref. P3\_L01 Rev B (
- Proposed site area plan ref. P3\_P01 Rev C
- Proposed Highway Phasing Plan ref. P3\_P04 rev A

Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the details shown on the approved plans insofar as it relates to the site area, the area or areas where access points to the development will be situated and shall not exceed the maximum quantum of development for each of the permitted uses hereby approved.

Reason: The application is granted in outline only in accordance with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established by this permission, and as the details of the highway arrangement are shown as being indicative only at this stage and so do not form part of this planning permission.

4. The development hereby approved shall not exceed the following quantum or floorspace:

- 35,000 sq.m of employment use comprising:
- 3,500 sq.m Business Use Class E(g) (10%);
- 17,500 sq.m General Industrial Use Class B2 (50%);
- 14,000 sq.m Storage and Distribution Use Class B8 (40%);
- 275sqm retail floorspace (Class E(a));
- 275sqm cafe floorspace (Class E(b)).

Excluding those for the retail and cafe floorspace, each reserved matters application shall state the proposed floorspace and what elements will be Class E(g), B2 or B8.

Reason: To provide clarity to the permission and to ensure that the overall quantum of development complies with the assessment undertaken on this outline application with regards planning policy, highway safety, ecological implication and other relevant matters. The condition is therefore to ensure compliance with the requirements of Policy EC4, T3, DLF1, GD7, ENV2 and T3 of the Fylde Local Plan to 2032 (incorporating Partial Review)

5. Other than any works to the highways, the development hereby permitted shall not be commenced until the playing fields and sports facilities permitted by planning permissions 20/0108 (Blackpool Council) dated 25 August 2020, 20/0114 (Fylde Council) dated 26 June 2020, 20/0564 (Blackpool Council) dated 10 August 2021 and 20/0677 (Fylde Council) dated 8 June 2022 have been implemented in full and made available for use.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory playing fields and sports provisions and to secure its continuity of use to in accordance with Policy ENV3 and ENV 4 of the Fylde Local Plan to 2032 (incorporating Partial Review) and guidance in the NPPF.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

6. Other than any works to the existing highways, no above ground works of 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 be based on the hierarchy of drainage options contained in the Planning Practice Guidance and, where relevant, shall demonstrate compliance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The scheme shall include:
- a) Separate systems for the disposal of foul and surface water.
  - b) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates.
  - c) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year, plus allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.
  - d) Measures to ensure that the post-development surface water run-off rate will not exceed the pre-development green field run-off rate.
  - e) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).
  - f) Flood water exceedance routes, both on and off site.
  - g) Details of water quality controls, where applicable.
  - h) A timetable for implementation, including phasing as applicable.

The duly approved scheme shall be implemented before any of the dwellings are first occupied, or within any other timescale first agreed in writing with the Local Planning Authority.

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

7. None of the buildings subsequently constructed under this planning permission shall be first brought into use until details of a management and maintenance scheme for the surface water drainage system to be installed pursuant to condition 6 of this permission has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:

arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company.

- a) arrangements concerning funding mechanisms for the ongoing maintenance of all elements of any sustainable drainage system (including mechanical components) to include details such as: i) on-going inspections relating to performance and asset condition assessments; ii) operation costs for regular maintenance, remedial works and irregular maintenance of limited life assets; and iii) any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- b) means of access and easements for maintenance purposes;

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

- c) A timetable for implementation.

The surface water drainage system shall thereafter be managed and maintained in accordance with the details and timetable contained within the duly approved scheme.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of the surface water drainage system and associated sustainable drainage features throughout the lifetime of the development in order to minimise the risk of flooding from the development in accordance with the requirements of Fylde Local Plan to 2032 policies CL1 and CL2, and the National Planning Policy Framework.

8. Other than any works to the existing highway, prior to the commencement of any above ground development, or any alternative timescale agreed in writing by the local planning authority prior to that point, the details of the detention basin shall be submitted to and agreed in writing by the local planning authority. These details shall include at least the following elements:

General design and location within the site

The design capacity and freeboard

The outlet for the basin

The designed outlet rate and details of mechanism used to control that outlet rate

The alterations to ground levels

Destination for the spoil generated by its excavation

Any materials to be used in its construction

The landscaping of the basin and surrounding area

The phasing of the provision of the basin and any associated infrastructure

The maintenance details required to ensure all elements associated with the basin are maintained along with details of the responsibility for that maintenance

The determination basin shall only be implemented in full accordance with these approved details, and then shall be subsequently maintained in accordance with the approved maintenance strategy thereafter.

Reason: The application does not provide details of this aspect and such details are needed to ensure that this feature functions effectively in terms of its drainage benefits, provides an appropriate visual appearance, and utilises the opportunity to enhance the biodiversity of the area. These are to satisfy the requirements of Policies CL1, CL2, GD7, ENV1 and ENV2 of the Fylde Local Plan to 2032 (incorporating partial Review).

9. Other than any work to the existing highway, no development, ground works or vegetation clearance shall take place 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:

- 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.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

- 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.
- i) Pollution prevention measures to avoid contaminated water run-off entering nearby watercourses.

The duly approved CEMP shall be implemented concurrently with the construction of each phase of 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.

