



# Agenda

## Planning Committee

Date:	Wednesday, 23 June 2021 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, Chris Dixon, 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](#).

	PROCEDURAL ITEMS:	PAGE
1	<b>Declarations of Interest:</b> 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> To confirm the minutes, as previously circulated, of the meeting held on <a href="#">19 May 2021</a> as a correct record.	1
3	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 24.	1
	<b>DECISION ITEMS:</b>	
4	<b>Planning Matters</b>	<b>3 - 107</b>
5	<b>Kirkham Future High Street Fund</b>	<b>108 - 113</b>
6	<b>Kirkham Heritage Action Zone</b>	<b>To Follow</b>
7	<b>Proposed Revision of Delegated Authority to Determine Planning Applications Associated with the Redevelopment of the Public Offices Site</b>	<b>115 - 122</b>
8	<b>Economic Development Team Resourcing</b>	<b>123 - 129</b>
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	<b>INFORMATION ITEMS:</b>	
<b>10</b>	<b>List of Appeals Decided</b>	<b>133 - 141</b>

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

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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### 23 June 2021

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### 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 Adopted Version (October 2018)
- 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 2019
- 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)

# Planning Committee Schedule

## 23 June 2021

**Item Number:** 1

**Committee Date:** 23 June 2021

<b>Application Reference:</b>	20/0589	<b>Type of Application:</b>	Reserved Matters
<b>Applicant:</b>	Mr & Mrs Hill	<b>Agent :</b>	Cassidy + Ashton Group Ltd.
<b>Location:</b>	BARNFIELD, NEW HEY LANE, NEWTON WITH CLIFTON, PRESTON, PR4 3SA		
<b>Proposal:</b>	APPLICATION FOR APPROVAL OF THE RESERVED MATTERS OF APPEARANCE, LANDSCAPING AND SCALE PURSUANT TO OUTLINE PLANNING PERMISSION 18/0840 FOR THE ERECTION OF A PERMANENT RURAL WORKER'S DWELLING		
<b>Ward:</b>	NEWTON WITH TREALES	<b>Parish:</b>	Newton with Clifton
<b>Weeks on Hand:</b>	38	<b>Case Officer:</b>	Ruth Thow
<b>Reason for Delay:</b>	Design Improvements		
<a href="#">Click Here</a> for application site on Google Maps		<a href="#">Click here</a> for application on FBC website	

**Summary of Recommended Decision:** Grant

### Summary of Officer Recommendation

The application site is an irregular shaped area of land that is set back from New Hey Lane in Newton with an intervening field. It is undeveloped and forms part of the land associated with the existing equestrian and dog boarding kennel business operated from the site.

The site has neighbouring properties to the south side but is otherwise surrounding by open fields.

The site benefits from an outline planning permission for the erection of one dwelling for a rural worker following appeals allowed by the Planning Inspectorate which established the need for a worker to be on site at all times. This application is for the reserved matters of appearance, landscaping and scale associated with that planning permission. The scheme has been revised a number of times since first submission to reduce the scale down to a single storey.

The dwellings is designed with features that are typical of rural areas and other neighbouring bungalow properties along New Hey Lane and uses materials that are in keeping with those used on these nearby properties.

The principles of the development has been established by the outline planning permission, but taking the elements that are to be considered as part of this reserved matters submission together, it is considered that the scheme provides an effective development on the site. It will bring forward a high-quality and appropriate form of residential development that will

successfully assimilate into the rural character of the area.

Accordingly, the application is recommended for approval by Members.

### **Reason for Reporting to Committee**

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

### **Site Description and Location**

The application site is Barnfield Farm, New Hey Lane Newton. The site has an authorised use for equestrian use and commercial boarding kennels. The site is located on land to the east of New Hey Lane and to the northern side of Blackpool Road where it is separated from the main part of Newton village.

The Barnfield site contains a series of stables, equestrian and kennel buildings and associated infrastructure as part of the lawful use of the site. The existing buildings are arranged around a central courtyard that provides a parking area with access from a track that leads off New Hey Lane. There is a residential caravan within the collection of buildings which was introduced on a temporary basis with planning permissions that have now expired.

The site is designated as countryside on the Fylde Local Plan to 2032 and the surrounding area is generally rural in character with sporadic dwellings and other buildings evident in the wider landscape.

### **Details of Proposal**

This application is a Reserved Matters application following outline approval for a dwelling (application 18/0840 refers). The matters for which permission is sought in this application relate to appearance and scale of the dwelling and the landscaping of the site.

During the course of the application several amendments have been made to the scale and appearance of the dwelling which was submitted as a two storey house and is now a dormer bungalow as indicated on drawing no. SK03 REV. H.

The scale of the dwelling now proposed is 9.2 metres in overall width by 8.8 metres in overall depth with a porch to the front elevation measuring 2.3 metres in width by 1.5 metres in projection with eaves height of 2.4 metres and with an overall height to the ridge of 3.3 metres.

The dwelling is designed as a bungalow with two pitched roof dormers and a pitched roof porch to the front of the property with a single pitched roof dormer across the rear roof slope. The building is proposed to be constructed with a brick plinth with render finish to the walls under a slate/slate substitute roof with white upvc window frames and has a feature chimney.

The property provides a combined kitchen/dining room/family with a separate 'snug', utility and WC to the ground floor with three bedrooms one en-suite and a separate family bathroom to the first floor.

Revisions to the siting of the dwelling are also indicated in this submission. However, as layout was approved at outline stage a 'non-material amendment' application has been presented for

consideration to revise this approved element of the outline planning permission to reflect the details in this application. This is application reference 21/0518 and it is expected that this will be determined by the date of the Planning Committee meeting.

### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
20/0590	NON MATERIAL AMENDMENT TO OUTLINE PLANNING PERMISSION 18/0840 FOR ALTERATIONS TO LAYOUT OF APPROVED DWELLING	Granted	30/09/2020
18/0840	OUTLINE APPLICATION FOR ERECTION OF A PERMANENT RURAL WORKER'S DWELLING (ACCESS AND LAYOUT APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Granted	21/11/2019
16/0522	TEMPORARY SITING OF MOBILE HOME IN SUPPORT OF A STUD FARM AND KENNELS BUSINESS FOR A FURTHER TWO YEARS.	Granted	19/09/2016
12/0199	CHANGE OF USE OF LAND TO ALLOW TEMPORARY SITING OF MOBILE HOME TO SUPPORT EXISTING STUD FARM BUSINESS AND PROPOSED DOG KENNEL BUSINESS,	Refused	29/08/2012
12/0197	RE-SUBMISSION OF 11/0850 - PROPOSED EXTENSION TO EXISTING STABLE BUILDING TO PROVIDE 14 NO. DOG KENNELS AND CHANGE OF USE OF LAND TO DOG EXERCISE AREA AS PART OF NEW BOARDING KENNELS BUSINESS.	Refused	28/08/2012
11/0850	EXTENSION TO EXISTING STABLE BUILDING TO PROVIDE 14 NO. DOG KENNELS AND CHANGE OF USE OF LAND TO DOG EXERCISE AREA AS PART OF NEW BOARDING KENNELS BUSINESS.	Withdrawn by Applicant	12/03/2012
10/0731	CHANGE OF USE OF LAND TO ALLOW TEMPORARY SITING OF MOBILE HOME IN SUPPORT OF STUD FARM BUSINESS	Granted	11/02/2011
07/1255	ERECTION OF COVERING AREA/BUILDING, FIVE ADDITIONAL STABLES, & SITING OF TEMPORARY CARAVAN	Granted	12/05/2008
07/0905	RENEWAL OF TEMPORARY LICENSE FOR MOBILE HOME TO REMAIN ON SITE FOR A FURTHER 2 YEARS WITH EXISTING STUD FARM	Withdrawn by Applicant	04/12/2007
06/0840	RESUBMISSION OF APPLICATION 06/253 FOR RETENTION OF EXISTING MOBILE HOME WITH STUD FARM	Refused	11/01/2007
06/0844	PROPOSED SAND PADDOCK	Granted	18/10/2006
06/0574	PROPOSED STABLES AND SAND PADDOCK (WITH 6M HIGH FLOOD LIGHTS) FOR	Withdrawn by Applicant	17/08/2006

06/0253	PRIVATE USE ONLY. CONTINUED USE OF LAND FOR SITING OF MOBILE HOME	Refused	19/07/2006
06/0258	RESUBMISSION OF APPLICATION 05/1047 FOR INDOOR TRAINING / RIDING AREA, RE-LOCATION OF EXISTING BUILDINGS, EXTENSION OF EXISTING POND AND LICENSED FISHING, RE-LOCATION OF EXISTING MOBILE HOME WITH ADDITIONAL ACCOMMODATION, LIVERY STABLES.	Refused	17/07/2006
05/1047	INDOOR TRAINING / RIDING AREA, RE-LOCATION OF EXISTING BUILDINGS, EXTENSION OF EXISTING POND AND LICENSED FISHING, RE-LOCATION OF EXISTING MOBILE HOME WITH ADDITIONAL ACCOMMODATION, LIVERY STABLES.	Withdrawn - Appeal against non-determine	03/03/2006
05/0843	INDOOR TRAINING/RIDING AREA, RE LOCATION OF EXISTING BUILDINGS, EXTENSION OF EXISTING POND AND LICENSED FISHING, RE-LOCATION OF EXISTING MOBILE HOME WITH ADDITIONAL ACCOMMODATION, LIVERY STABLES	Returned Invalid Application	06/10/2005
AG/05/0004	AGRICULTURAL DETERMINATION FOR PROFILE METAL PORTAL FRAME FOR BREEDING, SHELTER AND STORE.	Permission Required	05/07/2005
02/0378	CHANGE OF USE OF LAND AND BUILDING TO USE AS STUD FARM AND SITING OF MOBILE HOME FOR TEMPORARY PERIOD OF 3 YEARS	Refused	18/07/2002
94/0859	NEW STEEL FRAMED BARN, RE-SITING OF STORAGE CONTAINER, UPGRADE ON SITE ACCESS ROAD & NEW UNDERGROUND EFFLUENT TANK	Granted	01/03/1995

#### **Relevant Planning Appeals History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
12/0197	RE-SUBMISSION OF 11/0850 - PROPOSED EXTENSION TO EXISTING STABLE BUILDING TO PROVIDE 14 NO. DOG KENNELS AND CHANGE OF USE OF LAND TO DOG EXERCISE AREA AS PART OF NEW BOARDING KENNELS BUSINESS.	Allowed	20/05/2013
12/0199	CHANGE OF USE OF LAND TO ALLOW TEMPORARY SITING OF MOBILE HOME TO SUPPORT EXISTING STUD FARM BUSINESS AND PROPOSED DOG KENNEL BUSINESS,	Allowed	20/05/2013



06/0258	RESUBMISSION OF APPLICATION 05/1047 FOR INDOOR TRAINING / RIDING AREA, RE-LOCATION OF EXISTING BUILDINGS, EXTENSION OF EXISTING POND AND LICENSED FISHING, RE-LOCATION OF EXISTING MOBILE HOME WITH ADDITIONAL ACCOMMODATION, LIVERY STABLES.	Withdrawn	26/09/2007
05/1047	INDOOR TRAINING / RIDING AREA, RE-LOCATION OF EXISTING BUILDINGS, EXTENSION OF EXISTING POND AND LICENSED FISHING, RE-LOCATION OF EXISTING MOBILE HOME WITH ADDITIONAL ACCOMMODATION, LIVERY STABLES.	Withdrawn	19/12/2006
02/0378	CHANGE OF USE OF LAND AND BUILDING TO USE AS STUD FARM AND SITING OF MOBILE HOME FOR TEMPORARY PERIOD OF 3 YEARS	Allowed	30/04/2003

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

**Newton with Clifton Parish Council** have been notified of the original scheme and the revised proposals now under consideration

### **Original Comments – November 2020**

*Members consider the scale and type of the proposed development is incompatible with what is the generally accepted local definition of a rural workers dwelling. The proposed development will be visually detrimental to the rural scene being incongruous with existing neighbouring residential property, predominantly bungalows and has the potential to cause a loss of privacy. Council determined that the proposed development does not comply with the following Local Plan Policies; GD4 Development in the Countryside; As previously advised relating to application 18/0840 council considers that the proposed development is not essentially needed for the continuation of the existing enterprise, facility or operation and HL6 Isolated New Homes in the Countryside; council consider the proposed development is not required to meet the essential needs of rural workers as any such need can be met by the existing accommodation already in situ at the business. Members also consider there is a possible highway safety issue due to the type and scale of the proposed development being a potential distraction as it will be visible to vehicle drivers approaching a bend that requires a sharp turn on the highway. If the proposed development was granted planning permission it may lead to other similar or other applications of a type and scale which would harm the character of the surrounding countryside and would be difficult for the local planning authority to refuse if a precedent is created in this instance.*

