

Development Management Committee

Wednesday 31st July 2013

Late Observations Schedule

Schedule Items

<u>Item</u>	<u>App No</u>	<u>Observations</u>
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1	13/0086	Amended Condition
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It is proposed that the wording of condition 2 be amended to clarify that the materials of the buildings shall be grey (BS 18 B 25) to the roof and Juniper Green (BS 12 B 29) to the walls in order to match the existing materials of the operational buildings on site unless otherwise agreed in writing by the local planning authority.

2	13/0097	Additional Consultation Replies
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United Utilities

"Although we do appreciate that there are drainage issues in the area, we are not in a position to alter our original comments. We feel that the strategy presented by the developer will have the minimum impact on the existing drainage that can be achieved by developing the site.

The developer may wish to offer up additional measures to minimize the impact further by considering the landscaping of the site such as planting suitable trees, having drainage ditches where appropriate or having greener landscaping so that more surface water is dealt with on site."

As no previous comments have been made on this application your officers continue to be in discussion with United Utilities over their opinion on the drainage matters and so the recommendation is unchanged.

Cllr Andrews

The ward councillor has written to give his apologies for not attending the meeting but comments that "the developer has taken some note of resident concerns and I have no further objection." He also requests clarification of the landscaping for the bus turning facility and whether the ditch to be introduced to the western boundary should be connected to any existing land drain.

Neighbour Letter

A neighbour letter was received after publication of the June report and reported as Late observations to that Committee. Unfortunately it has not been included in the report to this Committee and so is again summarised below.

It relates to flooding issues and highlights the obligations under the EU Floods Directive of 2007. They explain that this Directive obliges United Utilities to prepare a 'Drainage Area Plan' which is to assess the measures required to ensure that a 1 in 100 year storm event will not cause pollution of watercourses,

foul sewerage discharges, surface water flooding and flooding of agricultural land.

They then run through the methodology that the resident would expect United Utilities to follow. In summary this is to firstly update the records of public sewers, topography, overflows, land drains, pumping stations and other aspects of the drainage system across an area. They then expect a specialist hydraulic sewerage consultant to be appointed and for them to model the system and compare this with actual storm event flooding records. The results of this would be utilised to upgrade the system to ensure that any problems identified are resolved.

The neighbour refers to his own experience of such works in Preston and suggests that United Utilities and Fylde Borough Council are not aware of the drainage problems in Wrea Green and should not allow further development under a Drainage Action Plan has been prepared. He then states that if this is not undertaken then Fylde Borough Council 'lays itself open to being sued by any residents suffering flood damage as a result of this development'. He states that the council would be the first respondent to this and that the council planning staff and members of the planning committee would be 'called to account' in this process, although United Utilities would also be involved in the action.

4 13/0199 **Additional Consultation Replies**

The Parish Council has considered the revised plans and withdrawn their objections stating:

"The Parish Council has reviewed the amended plan and with the knowledge that the original conservatory has been removed leaving a much larger garden than originally perceived now has no objection to the proposal."

5 13/0201 **Additional information provided by the applicant.**

A letter from the applicant in support of their application was received on 25th July 2013.

In summary, the letter addresses the following issues

Safeguarding

- Under Section 23 of the Care Standards Act 2000, the National Minimum Standards will be used to ensure safety, welfare and security of the children within the home.
- Lighthouse will implement a proportionate approach to any risk assessment.
- The registered person and staff will work in co-operation with other agencies - child protection, schools, hospitals etc.
- Regular reviews of legislation will be made.

Lancashire Constabulary Crime Impact Statement (CIS)

- A paramount objective is to safeguard children and staff, therefore, CCTV neighbourhood vigilance, security lighting and secure locking devices will be

- implemented to prevent/deter trespass and crime.
- The crime statistics presented indicates that on a UK basis, St Annes Central Ward has a low crime rate compared to neighbouring wards.
- In addition, 5 children, including 3 in care, have lived at the property for over 10 months without direct involvement with crime or nuisance.
- A nearby domestic incident was not related to the site.
- The advice of the Police that optimises security is welcomed.

Conclusion

- Lighthouse will provide a family environment so children feel safe and protected.
- Lighthouse's upmost responsibility is to ensure that children are sheltered from significant harm, including neglect, abuse and peer pressure.
- Lighthouse internal facilities include music room/gym, learning room and family room and aim to enhance family ethics and respect.
- Links to Young People Services, Streetwise Youth and various support agencies will ensure external positive activities thus having something to do and places to go for all residents.