10. No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

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

11. Prior to the commencement of development, a scheme of detailed highway works shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall detail:
- 1) footpaths and cycle ways
  - 2) review of measures to discourage HGV's from using less appropriate routes, including School Road
  - 3) proposed extents of public highway
  - 4) proposed extents and status of other public space
  - 5) proposed extents of privately controlled space
  - 6) provision of street furniture and new structures such as bus stops
  - 7) provision of traffic regulation orders
  - 8) provision of highway signage

The highway works and traffic regulation measures agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details prior to the first use of the development hereby approved. Those aspects that are not adopted by the Local Highway Authority shall thereafter be retained and maintained as such.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

Reason: In the interests of highway safety and to ensure safe and convenient access to the site in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review)

12. 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.

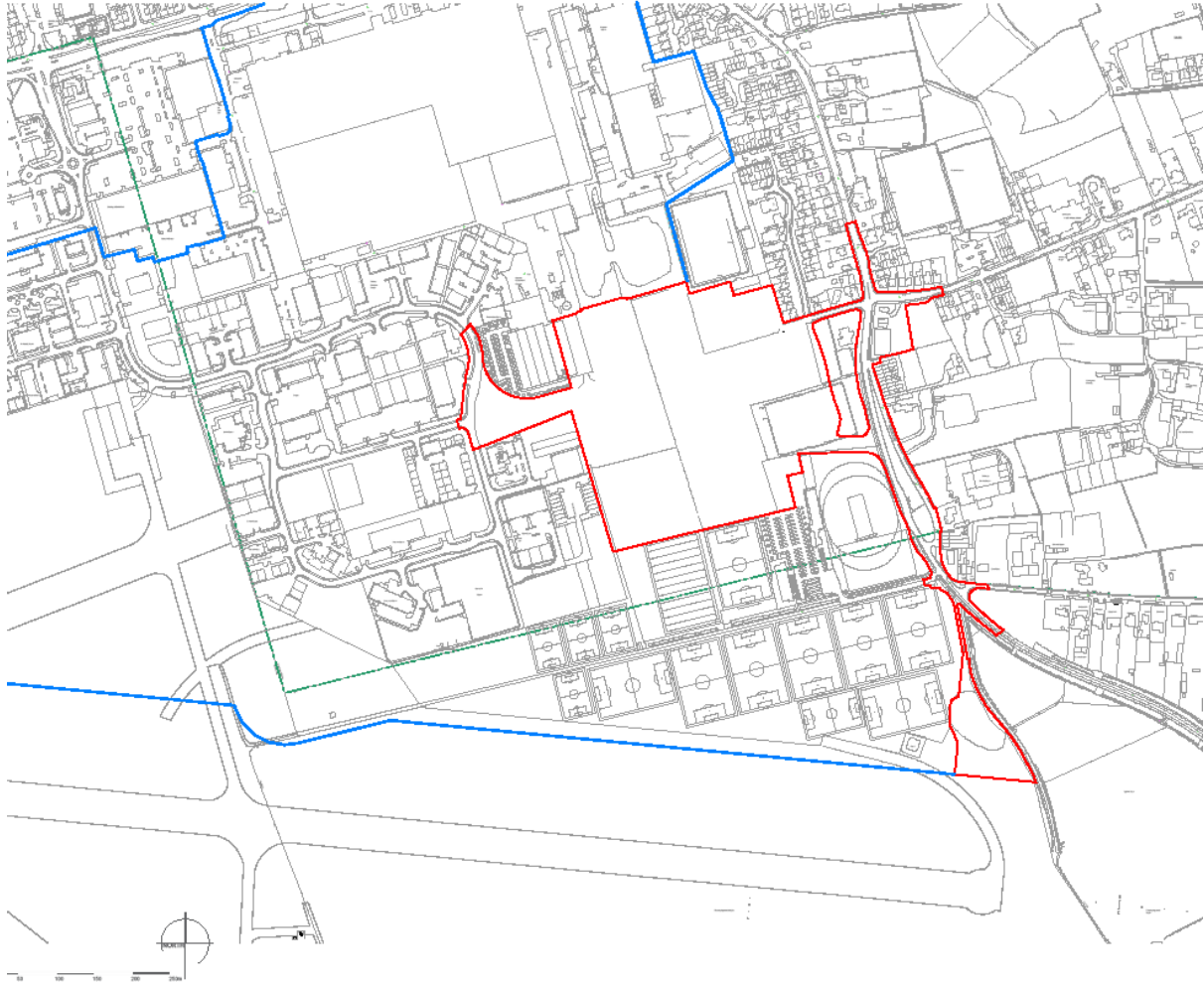
Reason: In order to ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties and to avoid obstruction of the surrounding highway network during the construction of the development 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 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.