### **Revised Comments - 3 June 2021**

*Council adopted a resolution that it be recommended the application is refused planning permission and that the local planning authority be advised accordingly; Members consider the reserved matters application is not in accordance with the outline planning permission application in terms of the proposed development's indicative property layout dimensions and lack of related detail regarding height and width.*

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

### **Lancashire County Council - Highway Authority**

*LCC Highways does not have any objections regarding the proposed application for approval of the reserved matters of appearance, landscaping and scale pursuant to outline planning permission 18/0840 for the erection of a permanent rural worker's dwelling, and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.*

### **Neighbour Observations**

<b>Neighbours notified:</b>	01 October 2020
<b>Amended plans notified:</b>	13 May 2021
<b>Site Notice Date:</b>	09 October 2020
<b>Number of Responses</b>	1 letter received
<b>Summary of Comments</b>	<ul style="list-style-type: none"><li>• dwelling more in keeping with area</li><li>• height similar to other dwellings in area</li><li>• chimney moved from left to right side</li><li>• should be condition to limit occupation to horse &amp; kennel business</li></ul>

### **Relevant Planning Policy**

#### **Fylde Local Plan to 2032:**

GD4	Development in the Countryside
GD7	Achieving Good Design in Development
H2	Density and Mix of New Residential Development
T5	Parking Standards
ENV1	Landscape
ENV2	Biodiversity

#### **Other Relevant Policy:**

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance

#### **Site Constraints**

Within countryside area

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

#### **Policy Background and Principle of Development**

The application site is located in the Countryside as designated under Policy GD4 of the Fylde Local Plan to 2032 and so is in an area where new residential development is restricted to the limited

exceptions set out in that Policy, with one of these exceptions being a rural worker dwelling. The council was initially not satisfied that there was a proven need for this but a planning permission to establish the principle of a dwelling on the site was granted on appeal in 2012. Since that time the business has developed and an outline planning permission for the erection of a permeant rural workers dwelling was granted by the Planning Committee in October 2019 under reference 18/0840.

That decision authorised the replacement of the static caravan with a detached dwelling, and so confirms that that principle of the residential use as a rural workers proper, and also agreed its access and the layout of the dwelling on the plot. Since that time these have been revised through a non-material amendment application under reference 20/0590 with another currently under consideration as 21/0518, although these changes are not significant.

The current application seeks approval for the outstanding reserved matters of appearance, scale and landscaping. Therefore the matters to be assessed in this application are those set out in Policy GD7 in regards to the design standards for new development in general, and by other policies of the plan such as Policy ENV1 relating to landscape impacts and Policy ENV2 relating to biodiversity matters.

#### Scale of the dwelling

Members may recall discussions about the scale of this dwelling when the outline application was previously presented to the committee. The officer recommendation suggested that a condition be imposed to restrict the scale of the dwelling to be single storey only but members felt that this was overly restrictive for the assessment of an outline application and so it was agreed that the dwelling could have two floors of accommodation and so the condition revised accordingly.

The original submission for this application was for a full two storey dwelling of a slightly ornate design that officers felt did not reflect the character of the wider rural area within which the site is located. The Parish Council were also opposed to the original scheme on that basis. Revisions have therefore been sought to secure a scale (and design) of the dwelling that better reflected the bungalow properties along New Hey Lane. The revised proposal has a reduced ridge height and provides the upper floor accommodation through a pair of dormers to the roadside elevation and so has a scale that is appropriately sympathetic to the local context.

As such it is considered that the latest scheme achieves an appropriate scale. It also has a footprint of 72.5m<sup>2</sup> that accords with the approval at the outline stage. The revised scheme is considered to meet the requirements of criteria d) and h) of Policy GD7 of the Fylde Local Plan to 2032.

#### Design and Appearance of the dwelling

This part of New Hey Lane is characterised by modest sized, traditional designed bungalow properties which are well set back from the highway edge and garden fronted with soft landscape planting. The dwelling that is now proposed is consistent with that approach as it is designed with low eaves and dormers in the roof slope, features a plinth base, uses brick / slate as construction materials which is to be constructed in materials and has a symmetrical design. These aspects all ensure that the dwelling is sympathetic to its context and so accords with the requirements of criteria b), d), h), and i) of Policy GD7 of the Fylde Local Plan to 2032.

#### Tree and Landscaping Issues

Whilst a landscaping plan has been submitted with this application it lacks the detail of plant species,

numbers sizes and information on the proposed hard surfacing materials.

Notwithstanding this the plan indicates how and where soft planting could be carried out. This includes large areas of the site laid to lawn, with tree planting to north, south and east of the site with hedging to the west side to separate the domestic curtilage from the field which sits between the application site and New Hey Lane which is bounded by a mature hedge to the roadside verge.

Subject to agreement of the details of the landscaping which will be secured by condition, overall the scheme is considered to provide an effective treatment for the landscape impacts of the development and is considered to accord with the requirements of Policy GD7 and ENV1 in that respect.

### Residential Amenity

With regards to the amenity of existing neighbours the nearest property is that at 'Orduna' situated to the south and west of the site which is more than 100 metres from the site of the proposed dwelling, otherwise the property is surrounded by open fields. Whilst views of the new dwelling could be gained from the neighbouring property given the separation distance and intervening landscaping the occupiers of 'Orduna' will not suffer any loss of amenity as a result of the proposed development.

With regards occupier amenity, the proposed dwelling is provided with a substantial residential plot which allows for good sized amenity areas capable of serving the future occupiers of the proposed dwelling.

Therefore, it is considered that the proposal provides appropriate residential amenity for all occupiers and accords with the requirements of Policy GD7 in that regard.

### Other Matters

The Parish Council had raised objections to the original scheme submitted with this application and they have also been re-consulted on the revised scheme. Their comments refers to the layout being not in accordance with outline, and whilst this is correct the non-material amendment applications referred to earlier address this inconsistency and simply make minor alterations to the shape, orientation and location of the property without altering the approved scale.

