

# Minutes

## Development Management Committee



<b>Date:</b>	Wednesday, 22 January 2014
<b>Venue:</b>	Town Hall, St Annes
<b>Committee members:</b>	Councillor Ben Aitken (Chairman) Councillor Kevin Eastham (Vice-Chairman)  Councillors Maxine Chew, Peter Collins, Fabian Craig-Wilson, Charlie Duffy, Dr Trevor Fiddler, Angela Jacques, Kiran Mulholland, Barbara Nash, Linda Nulty, Elizabeth Oades, Albert Pounder, Richard Redcliffe, Heather A Speak, Vivienne M Willder
<b>Other Councillors:</b>	Councillor Karen Henshaw
<b>Officers:</b>	Ian Curtis, John Cottam, Mark Evans, Paul Rossington, Andrew Stell, Katharine McDonnell
<b>Members of the public:</b>	Several members of the public were in attendance

### **1. Declarations of interest**

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and that any personal or prejudicial interests should be declared as required by the Council's Code of Conduct.

### **2. Confirmation of minutes**

RESOLVED: To approve the minutes of the Development Management Committee held on 18 December 2013 as a correct record for signature by the Chairman.

### **3. Substitute members**

The following substitutions were reported under Council procedure rule 25:

Councillor Elizabeth Oades for Councillor Peter Hardy

Councillor Angela Jacques for Councillor Tim Armit

#### **4. Development Management matters**

The Committee considered the report of Mark Evans (Head of Planning and Regeneration) which set out various planning applications. A copy of the Late Observation Schedule was circulated at the meeting.

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

With regard to application no 13/0708 Hastings Point Development Site, Beechwood Close, Lytham, a Recorded Vote was taken to delegate approval to the Head of Planning and Regeneration, following consultation as detailed in the schedule attached. The voting was as follows:

For approval of the delegation as detailed in the schedule attached (10): Councillors Ben Aitken, Kevin Eastham, Maxine Chew, Fabian Craig Wilson, Dr Trevor Fiddler, Angela Jacques, Barbara Nash, Albert Pounder, Richard Redcliffe and Vivienne Miller Willder.

Against approval of the delegation as detailed in the schedule attached (6): Councillors Peter Collins, Charlie Duffy, Kiran Mulholland, Linda Nulty, Elizabeth Oades and Heather Speak.

#### **5. List of Appeals**

Members were provided, for information, with appeal decision letters received between 4 December 2013 and 8 January 2014 and RESOLVED to note the decisions.

.

-----

## Development Management Committee Minutes 22 January 2014

### Item Number: 1

<b>Application Reference:</b>	12/0729	<b>Type of Application:</b>	County Application
<b>Applicant:</b>	Mr C Hird	<b>Agent :</b>	Mr P Mason
<b>Location:</b>	LAND NEAR KITE HALL WOOD, ANNAS RD, WESTBY WITH PLUMPTONS, BLACKPOOL		
<b>Proposal:</b>	LANCASHIRE COUNTY COUNCIL APPLICATION FOR VARIATION OF CONDITION 2 OF PLANNING PERMISSION 05/10/0634 TO EXTEND THE OVERALL TIME FOR THE RESTORATION ONLY OF THE SITE BY 31 JULY 2014 EXCLUDING ANY DRILLING OR HYDRAULIC FRACTURING		

### Decision

County Application: - Raise No Objection

### Conditions and Reasons

That the County Council be advised that no objection is raised to the application as revised.

### Item Number: 2

<b>Application Reference:</b>	13/0257	<b>Type of Application:</b>	Reserved Matters
<b>Applicant:</b>	Kensington Developments Ltd	<b>Agent :</b>	
<b>Location:</b>	LAND (HOUSING KENSINGTON), QUEENSWAY, ST ANNES, LYTHAM ST ANNES		
<b>Proposal:</b>	APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR CONSTRUCTION OF 110 DWELLINGS AND ASSOCIATED WORKS FORMING PHASE 1 OF DEVELOPMENT APPROVED UNDER OUTLINE PLANNING PERMISSION 08/0058.		

### Decision

Reserved Matters: - Application Deferred

### Conditions and Reasons

Deferred in order to allow further consultation in regard to potential ecological impacts.

**Item Number: 3**

<b>Application Reference:</b> 13/0259		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Kensington Developments Ltd	<b>Agent :</b>	
<b>Location:</b>	LAND (HOUSING KENSINGTON), QUEENSWAY, ST ANNES, LYTHAM ST ANNES		
<b>Proposal:</b>	APPLICATION FOR SITE AND ECOLOGY PREPARATION WORKS ASSOCIATED WITH ENABLING THE FUTURE CONSTRUCTION OF THE QUEENSWAY ROUNDABOUT, PHASE ONE OF THE TR5 BYPASS, AND PHASE ONE OF THE QUEENSWAY RESIDENTIAL DEVELOPMENT. THE SCOPE OF THE WORKS TO INCLUDE THE FORMATION OF A TEMPORARY ACCESS TO QUEENSWAY, THE ERECTION OF 2M HIGH HOARDINGS TO QUEENSWAY FRONTAGE, THE PROVISION OF A TEMPORARY SITE COMPOUND, REMOVAL AND STORAGE OF TOPSOIL, AND SURCHARGING OF SITE.		