Location Plan for 22/0267



## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

### Item 2

|                              |                                                                     |                                                     |                                |
|------------------------------|---------------------------------------------------------------------|-----------------------------------------------------|--------------------------------|
| <b>Application No:</b>       | 22/0664                                                             | <b>Case Officer:</b>                                | Beth Winstanley<br>Area Team 2 |
| <b>Applicant:</b>            | MR C BRADLEY                                                        | <b>Agent:</b>                                       | MR CHRIS SINKINSON             |
| <b>Location:</b>             | 87 WADDINGTON ROAD LYTHAM ST ANNES LANCASHIRE FY8 3RA               |                                                     |                                |
| <b>Proposal:</b>             | CONSTRUCTION OF REAR DORMER                                         |                                                     |                                |
| <b>Ward:</b>                 | Heyhouses                                                           | <b>Parish:</b>                                      | St Anne's on the Sea           |
| <b>Statutory Expiry:</b>     | 4 November 2022                                                     | <b>Earliest Decision:</b>                           | 21 September 2022              |
| <b>Reason for any delay:</b> | Need to determine at Committee due to Parish / Town Council request | <b>Online application file</b> <a href="#">here</a> |                                |

### Summary of Officer Recommendation: Grant

#### Summary of Officer Considerations

The application relates to a first floor residential flat located within a two storey semi-detached building positioned within a residential area of Lytham St Annes. The application relates to the addition of a dormer to the rear elevation of the building in order to create an additional bedroom within the roofspace for use by the first floor flat. The dormer provides an ensuite bedroom to the existing flat.

The application has been brought to Committee for a decision as a consequence of there being an objection to it from St Annes on Sea Town Council. They refer to the insertion of the proposed dormer being “in direct conflict with Policy DH1 (Creating a Distinctive St. Anne's) and is not in keeping with the Neighbourhood Plan Design Guide or the surrounding street scene.” In accordance with suggestions highlighted by Committee and through the recent PAS Peer Review the nature of the ‘direct conflict’ has been queried by officers given that dormers are not directly mentioned within policy DH1, and the Town Council have confirmed their objection should stand as quoted in this report.

The proposed dormer will be flat roofed and completed in materials that are to match those on the existing roof of the building. The dormer will be located to the rear and as such will not be highly visible from the general streetscene, although as the building backs on to a communal garage/parking area for the neighbouring dwellings it will be visible from this area. While the SPD design note 6 advises that front and side dormers facing on to the street should have a pitched roof, it also advises that an exception to this is if a particular dormer style is already visible within the area. There are a number of flat roof dormers within the streetscene close to the rear of the application site therefore the officer position is that the proposed flat roof dormer is compatible with the character of the surrounding area and therefore is an appropriate design. As such, the proposal complies with d), h) and i) of Policy GD7 and design note 6 of the SPD ‘Extending your Home’.

The dormer is of a size and scale which will not create any unacceptable impacts in regards to loss of light or overshadowing to the neighbouring occupants. The windows within the dormer will have the same views as the windows from the first floor of the application property onto the parking



## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

courtyard area, therefore privacy to surrounding occupants will not be reduced and the proposal will comply with criteria c) and h) of Policy GD7.

The proposed dormer is in a location which allows it to not have a dominate appearance within the streetscene and the design matches that of other dormers within the general area. The dormer will not create any harmful impacts to surrounding neighbours, therefore the application is recommended for approval.

### **Reason for Decision Level**

The officer recommendation for approval is in conflict with the views of the Town Council and so it is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The application relates to a semi-detached property which has been built as a two separate flats, a ground floor flat and first floor flat. To the front elevation there are separate front doors for both properties. The property is located within a residential area with a mixture of two storey dwellings with many of these being two storey dormer bungalow style properties.

The site falls within the settlement of Lytham St Annes as shown on the Fylde Local Plan to 2032 (incorporating Partial Review) Policies Map.

### **Details of Proposal**

Planning permission is sought for the construction of a single flat roof dormer to the rear elevation of the property. The dormer would measure approx. 1.85m in height, 6m in width and 3m in projection away from the main roof. The dormer would create space in the roof to permit an additional bedroom for the first floor flat. The dormer would be constructed in tiles to match the existing roof to its face and cheeks.

### **Relevant Planning History**

N/A

### **Parish/Town Council Observations**

| Parish/Town Council          | Observations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| St Annes on Sea Town Council | <p><u>Comments received on 20 September 2022</u></p> <p><i>"OBJECT - Flat roofed dormer (although at the rear of the property) is in direct conflict with Policy DH1 (Creating a Distinctive St. Anne's) and is not in keeping with the Neighbourhood Plan Design Guide or the surrounding street scene."</i></p> <p><u>Clarification received on 13 October 2022</u></p> <p>Following a review of the above comments officers contacted the Clerk to query the nature of the direct conflict given the wording of Neighbourhood Plan policy DH1 does not reference them, with the following response received:</p> |

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p><i>"When the TC created the NP and supporting document DG, the intention was not to be overly prescriptive, and therefore no specific reference to flat roofed "leggo looking" extensions was made.</i></p> <p><i>It was however, our intention to avoid a continuation of what we considered to be, poor planning decision making of previous generations, which we considered not to be in keeping with "creating a distinctive St. Anne's".</i></p> <p><i>We used the DG to encourage contemporary design with a visual impact, which would fit well with the Street Scene of an enclave such as this, where no previous Approvals of this nature had set an unwanted precedent.</i></p> <p><i>In conclusion, I would argue that this proposal is therefore in direct conflict with Policy DH1 (Creating a Distinctive St. Anne's), and not in keeping with the Neighbourhood Plan Design Guide or the surrounding street scene.</i></p> |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **Statutory Consultees and Observations of Other Interested Parties**

There are no consultee comments to report.