The Parish Council also make reference to the height and width of the dwelling. The width was set at outline stage and revised under 20/0590. The height was also addressed at outline stage with the following condition added:

*That the reserved matters submissions pursuant to this planning permission shall include no more than a single dwelling with the layout in general accordance to that shown on the indicative Cassidy and Ashton Job: 9258 Drawing no. SK01 REV. P1 listed in condition 3 of this permission.*

The revised scheme before members now indicates a bungalow with rooms in the roof space and so is considered to comply with the above condition.

Biodiversity enhancements will be sought as part of the landscaping scheme for the site and will be a condition of this application. Conditions on issues such as drainage of the site, the removal of the existing static caravan and limiting the occupation of the dwelling to a rural worker associated with the equestrian and dog kennel business have been imposed as part of the outline application.

Therefore there is no need to repeat them on this decision.

### **Conclusions**

The application site is an irregular shaped area of land that is set back from New Hey Lane with an open field separating the site from the roadside. The proposal is to provide a permanent residential dwelling to be occupied by a rural worker associated with the Barnfield Stud Farm and kennel operation which has been established on the site for over 30 years.

The principles of the development are established by the outline planning permission, but taking the elements that are to be considered as part of this reserved matters submission together, it is considered that the scheme provides an effective development on the site that will result in relatively limited visual impact due to its location, its scale and appearance of and the associated landscaping. In the absence of any other planning issues the proposal is considered to comply with the requirements of Policy GD4 criteria d) which allows such dwellings in the countryside and Policies GD7 and ENV1 of the Fylde Local Plan to 2032 and aims of the National Planning Policy Framework.

### **Recommendation**

That Reserved Matters Approval be GRANTED subject to the following conditions:

1. This permission relates to the following plans:
  - Location Plan - Drawing no. L01
  - Proposed Site Plan - Job 9258 Drawing SK01 REV. E
  - Proposed floor Plans - Job 9258 Drawing SK02 REV. G
  - Proposed Elevations - Job 9258 Drawing SK03 REV.H
  - Proposed landscape plan - Job 9258 Drawing SK04 REV. B

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

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

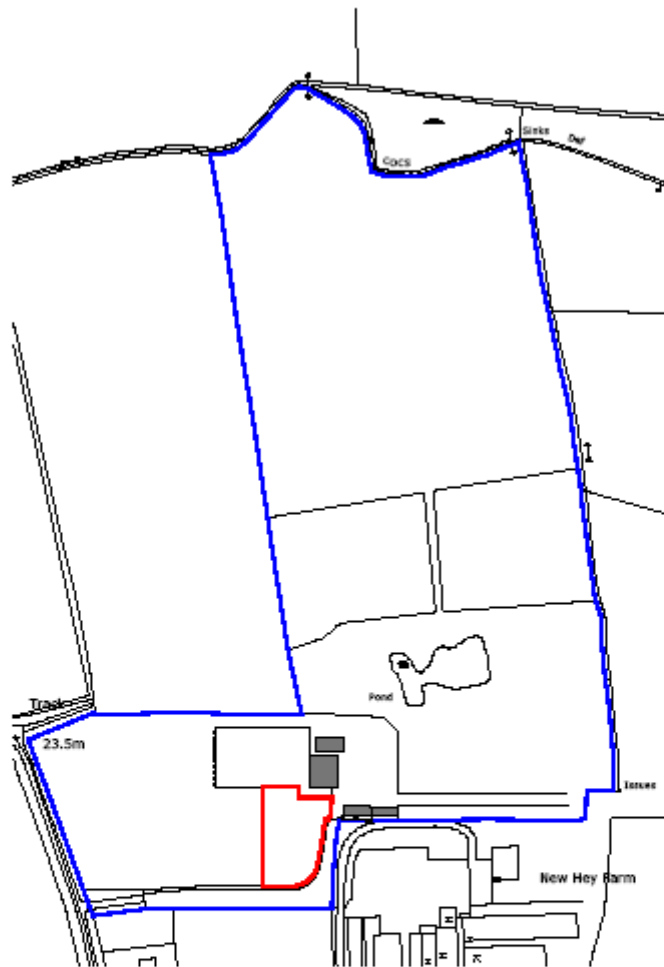
2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the application form and / or approved plans listed in condition 2 to this planning permission.

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

3. Notwithstanding any details shown on the approved plans and the requirements of condition no. 1 of this permission, before the dwelling hereby approved is first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of appropriate biodiversity enhancements and the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting

season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

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



Client <b>Hill</b>			
Project <b>Proposed Bungalow Barnfield Farm</b>			
Drawing No. <b>Location Plan</b>			
Drawn by <b>DG</b>	Checked by <b>AC</b>	Date <b>May 2020</b>	
Status <b>PRELIMINARY</b>		Scale <b>1:1250</b>	
Job No. <b>9258</b>	Design <b>L01</b>	Rev. <b>-</b>	
<b>Cassidy+Ashton</b> <small>architects + interior designers + town planners</small>			<b>V+A</b> <small>Visualisation</small>
<small>7 West Cliff, Preston, Lancashire, PR1 3JH 10 Poulton Road, Colwyn Bay, Gwynedd, LL29 4PP</small>			

**Item Number:** 2

**Committee Date:** 23 June 2021

<b>Application Reference:</b> 20/0677		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	Blackpool Council	<b>Agent :</b>	Cassidy and Ashton Group Ltd
<b>Location:</b>	BLACKPOOL AIRPORT ENTERPRISE ZONE, LAND AT COMMON EDGE ROAD, LYTHAM ST ANNES, BLACKPOOL, FY4 2QS		
<b>Proposal:</b>	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		
<b>Ward:</b>	ST LEONARDS	<b>Parish:</b>	St Anne's on the Sea
<b>Weeks on Hand:</b>	40	<b>Case Officer:</b>	Andrew Stell
<b>Reason for Delay:</b>	Delays in consultation replies		
<a href="#">Click Here</a> for application site on Google Maps		<a href="#">Click here</a> for application on FBC website	

**Summary of Recommended Decision:** Delegated to Approve

#### **Summary of Officer Recommendation**

The application site is a generally rectangular area of land located to the west of Queensway / Common Edge Road in St Annes that straddles the boundary with Blackpool borough and so requires planning permission from both authorities. The part of the site in Fylde is located on land designated as Green Belt in the Fylde Local Plan to 2032. The application is presented to Committee for determination as the scale of the site is such that it is regarded as major development, with the scheme being supported by St Annes Town Council and not subject to any objections from consultees.