**Decision**

Full Planning Permission: - Application Deferred

**Conditions and Reasons**

Deferred in order to allow further consultation in regard to potential ecological impacts.

**Item Number: 4**

<b>Application Reference:</b> 13/0649		<b>Type of Application:</b>	Change of Use
<b>Applicant:</b>	Mr Campbell	<b>Agent :</b>	Leith Planning Ltd
<b>Location:</b>	CARAVAN CENTRE, BLACKPOOL ROAD, NEWTON WITH CLIFTON, PRESTON, PR4 0XN		
<b>Proposal:</b>	RETROSPECTIVE APPLICATION FOR THE CHANGE OF USE OF LAND TO FORM AN EXTENDED CARAVAN/ MOTOR HOME SALES AND DISPLAY AREA (INCLUDING ANCILLARY STORAGE) WITH REVISED ACCESS ARRANGEMENTS, ERECTION OF SALES BUILDING, PERIMETER FENCING, LANDSCAPING AND OTHER ASSOCIATED WORKS.		

**Decision**

Change of Use: - Authority to Grant planning permission delegated to the Head of Planning and Regeneration subject to receiving revised plans to enhance the proposed boundary landscaping and subject to the following conditions:

**Conditions and Reasons**

- 1 The development hereby approved shall relate to the works shown on the following plans;

- Proposed Site Plan - drawing no. JBA102-PL-003 Rev B, dated 23/09/2013
- Existing Porch/Existing Sales Office - drawing no. JBA102-PL-001, dated 28-08-2013
- Proposed Shelter and Security Hut - drawing no. JBA102-PL-002, dated 23-09-2013
- Landscape Proposals – (to be completed on receipt of amended plan referred to above)

For clarity in defining the permission.

- 2      The application site shall be used for sale and display of caravans and motorhomes only, and no part of the site shall be sold, let off or operated as a separate business

To allow the Local Planning Authority to maintain control of the use of the site in this countryside location.

- 3      The materials to be used in the construction of the proposed shelter, security hut and sales office shall be in accordance with the details contained in the submitted application, unless otherwise agreed in writing with the local planning authority.

In the interests of the visual amenity of the locality

- 4      That no later than the first available planting season (ie by 31 March 2014) the landscaping of the site shall be carried out and preserved in accordance with the scheme outlined on the approved Landscape Proposals drawing (drawing number 3917-02, Revision B, dated July 2013).

To enhance the quality of the development in the interests of the amenities of the locality in accordance with Policy SP2 of the Fylde Borough Local Plan.

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

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

- 6      Within 2 months of the date of this permission the existing black mesh security fencing along the Blackpool Road frontage shall be relocated to the position indicated on the approved Landscape Proposals drawing (drawing number 3917-02, Revision B, dated July 2013).

The relocation of the fence is required to enable the proposed hedgerow planting to

- adequately screen it from view
- 7 The access road into and through the site (the circulatory system) shall be kept free of parked vehicles in order to enable vehicles to circulate freely around the site and for them to enter and leave the site in a forward gear presenting no road safety hazard at the access and egress points with the A584 Blackpool Road.

In the interests of highway safety.

- 8 Within 1 month of the date of this permission the car parking areas as indicated on the approved Site Plan (drawing no. JBA102-PL-003 Rev B, dated 23/09/2013) shall be marked out and thereafter retained.

To ensure adequate parking is available within the site.

- 9 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the hard surfaced areas of the site shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

To prevent pollution of the water environment.

- 10 Before any such facilities are installed, full specifications and constructional details of any external and/or security lighting to be installed on site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out, where applicable, in accordance with such approval and thereafter retained as such.

In accordance with Policy EP28 of the Fylde Borough Local Plan and in the interests of highway safety.

- 11 Within 1 month of this approval a scheme for directional signage for traffic entering, exiting, and manoeuvring within the site together with marking out of parking facilities must be submitted to, and approved in writing by, the local planning authority. Once approved, the scheme shall be implemented and thereafter retained as such.

In the interests of highway safety

#### Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area

#### Item Number: 5

<b>Application Reference:</b> 13/0673		<b>Type of Application:</b>	Full Planning Permission
<b>Applicant:</b>	Kensington Developments Ltd	<b>Agent :</b>	
<b>Location:</b>	HASTINGS POINT DEVELOPMENT SITE, BEECHWOOD CLOSE, LYTHAM ST ANNES		
<b>Proposal:</b>	PROPOSED ERECTION OF TWO DETACHED HOUSES IN LIEU OF BLOCK OF TEN APARTMENTS APPROVED AS PLOTS 25-34		

## Decision

Full Planning Permission: - Authority to GRANT planning permission delegated to the Head of Planning & Regeneration on the completion of an agreement to vary the planning obligation associated with planning permission 11/0803 as proposed under application 13/0708 on this agenda, and subject to the following conditions.