The following information has also been provided by the applicant:

Summary

Lighthouse Residential Housing will be providing a person centred program of care with the overall aim of meeting the needs of all children and young people in our care. Lighthouse aims to provide a fresh and innovative approach to care and establish Lighthouse as the first choice for care provision.

Lighthouse is currently in the process of arranging property and Ofsted certificates enabling us to accommodate six children between the ages of 11-16 at our high quality St Annes based home.

Lighthouse provides a committed 'family' of staff to offer support, guidance and encouragement to help each individual child to overcome and progress from the issues that have or are affecting them.

Lighthouse Offers:

- A genuine passion to provide a quality service for the children and young people.
- An extended, supportive and caring family-orientated environment created by involvement of the Director, Manager, all Staff & Residents.
- Open and transparent communication between Lighthouse staff and relevant professionals.
- Regular evaluations based on feedback between residents, families and social workers.
- Regular meetings with social workers, and parents (where appropriate) to allow input into how the young person is cared for and their expectations for the children's care.
- Innovative and child centred care practices.

6 13/0208 **Additional Consultation Replies**

An anonymous letter has been received which refers to the positioning of a skip on the verge which has reportedly been in that position for 3 weeks without any lights and so indicates the applicant's lack of regard for the law, safety of others local residents and the environment. The letter explains that residents of the area park vehicles within their own boundary at all times and do not obstruct Central Drive with anything and strive to respect the people and place in which they live.

7 13/0213 **Additional Consultation Replies**

LCC Ecology Final Comments

Badgers - No further evidence of the presence of badgers has been found, however advise that a suitable planning condition be attached to any permission requiring further checks to be carried out prior to commencement of the development to confirm the continued absence of badgers.

Loss of bird nesting habitat - Prior to commencement checks should be carried out of the site to confirm the absence of nesting birds. This can be addressed with a planning condition. Also advise that nesting opportunities for urban bird species could be incorporated into the new buildings.

Species of principal importance (common toads) - Agrees with TEP's ('The Environment Partnership' - the applicant's ecology representative) suggestion that permission should be conditioned to ensure consistency with the agreed mitigation for adjacent developments.

Landscaping - TEP indicate that there are opportunities to create some areas of habitat within the proposed development through landscaping. Areas available for habitat landscaping appear to be squeezed between external roads and the new internal roads. These areas offer limited scope for creating ecologically meaningful or valuable habitats, however securing some biodiversity offsetting through a more imaginative and diverse landscaping scheme would be desirable if the application is approved.

Additional Information provided by the applicant

TEP, the applicant's ecological advisor has responded to LCC Ecology's final comments in an email dated 22 July 2013, as follows:

We note the contents of the letter of Sarah Manchester, dated 19th July 2013. We refer to Sarah's recommendation under the para headed 'Species of Principal Importance (common toads)', that requires the provision of the aquatic habitat required under condition 13 of the planning permission 10/0751, (granted on appeal in September 2011), prior to commencement of the proposed development.

We have two concerns; firstly that this condition should not be imposed as a pre-commencement requirement, since it is more onerous than that imposed by the Inspector, who required that the development be implemented "in accordance with" the habitat creation measures.

Secondly, we note that the aquatic habitat creation measures required under condition 13 were intended to compensate for the loss of the balancing pond that would occur should either or both of permissions 10/0751 or 10/0752 be implemented. However, it is possible that neither of those permissions may be implemented in such a way that the loss of the balancing pond would occur. If this happens then the delivery of the full aquatic habitat compensation scheme solely for application 13/0213 would be disproportionately greater than the loss of habitat caused by 13/0213 alone.

With this in mind, we suggest that a condition is imposed requiring the agreement (pre-commencement) of an aquatic habitat creation scheme, and that thereafter the development is implemented in accordance with the agreed scheme. An informative could be added to say that delivery of the habitat creation scheme required by condition 13 of permission 10/0751 would satisfy the requirement.

Additional Condition

There is a need to impose a condition relating to the above mitigation for matters of ecological importance. It is suggested that the authority to finalise the wording of this condition be delegated to officers as it will be necessary to agree the final wording with the County Ecologist.