The proposal is for the erection of a new clubhouse building, a series of new sports pitches (including a floodlit 3G pitch) a car park area, and other associated sporting infrastructure. The scheme is part of a phased approach that is intended to facilitate the development of the Blackpool Airport Enterprise Zone and involves the relocation and enhancement of the existing sporting facilities to allow the future phases of development to be accommodated on that site.

The scheme has been considered by Blackpool Council's Planning Committee who have resolved to grant planning permission subject to the resolution of some minor queries raised by Sport England regarding the nature of the supporting strategy documents and whether the 3G pitch is needed to accommodate rugby league. The scheme presented for decision here raises the same issues and it is recommended that the authority to approve the application be delegated to officers at Fylde also. This will also allow conclusion of the consideration of a small number of other issues where further clarification is thought to be necessary. These relate to the drainage arrangements and the parking management plan,



where discussion with the relevant consultees and the applicant's agent are progressing positively, and to conclude the necessary ecological assessments.

With regards to the merits of the scheme, the provision of buildings for outdoor sport and recreation is one of the exemptions to the definition of inappropriate development in the green belt, and so the clubhouse building is considered to be acceptable given the scale of the sporting facilities that are available on the site. The sports pitches themselves do not harm the openness of the green belt, with the other ancillary development in the application all being of a scale, design and location where that does not raise any concerns that are not outweighed by the sporting benefits of the development.

The site makes use of an existing access via Division Lane West which is to be upgraded to facilitate the increased use, with LCC highways having no objections to the design of the access and the associated connections for vehicles, pedestrians and cyclists. They are satisfied that the approach proposed in the Car Parking Management Strategy is a suitable one given the phasing of development that will be involved in the wider scheme but have requested some clarification of details which are expected to be provided shortly.

The scheme does not raise any ecological, drainage, amenity, or other considerations that cannot be adequately addressed by conditions and so the officer recommendation is that Committee delegate the decision to grant planning permission to officers subject to the satisfactory resolution of the minor outstanding queries and the drafting of a series of planning conditions.

### **Reason for Reporting to Committee**

The application is for 'major development' and so it is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The application site is located on the west side of Queensway at its junction with Division Lane. It is located in the Green Belt and also forms part of the Blackpool Airport Enterprise Zone allocation in the Local Plan to 2032.

The whole site extends to around 3.8 Ha with just over half of that area in Blackpool leaving the southern portion in Fylde. It includes the car park area to the South Shore cricket, squash and rugby club building (but not the clubhouse building), areas of sports pitches that are to the rear (west) of that building, and the access track which leads to Queensway opposite the junction of Division Lane.

The surrounding land uses are mixed with residential dwellings located on Division Lane and Common Edge Road to the east of the site, to the south open grassland, to the north the existing sports pitches, and to the west is the Blackpool Airport runway and the airport itself.

### **Details of Proposal**

The proposal is part of other preparatory works associated with the delivery of the Blackpool Airport Enterprise Zone. As such it sits alongside application 20/0114 which was approved by Planning Committee last year and relates to the provision of a series of new sports pitches to replace those

that would be displaced by works associated with the development of the Enterprise Zone.

This application crosses the boundary with Blackpool and so there is a second application that was submitted to that authority and was considered at the meeting of their Planning Committee on 8 June 2021. The application was delegated to officers for them to grant planning permission subject to a series of conditions on receipt of some clarifications requested by Sport England.

The proposal has the following key elements:

1. Construction of a new clubhouse building with changing, refreshment and other such facilities
2. Formation of a 194-space car park with additional coach, motorcycle, cycle, and mobility spaces
3. Revisions to the site access point along the existing track to Queensway opposite Division Lane
4. Provision of a floodlit 3G football pitch with hard standing spectator area to the sides
5. Provision of a grass rugby pitch with training area alongside

The application is supported with a suite of information covering sporting, lighting, transport, etc elements. The scheme has also been subject to some revised information that has been submitted to address concerns raised by consultees that have arisen during consideration of the application, principally focussed on sporting provision and highway matters.

#### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
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
19/0316	MIXED USE DEVELOPMENT, INCLUDING FORMATION OF NEW HIGHWAY JUNCTION AND ACCESS FROM COMMON EDGE ROAD, TO COMPRISE UP TO 90,000SQ M INDUSTRIAL FLOORSPACE (CLASSES B1/B2/B8); UP TO 7,725SQ M OF LEISURE FLOORSPACE, 2NO. 3G SPORTS PITCHES, 10NO. GRASS SPORTS PITCHES, STADIA FACILITIES AND FLOOD-LIGHTING (CLASS D2); A NURSERY FOR UP TO 50 CHILDREN (CLASS D1); UP TO 323SQM OF RETAIL FLOORSPACE (CLASS A1); UP TO 300SQM OF CAFÉ FLOORSPACE (CLASS A3); UP TO 57 HOUSES (CLASS C3); AND ASSOCIATED ELECTRICITY SUB-STATION, PARKING, LANDSCAPING AND INFRASTRUCTURE (OUTLINE APPLICATION WITH ALL MATTERS RESERVED).	Withdrawn by Applicant	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	EIA not required	21/12/2018

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.

### **Relevant Planning Appeals History**

None

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

**St Anne's on the Sea Town Council** notified on 02 October 2020 and confirm that they support the proposal stating:

*"A considerable investment in new facilities for the area which will encourage health and fitness.*

*The Town Council supports the application in line with our Neighbourhood Plan policy SS1 and development on the Enterprise Zone.*

*We do have concerns regarding Application form, question 13 and the Septic tank proposed. Given that phase 2 and 3 will emerge including residential homes, connecting to the mains sewer at this stage in preparation for further development being granted, would seem a more favourable solution and avoid the risk of ground water contamination. See Environment Agency report."*

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

#### **National Air Traffic Services**

*The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.*

#### **Blackpool Airport**

No comments have been provided.

#### **Blackpool Borough Council**

No comments have been provided, but with the cross-boundary nature of the application it is necessary for planning permission to be obtained from that authority also for the development to proceed.