### **Neighbour Observations**

|                             |                          |   |
|-----------------------------|--------------------------|---|
| <b>Neighbours notified:</b> | 31 August 2022           |   |
| <b>Number of Responses</b>  | Total number of comments | 0 |
| <b>Summary of Comments</b>  | N/A                      |   |

### **Relevant Planning Policy & Government Guidance**

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

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the 'FLPPR' – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

#### **Fylde Local Plan to 2032 (incorporating Partial Review) and other relevant Guidance:**

GD1 - Settlement Boundaries Lytham St Annes)  
 GD7 - Achieving Good Design in Development  
 SPD1 - Extending Your Home - November 2007

#### **Other Policies and Guidance**

STANP - St Annes on the Sea Neighbourhood Plan  
 NPPF – National Planning Policy Framework (July 2021)  
 NPPG – Planning Practice Guidance

### Comment and Analysis

#### Principle

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development's compliance with other relevant policies of the Plan. In this case the criteria contained in policy GD7 of the FLPPR are of greatest relevance, having particular regard firstly to the development's effects on the character and appearance of the area arising from its design and, secondly, to its impact on the amenity of surrounding occupiers. Each of these issues is examined further below with reference to the relevant criteria in policy GD7.

#### Design and Appearance in Streetscene

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

STANP policy DH1 states that *"all development must be of a high quality of design and must be appropriate and sympathetic to the character of the town and its neighbourhoods."* Additionally, the policy requires that *"development should create pleasant places to live and work and take into account surrounding scale, density, layout and car parking, as well as achieving high visual standards."*

The application relates to a first floor flat located within a purpose built apartment block. The building is located within a row of similar designed apartment arrangements, with the front elevation completed in brick and render. The properties face on to an open greenspace used for playing fields for the local community.

The proposed dormer is located to the rear elevation of the property and as such will not be visible from the front elevation of the dwelling. There is an access track to the rear which is off Boston Road and provides access to the garages and parking areas located to the rear of the properties. The track is around 40m in length from its junction with Boston Road before opening out into a gravel area for parking. Whilst the rear of the application property and its surrounding dwellings is visible from this opened out area of the track, they are not prominently visible from Boston Road due to the distance and as they are glimpsed in views down the track.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

Along Boston Road there are a number of dormer bungalows with a gable frontage and flat roof dormers to either side elevation, as well as a large flat roof 3 storey building which has a Spar and other retail units to the ground floor, and residential to the first and second. Therefore there is an established local character of flat roof structures visible in the streetscene.

The proposed flat roof dormer located at no. 87 Waddington Road will be located in a position where it will not be dominant in the streetscene as its location on the rear elevation faces on to a private parking area only used by residents of the flats. The dormer will be completed in materials to its face and cheeks which will match the existing roof tile of the dwelling, therefore further allowing the dormer to sit comfortably within the surrounding streetscene.

The SPD Design Note 6 advises of certain criteria dormers should conform to in order to be considered visually acceptable within the streetscene, however these relate to front and side dormer which have the most potential to be visible within the streetscene. Within paragraph ii) b) it advises that an exception to the proposed design guide could be whether there are a large number of dormer extensions of a particular style in the immediate area. As advised previously there are a number of flat roof dormers along Boston Road to dormer bungalows, therefore the addition of this flat roof dormer would compliment the existing character of the area.

In this local context the design and scale of the extension accord with the requirements of criteria d), h) and i) of Policy GD7 of the Fylde Local Plan to 2032. It is also considered that the works accord with Policy DH1 of the St Annes Neighbourhood Plan given this local context with further details on this provided later in this report.

### Relationship to Neighbours

FLPPR policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion h) states that developments should be “sympathetic to surrounding land uses and occupiers”.

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

The application property is a first floor flat located within a streetscene of similar designed properties. The building is attached to the east by a similar building which is also in flats (nos. 81 and 83 Waddington Road). To the western side the building is neighboured by a non-adjoined neighbour (nos. 89 and 91 Waddington Road). To the rear the site boundaries on to the gravelled garage area which can be accessed from Boston Road. To the south-west of the site are a number of semi-detached two storey dwellings which also boundary the garage area which have their rear elevations facing on to the access track and which face on to Pilling Avenue.

### *Nos. 81 and 83 Waddington Road*

The proposed dormer is located approx. 0.8m away from the eaves of the property and 0.95m away from the shared side boundary, therefore the proposed dormer will not create any reduction in light or overshadowing to the occupants of no. 81 and 83 Waddington Road.

The existing windows within the first floor rear elevation already create views into the outdoor amenity space of the neighbouring property, therefore it is considered that the additional windows

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

within the rear of the dormer will not create any new views into the amenity space of the adjoined neighbour.

### *Nos. 89 and 91 Waddington Road*

The dormer is located approx. 3.5m away from the side of the non-adjoined neighbour. The dormer will sit within the original roof profile and will not project any further away from the rear wall of the dwelling. Therefore the dormer will not create any unacceptable impacts in regards to loss of light or overshadowing.

The dormer will have windows within the rear elevation, however these will only create views that are existing from the windows at first floor. Therefore allowing views of outdoor amenity space to be retained as existing.

### *Other properties*

The nearest property which has its rear elevation facing on to the rear of the application site is located over 60m away from the proposed dormer and faces on to Boston Road. This distance is adequate to allow privacy from the dormer to be considered appropriate.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c) and h) of Policy GD7.

### Parking and Access Arrangements

The proposal retains an appropriate level and location of parking for the site and does not compromise the access arrangements or highway safety. As such it complies with criteria j) and q) of Policy GD7.