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

## Conditions and Reasons

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

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

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

In the interests of visual amenity.

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

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

- 4 The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance

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

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

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

To safeguard the visual amenities of the neighbourhood.

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

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

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

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

#### **Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been



demonstrated by:

1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
3. Securing revised plans during the course of the application which have overcome initial problems

**Item Number: 6**

<b>Application Reference:</b> 13/0708		<b>Type of Application:</b> Discharge of Planning Obligations
<b>Applicant:</b>	Kensington Developments Ltd	<b>Agent :</b>
<b>Location:</b>	HASTINGS POINT DEVELOPMENT SITE, BEECHWOOD CLOSE, LYTHAM ST ANNES	
<b>Proposal:</b>	APPLICATION TO VARY AFFORDABLE HOUSING REQUIREMENT ASSOCIATED WITH RESIDENTIAL DEVELOPMENT SCHEME SECURED BY PLANNING OBLIGATION TO PLANNING PERMISSION 11/0803	

**Decision**

Discharge of Planning Obligations: - Authority to modify under s106A of the Town and Country Planning Act 1990 the planning obligation applicable on this site delegated to the Head of Planning & Regeneration subject to:

- The affordable housing obligation as contained in the Second Schedule of the s106 agreement associated with Planning permission 11/0803 being varied
- The affordable housing obligation from the development of the Hastings Point site as is under construction under planning permission 11/0803 be satisfied by a variation of the s106 agreement associated with that permission which secures:
  - the transfer at nil cost of the former Kwik Save site on St David's Road South in St Anne's to Fylde Borough Council or a Registered Social Landlord nominated by Fylde Borough Council (This land to be identified on a plan to be attached to the varied agreement), and
  - a financial payment of not less than £300,000 by the applicant to Fylde Borough Council
- the transfer of the land and payment of funds as described above shall be made prior to the commencement of development of any scheme for alternative development of the affordable housing units (such as that shown on planning application 13/0673), or other such timescale as agreed between the council and developer

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:

1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
2. Providing advice to the applicant/agent during the course of the application on potential problems and possible solutions
3. Securing revised plans during the course of the application which have overcome initial problems

**Item Number: 7**

<b>Application Reference:</b> 13/0714		<b>Type of Application:</b>	Outline Planning Permission
<b>Applicant:</b>	Mr A Clegg	<b>Agent :</b>	Mr William Clegg
<b>Location:</b>	LAND ADJ. SHANKLIN HOUSE, KIRKHAM ROAD, NORTH OF BYPASS, FRECKLETON		
<b>Proposal:</b>	OUTLINE APPLICATION FOR ERECTION OF DETACHED DWELLING (ACCESS AND LAYOUT APPLIED FOR WITH OTHER MATTERS RESERVED)		

**Decision**

Outline Planning Permission: - Refused

**Conditions and Reasons**

- 1  
That the residential development proposed represents inappropriate development in the green belt. In the absence of any very special circumstances being demonstrated to justify this inappropriate development, it will have an unacceptable impact on the open character of the green belt and so is in conflict with Policy SP3 of the Fylde Borough Local Plan and guidance in paras 87, 88 & 89 of the NPPF with which that development plan policy is consistent.
- 2  
That the proposed access point to the classified Kirkham Road fails to provide adequate visibility splays in either direction on land that is indicated as being either within the applicant's control or within the adopted highway. As such there is an unacceptable risk that the proposed use of this access will increase the risk of accidents and adversely affect road safety and so the application conflicts with criteria 9 of Policy HL2 of the Fylde Borough Local Plan and para 32 of NPPF with which it is consistent.

**Informative notes:**

1.  
The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by:
  1. Actively engaging in pre-application discussions with the applicant to try and find solutions to problems
  2. Providing advice to the applicant/agent during the course of the application on potential

- problems and possible solutions
3. Despite advice a solution has not been reached that overcomes the principled green belt objection, although one is likely to be available for the highway safety issues identified in the reasons for refusal.

**Item Number: 8**

<b>Application Reference:</b> 13/0739		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	Mrs HARGREAVES	<b>Agent :</b>	ntjdesign
<b>Location:</b>	21 LAWSON ROAD, LYTHAM ST ANNES, FY8 3BW		
<b>Proposal:</b>	PROPOSED ERECTION OF SINGLE STOREY BUILDING TO REAR TO PROVIDE RESIDENTIAL ANNEX		

**Decision**

Full Planning Permission: - Granted

**Conditions and Reasons**

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

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

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

In the interests of visual amenity.

- 3 The proposed development shall only be occupied as part of an extended family unit at the application property and shall not be sold off or sublet as a separate unit of accommodation.

The sub-division of an existing residential curtilage could be injurious to the amenities of adjacent residential property owners, while there may be additional development implications which require further consideration by the Local Planning Authority.

**Informative notes:**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.