#### **Sport England**

##### **Initial comments**

On receipt of the application in October 2020 they were consulted and raise objection stating

*Sport England objects to the proposal as there is no evidence presented to demonstrate the application meets Sport England's Playing Fields Policy and paragraph 97 of the NPPF for the following reasons:*

*1. It is not clear what the extent of the proposed sports provision is in both quantitative (playing field area) and qualitative (pitches and ancillary facilities) when compared to the*

*existing quantitative and qualitative sports provision.*

*2. The lack of information submitted to meet the requirements of Paragraph 97 (c) and Exception E5 of the Sport England's Playing Field Policy*

#### Later Comments

There has been considerable discussion over this aspect involving the agent and this consultee, with the result that final comments were received in May 2021 and state:

*Sport England is now in a position to withdraw the previously lodged objection subject to:*

*a) clarification from the (Blackpool) Council as to the status of the current Playing Pitch Strategy; and*

*b) Written confirmation from the Rugby Football League (RFL) that the Artificial Grass Pitch does not need to be rugby compliant*

*and conditions relating to:*

*1. Pitch specification for the rugby pitch and rugby training area based on the recommendations of the Agronomy Report (STRI dated 27/11/20)*

*2. Technical design and construction of the Artificial Grass Pitch (AGP)*

*3. Management and Maintenance Plan that ties in with application 20/0114 (Fylde) and 20/0108 (Blackpool) and covers all sports facilities new and existing*

*4. Community Use Agreement that ties in with application 20/0114 (Fylde) and 20/0108 (Blackpool) and covers all sports facilities new and existing*

#### **Lancashire County Council - Highway Authority**

##### **Background and initial views**

There have been extensive discussions over the access and parking arrangements of the development with this being led by Lancashire County Council on behalf of the two local highway authorities involved. LCC initially raised concerns over the development in a number of areas which were:

- The amended site access layout, turning radii/corner taper, pedestrian/cycle provision and swept paths – agreement on the layout is required.
- The need for an appropriate assessment of the site access with Queensway / Common Edge Road considering the transfer of traffic movements onto Division Lane and interaction with adjacent junctions.
- Car parking provision and clarification of access to the north and how the proposals align with the latest wider EZ Masterplan; and
- The permitted access rights and use of Division Lane west of the Sports Pitches and how / what implications this may have in regard to the Division Lane/Queensway/Common Edge Road access assessment.

##### **Final Comments**

This application is being brought to Committee following receipt of final comments from LCC which are as follows:

##### Summary

*I consider that the principle of the proposal is acceptable, subject to the agreement and provision of a highway improvement scheme including the site access and B5216 Queensway / Common Edge Road, together with necessary traffic regulation. In addition,*

*the proposal will require a comprehensive Car Park Management Strategy (to be developed and agreed with the planning authority in consultation with the highway authority) which includes the delivery of a footpath to provide direct connection between the northern car park (off Jepson Way) and the proposed sports pitches. I consider these and a number of other matters can be suitably addressed and secured by condition and therefore I would offer no objection to the proposed development.*

They then provide detailed comments on the key issues which are summarised here:

### **Access Strategy**

*The proposed site plan is shown on drawing FP-P-01 Rev L, in Appendix C of the Highways Technical Note, and the final (agreed in-principle) proposed site access plan is shown on drawing BAEZ-BWB-GEN-XX-DR-TR-121\_S2\_P8. The existing site has a main access off the adopted Division Lane (West) which is off Queensway / Common Edge Road. Currently, Division Lane (West) provides emergency access to Blackpool Airport, this to be maintained with this development proposal.*

*The proposed site access plan shows alterations to the existing access. Proposed are right turn bays on Queensway / Common Edge Road for manoeuvres on to Division Lane (East), Division Lane (West) and Common Edge Road (Garden Centre Access), with a pedestrian refuge island between Division Lane (East) and Division Lane (West). 3.0m (minimum) wide running lanes and 3.0m (minimum) wide right turn bays are proposed. Along the west side of Queensway / Common Edge Road, a 3.1m shared cycleway / footway is proposed, which reduces to 2.8m for short sections, with a crossing point across Division Lane (West). The scheme shows that the existing bus laybys on Common Edge Road are to remain. The laybys fall within the boundary of BC and remain a matter for BC. The existing bus service LAEO017 Blackpool Town Centre to Saltcotes Lytham is a high frequency service (weekday and weekends) which is considered sufficient to serve this proposed development.*

*The swept path analysis shown on drawing BAEZ-BWB-GEN-XX-DR-TR-121\_S2\_P8, shows that Division Lane (West) can accommodate luxury coach movements, and that the proposed scheme accommodates a large refuse vehicle and a luxury 4x4 vehicle with a twin axle caravan, for movements in and out of Division Lane (East). The plan also shows a proposed alteration to entry and exit radii at Division Lane (East). I consider the change to the entry radii will deliver benefit. I consider the final detail in regard to any change to the exit radii to the south can be agreed at detailed design. The existing and proposed visibility splays are also shown in drawing BAEZ-BWB-GEN-XX-DR-TR-121\_S2\_P8, in accordance with the Manual for Streets. I would expect the visibility splays to be controlled by a suitably worded condition.*

*It is important to note that the proposed site plan (being an earlier drawing) does not show the proposed access improvements and changes as now agreed and shown in the proposed site access layout.*

### **Comments on Transport Assessment and Highways Note**

- Traffic Count basis – this is acceptable to LCC
- Trip Generation – this is considered to be reasonable
- Traffic Distribution – This is reasonable for this scheme and mitigation of these impacts are not considered necessary as part of this application but are likely to require greater consideration as part of the next stage of the BAEZ development.

- Junction operation – The assessment undertaken is considered to demonstrate clearly that the proposed development and associated highway improvement scheme operate well within capacity
- Accident analysis - The serious and fatal collisions are described in the Transport Statement, and there does not seem to be any distinctive patterns attributable to the road layout.
- Provision for Equestrian, Pedestrian & Cycling, Public Rights of Way – existing services are unaffected and are high frequency and sufficient to serve the proposed development.
- Travel plan – A full travel plan and its implementation is required and should be secured through condition.

#### Internal Site Layout, Parking Standards/Parking Provision and SUDS

No elements of the internal roads are suitable for highway adoption.

The improvements to the Division Lane / Common Edge Road junction are subject to detail design.