### Town Council Views

Members will note the views of St Annes Town Council that object to the application on the basis of a perceived 'direct conflict' with Policy DH1 of the St Annes neighbourhood Plan. These views need to be considered in the decision on this application.

One of the messages expressed in the recent PAS Peer Review of the planning services was that the planning officers could be more reactive to comments made by the Parish and Town Council's and seek to examine their concerns. Officers have taken that on board and sought to query the reason why St Annes TC objected to this application. This involved a three stage process.

Firstly a review of Policy DH1 was undertaken, which found that there is no reference to dormers in that policy and so it is not clear that the proposal is actually in 'direct conflict' with it, although the policy does contain a general statement that 'All development must be of a high quality of design and must be appropriate and sympathetic to the character of the town and its neighbourhoods.'

Secondly, consideration was given to that statement but it was noted that whilst there are no dormers in the immediately neighbouring properties, there are multiple examples of dormers in the properties around the site, both as a result of their original design and in later additions. There is also a prominent flat roofed building that provides the Spar and other shops with flats above. As a result officers concluded that the use of flat roofed dormers was a design form that was a characteristic of that part of the town.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

Finally, these points were queried with the Town Council who responded to confirm that their comments are an objection and are presented as they believe flat roof dormers with the appearance of a 'lego block' are not a form of design that the Town Council wish to see in the town as they see them as a poor form of development. The Town Council also clarified that there are no other such dormers in the enclave of properties within which the application site is situated.

As is set out in the 'Streetscene' section of this report the officer view is that the scheme is acceptable in that regard as a result of the wider local context and the very limited views that would be available of the proposed dormer. Officers do not believe that the extension would establish a conflict with Policy DH1 in that regard as it is sympathetic to a design approach taken in multiple examples that are visible from the site and which are much more prominent in the streetscene than the proposal would be. Therefore it is officer views that whilst Committee should consider the views of the Town Council their objection does not alter the recommendation to approve the application as it is not soundly formed on the basis of the applicable policies.

### **Conclusions**

The application relates to the erection of extensions at a dwelling in the settlement of Lytham St Annes. Having viewed the proposal and assessed the issues raised, it is considered that the development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the St Annes neighbourhood Plan, the NPPF and the objectives of the 'Extending Your Home' SPD. Accordingly the application is recommended for approval.

### **Recommendation**

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

- Location Plan Scale 1:1250
- Existing and Proposed Plans and Elevations - Drawing no. HP 2966A PL / 22 / 07.1

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

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the face and cheeks of the dormer extension hereby approved shall be hung in tiles which have a similar appearance to those of the existing roof of the dwellinghouse in terms of type, colour, texture and scale.

## **AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE**

Reason: To ensure the use of materials that are sympathetic to the character of the host dwelling and the street scene 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.

Location Plan for 22/0664





## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

### Item 3

|                              |                                                                     |                                                     |                                |
|------------------------------|---------------------------------------------------------------------|-----------------------------------------------------|--------------------------------|
| <b>Application No:</b>       | 22/0666                                                             | <b>Case Officer:</b>                                | Beth Winstanley<br>Area Team 2 |
| <b>Applicant:</b>            | Mr Austin                                                           | <b>Agent:</b>                                       | Mr Austin                      |
| <b>Location:</b>             | 14 HARROGATE ROAD LYTHAM ST ANNES LANCASHIRE FY8 3QQ                |                                                     |                                |
| <b>Proposal:</b>             | SINGLE STOREY SIDE AND REAR EXTENSION                               |                                                     |                                |
| <b>Ward:</b>                 | Park                                                                | <b>Parish:</b>                                      | St Anne's on the Sea           |
| <b>Statutory Expiry:</b>     | 26 October 2022                                                     | <b>Earliest Decision:</b>                           | 21 September 2022              |
| <b>Reason for any delay:</b> | Need to determine at Committee due to Parish / Town Council request | <b>Online application file</b> <a href="#">here</a> |                                |

### Summary of Officer Recommendation: Grant

#### Summary of Officer Considerations

The application relates to a detached dormer bungalow located within the settlement of Lytham St Annes. The dwelling is located at the end of a small cul-de-sac shared with one other dwelling which is accessed from Harrogate Road. The property currently has a large single storey element to the side which provides a garage. This has a flat roof with a height of 2.7m, a width of 5.8m and an overall length of approx. 9.6m. The neighbouring property which shares the cul-de-sac has a similar sized side garage.

The application proposes the replacement of this garage with a single storey side extension. This would have the same roof height and width as the existing garage, but will have an overall length of approx. 13.4m making it approx. 3.8m longer.

St Annes Town Council have objected on the grounds that the proposed extension conflicts with Policy DH1 and is unsympathetic to the surrounding streetscene.

The proposed extension is of a similar design and appearance to the existing side garage, and will not change in height or width giving a similar appearance when viewed from the cul-de-sac. The neighbouring property which shares the cul-de-sac with the application property, has a similar garage structure which appears as a large flat roof side extension. Therefore it is considered that the proposed development actually compliments the character of the cul-de-sac as it will be of a location, scale, design and materials to that on the host and only other neighbouring property in the immediate streetscene.

With the property being set slightly away from the main element of Harrogate Road it is visible from this area of the street and therefore allows the extension to be completed without impacting the broader streetscene environment. There is a pedestrian access located to the rear of the property which serves the neighbouring primary school, however the proposal will not impact this path any more than the existing garage due to the height, separation from the rear boundary, and the fence that forms that boundary.