The shared footway/cycleway within the site that is parallel to Division Lane west will not be suitable for adoption.

There are concerns over the adequacy of the car parking provision. This consists of an on-site facility here and the existing Jepson Way car park to the north, which is to be removed should the wider BAEZ plans progress. The parking provision is based on the JLSP standards and a level of car sharing that LCC believe is optimistic. Following further assessment, a revised parking accumulating figure was provided which suggests that 216 spaces would be required at peak time (with 194 spaces available). LCC recognise that there was a potential for parking demand to exceed supply which will impact on the local highway network and is only acceptable if there is a strong Car Parking Management Strategy in place. The scheme provides a Strategy for assessment.

The car parking management strategy has been subject to revisions following LCC comments, and without it being agreed LCC would request that there is a restriction place on the level of use of the pitches (as was the case with the first application) which is not a desirable situation. The latest CMPS sets out options for the short term (during construction), medium term (during operation when Jepson Way is available), long term (following removal of Jepson Way as part of BAEZ). LCC seems generally satisfied with the revised approach but request that there is a monitoring element in the condition that enforces the implantation of this.

They suggest that the comments of the LLFA may require that a series of SUDS features are introduced (presumably to handle highway drainage) and this may impact on the site layout.

#### S278 and s38 Works

There are agreed plans for the offsite works which include improvement to Division Lane (West), the site access off Division Lane (West), the Division Lane (West) / Common Edge Road junction, the Division Lane (East) / Common Edge Road and Common Edge Road / Queensway , together with necessary traffic regulation.

### Planning Obligations

This may be required to ensure funding is available to monitor the travel plan and Car Parking Management Strategy.

### Conditions

A series of conditions are suggested covering:

- The design of the highway access and other off-site works
- The preparation of a final Car parking management Strategy
- There shall be no parking charges applied to use the car park
- Provision of internal pedestrian footpath from Jepson Way
- Travel Plan preparation and implementation
- Agreement of a Construction Management Plan
- Maintenance of visibility splays

### **Greater Manchester Ecology Unit**

They have reviewed the submission and provide the following comments:

#### European Site

*The survey work undertaken identified that part of the site supports habitat that is functionally linked to the Ribble and Alt Estuaries SSSI/SPA/Ramsar; part of the site is used by wintering oystercatcher, a qualifying feature of the SPA. As such, additional information has been provided to inform a Habitats Regulations Assessment. This report has concluded that the Project will not give rise to an adverse effect on the integrity of The Ribble and Alt Estuaries SPA (the SPA) either alone or in combination. It appears as Natural England have disputed this finding and some additional analysis has been provided. Natural England will need to be satisfied that the proposals would have no effect on integrity of the European site prior to the determination of the application.*

*The working methodology outlined in the Information In Support Of An Appropriate Assessment, to phase works to ensure that there is continuity of habitat that can be used by Oystercatcher, should be incorporated into a Construction Environmental Plan for biodiversity (CEMP). We would therefore recommend that the following condition be attached to any permission, should it be granted:*

They then suggest a condition wording.

#### Habitats

*The Preliminary Ecological Appraisal found the majority of the site to support habitats of low ecological value, notwithstanding the use of the site by wintering oystercatcher. Habitats on site provide potential for nesting birds and it is therefore recommended that all vegetation clearance works are undertaken outside the main bird breeding season (March to August inclusive). We would therefore advise that the following condition be attached to any permission:*

They then suggest a condition wording.

#### Biodiversity Enhancement

*In line with the requirements of the National Planning Policy Framework, we would expect any development to provide biodiversity enhancement measures. We would therefore recommend that the following condition (or similar) be attached to any*

*permission:*

They then suggest a condition wording.

## **Leisure & Parks**

The council's Sports Development Officer refers to the recommendations of the Fylde Playing Pitch Strategy, and that as this scheme includes an enhancement in the provision of 3G and grass pitches he notes that it accords with the recommendations of that Strategy document.

## **Natural England**

### **Initial comments**

On receipt of the application in October 2020 they were consulted and raised objection stating;

*As submitted, the application could have potential significant effects on the Ribble Estuary Site of Special Scientific Interest (SSSI), Ribble & Alt Estuaries Special Protection Area (SPA) and Ramsar site. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:*

- *A Habitats Regulations Assessment*
- *Consideration of surface water drainage*
- *Consideration of Functionally Linked Land*

### **Later Comments**

There has been considerable discussion over this aspect involving the agent and this consultee, with the result that final comments were received in May 2021 and state:

#### Summary

*No objection subject to appropriate mitigation being secured.*

*We consider that without appropriate mitigation the application would:*

- *have an adverse effect on the integrity of the Ribble & Alt Estuaries Special Protection Area (SPA) and the Ribble & Alt Estuaries Ramsar site.*
- *damage or destroy the interest features for which the Ribble Estuary Site of Special Scientific Interest (SSSI) has been notified.*

*In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:*

- *Flood risk and Drainage Strategy*

*We advise that an appropriate planning condition or obligation is attached to any planning permission to secure this measure.*

#### Further advice on mitigation

*Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA. We provide the advice enclosed on the assumption*



*that your authority intends to adopt this HRA to fulfil your duty as competent authority.*

*Natural England has reviewed the Information in support of an appropriate assessment Shadow HRA by Wardell Armstrong (March 2021). The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measure proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that the following mitigation measure is appropriately secured in any planning permission given.*

- *Surface water drainage - Mitigation measures proposed in the Flood Risk and Drainage Strategy by Wardell Armstrong (August 2020) will reduce impacts arising from the development associated with surface water drainage ensuring these will not have an adverse impact on site integrity of the designated sites.*

#### Ribble Estuary SSSI

*Our concerns regarding the potential impacts upon the above SSSI coincide with our concerns regarding the potential impacts upon the international designated sites, therefore we are content that providing the application is undertaken in strict accordance with the details submitted and providing the above condition is secured, the development is not likely to damage the interest features for which the site has been notified.*

*Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.*

#### **Environmental Protection (Pollution)**

Following an initial review of the application they have requested that additional information is provided. A noise assessment is required to examine if the use of the facility will lead to undue noise implications for local residents and how that can be mitigated. Similarly, a lighting assessment is requested. They also refer to the likelihood that a condition to require all sporting activity on site to conclude at 9pm is likely to be requested.