The application property is neighboured by two dwellings to the north-eastern side elevation. The dwellings face on to Harrogate Road and their rear boundary is the application properties side

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

boundary. Due to the existing garage structure and the minimal extensions to the front and rear and retained flat roof height, it is considered that the proposal will have an appropriate relationship to all residential neighbours that adjoin the site.

As such, it is considered that the proposal will comply with criteria c), d), h) and i) of Policy GD7 of the Fylde Local Plan, and therefore is recommended for approval. It is also considered to accord with the requirement of Policy Dh1 of the St Annes Neighbourhood Plan by being sympathetic to the design of the property and its immediate surroundings.

### **Reason for Decision Level**

The officer recommendation for approval is in conflict with the views of the Town Council and so it is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The application relates to a detached dormer bungalow which is located on a small cul-de-sac from Harrogate Road. The cul de sac has two properties located at the end on either side, no. 12 and no. 14 Harrogate Road. Both dwellings are set back from the roadside with dormer windows to the sides of the roof. They both have large flat roofed garages to the side elevation which have an extended width similar to the width of the original dwelling. To the rear of the site is a pedestrian access to the neighbouring primary school. Other than the school all other surrounding and uses are residential.

The site falls within the settlement of Lytham St Annes as shown on the Fylde Local Plan to 2032 (incorporating Partial Review) Policies Map.

### **Details of Proposal**

Planning permission is sought for the removal of an existing single storey garage that is attached to the side of the property and the construction of a single storey side extension.

The extension will have an overall height of 2.7m and will have a width of 6.1m from the side elevation of the existing dwelling. The extension has a depth of 13.4m, with around 5.5m of this beyond the rear elevation of the property. The extension will be completed in facing brick to match the existing property.

### **Relevant Planning History**

N/A

### **Parish/Town Council Observations**

| Parish/Town Council          | Observations                                                                                                                                                                                                                                                                                                                  |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| St Annes On Sea Town Council | <u>Comments received on 20/9/22</u><br><i>This proposal conflicts with Policy DH1 (Creating a Distinctive St. Anne's) and is not in keeping with the Neighbourhood Plan Design Guide and is unsympathetic to the surrounding street scene. It has the effect of having a flat roofed stable block attached to a bungalow.</i> |

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

### Statutory Consultees and Observations of Other Interested Parties

There are no consultee comments to report.

### Neighbour Observations

|                             |                          |   |
|-----------------------------|--------------------------|---|
| <b>Neighbours notified:</b> | 31 August 2022           |   |
| <b>Number of Responses</b>  | Total number of comments | 0 |
| <b>Summary of Comments</b>  | N/A                      |   |

### Relevant Planning Policy & Government Guidance

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

The Fylde Local Plan to 2032 (incorporating Partial Review) – referred to hereafter as the ‘FLPPR’ – was adopted by Fylde Council at its meeting on Monday 6 December 2021 as the statutory development plan for the Borough in accordance with s23 of the Planning and Compulsory Purchase Act 2004.

### **Fylde Local Plan to 2032 (incorporating Partial Review) and other relevant Guidance:**

GD1 - Settlement Boundaries Lytham St Annes)  
GD7 - Achieving Good Design in Development  
SPD1 - Extending Your Home - November 2007  
STANP - St Annes on the Sea Neighbourhood Plan

NPPF – National Planning Policy Framework (July 2021)  
NPPG – Planning Practice Guidance

### Comment and Analysis

#### Principle

The application site is located within one of the settlement boundaries identified on the FLPPR Policies Map. As set out in policy GD1 of the Local Plan, the principle of residential extensions within the identified settlements is acceptable subject to the development’s compliance with other relevant policies of the Plan. In this case the criteria contained in policy GD7 of the FLPPR are of greatest relevance, having particular regard firstly to the development’s effects on the character and appearance of the area arising from its design and, secondly, to its impact on the amenity of surrounding occupiers. Each of these issues is examined further below with reference to the relevant criteria in policy GD7.

#### Design and Appearance in Streetscene

FLPPR policy GD7 requires that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 16 guiding principles (a - p). In particular, criteria d), h) and i) of the policy identify the following requirements:

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

- Ensuring the siting, layout, massing, scale, design, materials, architectural character, proportion, building to plot ratio and landscaping of the proposed development, relate well to the surrounding context.
- Being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area.
- Taking the opportunity to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context and using sustainable natural resources where appropriate.

Paragraph 130 of the NPPF sets out six general principles of good design (a) – f)) that developments should follow and paragraph 134 indicates that “development that is not well designed should be refused, especially where it fails to reflect local design policies”.

STANP policy DH1 states that "all development must be of a high quality of design and must be appropriate and sympathetic to the character of the town and its neighbourhoods." Additionally, the policy requires that "development should create pleasant places to live and work and take into account surrounding scale, density, layout and car parking, as well as achieving high visual standards."

The application relates to a detached dormer bungalow which currently has a large single storey flat roof garage located to the side elevation of the property. The proposed side extension will be located within the same position as the existing garage, therefore while the proposal will be visible from the street, the location of the dwelling down a small cul-de-sac which provides access to only two properties (the application dwelling, and another dwelling) ensures that the extension is only seen in a very limited streetscene. There is a pedestrian access route to the rear of the application property which provides access to the neighbouring primary school, however due to the extensions flat roof height, separation from the rear boundary, and the fence to that boundary it is considered the proposal will not be an overly dominant addition for the users of this path.

The proposed extension will be longer than the garage it replaces with this ensuring it is alongside more of the property, but it retains a set-back of approx. 0.7m from the front elevation of the main dwelling. While the extension will sit forwards in comparison to the existing garage, the property is set approx. 7m back from the highway and therefore the 0.7m set back from the main elevation of the dwelling allows the extension to still remain appropriately and subservient within the streetscene.

The extension will have a flat roof and sit along the eaves of the existing dwelling. Whilst a flat roof extension of this height and location is not particularly sensitive to the host property (as the Town Council highlight) it is reflective of the current situation at this property and the only other neighbouring dwelling that within the same visual context. On this basis it is accepted that the overall height, scale and appearance of the extension will not compromise the design and appearance of the host dwelling. Therefore, the addition of the single storey side extension will retain the character of the dwellings and will not become an over dominant or unsympathetic feature to the side elevation of the dwelling.

The extension will be completed in matching brick to the host dwelling with an up and over traditional garage door within the front elevation. The overall appearance of the extension will remain residential and will compliment the host dwelling with the matching brickwork.

Taken together the design and scale of the extension accord with the requirements of criteria d), h) and i) of Policy GD7.

### Relationship to Neighbours

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

FLPPR policy GD7 c) requires that development proposals facilitate good design by “ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”. In addition, criterion h) states that developments should be “sympathetic to surrounding land uses and occupiers”.

Paragraph 130 f) of the NPPF indicates that planning decisions should ensure developments “create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”

The application property is located down a cul-de-sac away from the main street, and shares the cul-de-sac with one other dwelling (no. 12 Harrogate Road) which faces on to the front elevation of the site. The property sits to the rear of no. 16 and no. 18 Harrogate Road, where the existing garage structure sits along the shared boundary of the dwellings. The rear and side of the property adjoin an access track to the neighbouring primary school, Clifton Primary School.

### *No. 16 Harrogate Road*

No. 16 Harrogate Road is the dwelling located to the side of the application property. It faces forwards on to Harrogate Road and therefore its rear boundary is shared as the side boundary of the application property.

Compared to the existing garage the proposed extension will project an additional 2.7m forwards and will be set away from the boundary by approx. 1.5m. Along the shared boundary there is a flat roofed outbuilding within the garden of no. 16 Harrogate Road, this outbuilding will provide some screening to the extension, but an element will remain visible from No.16. The rear elevation of No. 16 Harrogate Road is located approx. 5m away from the rear boundary, therefore is in close proximity to the proposed extension. However with the limited projection along the boundary, the single storey roof, and the position of the extension in the existing building line of the host dormer bungalow it is accepted that the extension will not over dominate the rear of no. 16 or reduce any light into the rear elevation of the property.

### *No. 18 Harrogate Road*

No. 18 Harrogate Road sits next to no. 16 and so has its rear elevation facing the majority of the side and rear elevation of the application property.

The existing garage structure projects for approx. 7m along the rear boundary of no. 18, with this boundary containing a mix of mature shrubs and bushes. The proposed extension will see the same design and height as the existing garage, but with an additional rear projection of approx. 1m along the shared boundary so will have a slightly greater impact. However, this is not so harmful that it would create an undue impact on the amenity of this property. The shrubs help soften the impact, and even if removed the flat roof and single storey height would ensure that the views of the extension are relatively limited in their difference to the existing arrangement.

### *No. 12 Harrogate Road*

No. 12 Harrogate Road shares the cul-de-sac with the application property and faces on to the dwelling. The proposed extensions to the front elevation will not sit forwards of the existing front elevation of that dwelling and so will not create any additional impacts for no. 12. With the proposed extension retaining the height of the existing garage it will not create a dominating impacts or loss of light to no. 12 Harrogate Road.

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c) and h) of Policy GD7.

### Parking and Access Arrangements

The proposal retains an appropriate level and location of parking for the site and does not compromise the access arrangements or highway safety. As such it complies with criteria j) and q) of Policy GD7.

### Views of St Annes Town Council

The views of the Town Council are correct in that the extension is a large flat roofed addition to the dwelling. It is accepted that this is not a characteristic that adds any quality to the property. However, it is reflective of the design approach taken with the existing garage at this property and at its only other direct neighbour, and in that context is considered to be acceptable. The use of the flat roof also assists with reducing the impact of the extension on the neighbours at 16 and 18 Harrogate Road which have unusually short rear garden areas ensuring that the extension is close to those elevations where a ridged roof to the extension would create greater impacts.

Unlike with application 22/0664 on this agenda, officers have not tested this position with the Town Council as the timing of the work on this application file coincided with the preparation of the Committee agenda and so there was no time available to realistically permit that dialogue to occur in this case.

### Conclusions

The application relates to the erection of extensions at a dwelling in the settlement of Lytham St Annes. Having viewed the proposal and assessed the issues raised, it is considered that the development accords with the relevant policies of the Fylde Local Plan to 2032 (incorporating Partial Review), the NPPF and the objectives of the 'Extending Your Home' SPD. Accordingly the application is recommended for approval.

### Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This permission relates to the following plans:

- Existing and Proposed Plans, Elevations and Block Plan - Drawing no. Harrogate/001

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

## AGENDA FOR 2 NOVEMBER 2022 PLANNING COMMITTEE

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the materials used on the external surfaces of the development shall match those of the existing dwelling in terms of type, colour, texture and scale.

Reason: To ensure the use of appropriate materials which are compatible with the character of the host building and the street scene 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.

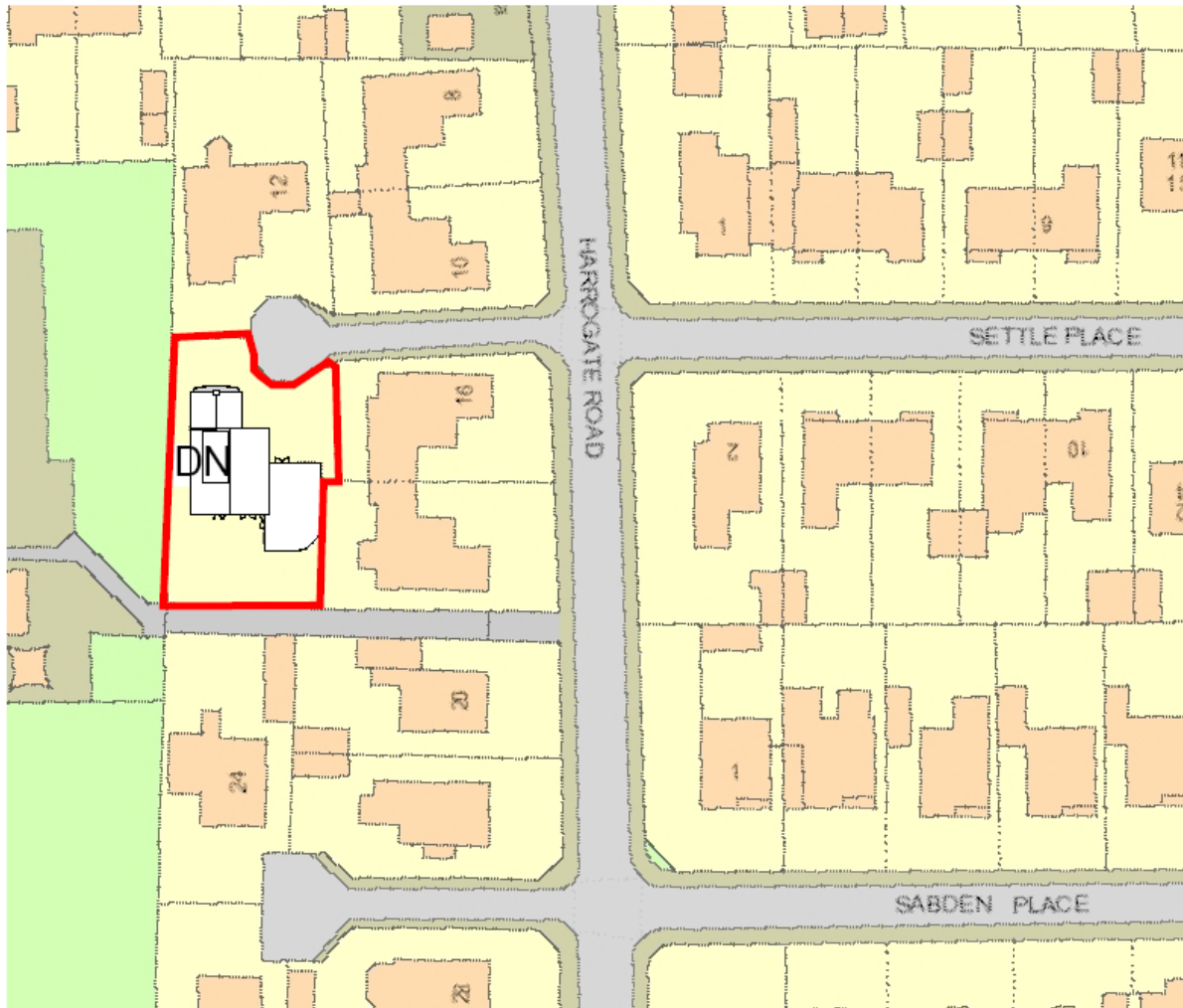
2. Party Wall Act informative

As the development is located on or in close proximity to the shared boundary with neighbouring properties the applicant is advised that the provisions of the Party Wall Act 1996 may be relevant in this case. While the legislation contained within the Party Wall Act 1996 relates to private, civil matters between adjoining landowners (and, accordingly, its requirements are not enforceable by the Local Planning Authority), the applicant's attention is drawn to its requirements. Further information concerning the Party Wall Act 1996 can be found on Gov.uk: <https://www.gov.uk/government/publications/preventing-and-resolving-disputes-in-relation-to-party-walls>

3. 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.

Location Plan for 22/0666





## INFORMATION ITEM

| REPORT OF        | MEETING            | DATE            | ITEM NO |
|------------------|--------------------|-----------------|---------|
| HEAD OF PLANNING | PLANNING COMMITTEE | 2 NOVEMBER 2022 | 5       |

### LIST OF APPEALS DECIDED

#### PUBLIC ITEM

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

#### SUMMARY OF INFORMATION

The council received no appeal decisions between 23 September 2022 to 21 October 2022.

#### SOURCE OF INFORMATION

Development Services

#### WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To inform members on appeals that have been decided.

#### FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473