Subsequent to that the noise and lighting assessments were provided, and the Environmental Protection team confirmed that they have no further comments to make following a review of these documents. No conditions have subsequently been requested.

#### **United Utilities**

They provided initial comments on the scheme when it was received and have provided comments on the revised information that has subsequently been submitted.

#### Initial Comments – Drainage

- They highlight the need for foul and surface water to be drained separately
- They highlight that foul sewerage is to be dealt with via a 'non-mains solution', which is for the EA to comment on, and that they express concerns

- They refer to the proposed drainage outfall to Division Lane and highlight that this is the source of recent resident concerns, which are for the LLFA to assist with, and may indicate that this is a less preferable discharge point than other potentially suitable watercourses nearer the site
- they suggest that it is likely they will not object to the development but would expect that conditions are imposed that require full details of the drainage solution to be provided, including an assessment of the viability of an infiltration solution.

#### Initial Comments – Other matters

They highlight that water supply for larger users, which would presumably include a large sports facility, may require additional infrastructure to be introduced and this may be expensive and logistically difficult, hence early engagement with UU is promoted. (Note: the developer is aware of this and a note will be added to the decision notice to promote this engagement)

They also refer to an easement crossing the site which is to protect a UU water main and so may impact on the development. Again, they promote early engagement from the developer to help identify the exact route of this and to confirm that it is not impacted by the development. (Note: this will also be the subject of an informative note)

#### Revised Comments

Further comments are provided in January which advises that the scheme continues to fail to state the intention to discharge to Division Lane and there is no charted outfall in that location. They also refer to the ultimate intention to drain the foul water to a public sewer and there is no such sewer in the area at present. Finally, they highlight a concern that the building has a FFL that is lower than the inspection chamber levels on the sewer.

### **Environment Agency**

As introduction they refer to the scheme being one of 3 applications for the development of the Enterprise Zone and that there is an application with Blackpool given the cross-borough nature of the site.

Their overall position is that they do not object to the development, but they do make comments which are summarised as follows:

- Foul Drainage – This should be connected to the public sewer wherever possible in line with the drainage hierarchy. They provide guidance on this and highlight that the proposal indicates an intention to utilise septic tanks and that this would need to be connected to a drainage field and comply with the General Binding Rules regarding discharge. They highlight that further work on this should be explored to look at more preferable options
- Pollution prevention – They refer to the need to pass any car park drainage through an oil interceptor with an appropriate capacity to handle the drainage from the areas involved
- Environmental Permit – They indicate this may be required and is a separate area of legislation that is to be addressed.

### **Lancashire CC Flood Risk Management Team**

Raise no objection to the development subject to the imposition of conditions to provide details of how the surface water drainage of the site is to be designed and managed with

aspects such as the level of development, the rates of run-off, the site infiltration rates, and the management arrangements for the drainage system on site.

They also highlight that their lack of objection to the application does not indicate that consent will be granted for connections to the ordinary watercourses that may be required for the site drainage and for which land drainage consent will be needed.

### **Drainage & Flood Defence**

The council's Drainage Engineer has reviewed the proposals and his comments can be summarised as:

- The intention to utilise a permeable surface to the car park area is a positive measure that should be controlled by condition.
- The submitted information confirms that infiltration is unlikely to be a viable drainage solution.
- The topographical survey indicates an intention to infill and culvert an existing ditch that crosses the site which is not the preferable treatment for such features.
- The application proposes that a temporary septic tank and drainage field is to be used. There is limited information on this and security should be provided over its replacement with the more long-term option.
- There has been recent maintenance of ditches in Division Lane and this provides an option to utilise this route for drainage but is not part of the scheme.

### **Neighbour Observations**

<b>Neighbours notified:</b>	02 October 2020
<b>Site Notice Date:</b>	09 October 2020
<b>Press Notice Date:</b>	15 October 2020
<b>Number of Responses</b>	33
<b>Summary of Comments</b>	All the comments received are opposed to the development. Two relate to highway matters, one relates to drainage, and the remainder are presented by the South Shore Cricket and Social Club, or those associated with the rugby club that operates from that site. The following matters are raised:

#### **Highways**

- The proposed alterations to the site access will be inadequate to allow it so safely accommodate the vehicles that will use the facility.
- The level of congestion on Queensway already makes turning movements in the area difficult and this access point will exacerbate that.
- Large volumes of vehicles will be attracted to the site when there are Saturday morning fixtures on all the pitches, and this will create a congested situation.
- There is a need for enhanced pedestrian crossing facilities across Common Edge Road.
- The application should be resisted until the M55 link road is completed.
- The site generates large amounts of litter and so a strategy should be imposed at this stage for that to be effectively

managed.

#### Drainage

- Any intention to drain the site to the ditch on Division Lane will be unacceptable as that cannot cope at present with water volumes.

#### Sports / Social Club impact

- The scheme will have an unacceptable impact on the Front Rugby League pitch as it is to be reduced in size which will render it too small to be effectively used by all ages.
- The proposed 3G pitch is not an effective replacement for the rugby pitch as it is unsuited for rugby use.
- The rear training pitch is to be largely replaced by a parking area, with the proposed replacement training area being substantially smaller.
- In addition to the loss of the sporting use, there will be a reduced income from the hire of this pitch which is currently important to the viability of the Sports Club.
- The relocated training pitch is a significant distance from the clubhouse which is a key issue when carrying equipment.
- There is a need for the training pitch to be floodlit to enable its use in winter months as training prepares for the season.
- It is not clear whether the Social Club will be required to pay to use the facilities that are currently free to them.
- The level of parking provided on site will be inadequate to meet the needs of the sporting users, and will leave no capacity available for the needs of the Social Club.

#### **Relevant Planning Policy**

##### **Fylde Local Plan to 2032:**

CL2	Surface Water Run-Off and Sustainable Drainage
EC4	Blackpool Airport Enterprise Zone
EC6	Leisure, Culture and Tourism Development
ENV1	Landscape
ENV2	Biodiversity
GD2	Green Belt
GD7	Achieving Good Design in Development
HW1	Health and Wellbeing
HW2	Community Facilities
HW3	Protection & Provision of Indoor & Outdoor Sports Facilities
T3	Blackpool Airport

##### **Other Relevant Policy:**

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
STANP	St Annes on Sea Neighbourhood Plan

#### **Site Constraints**

Within Green Belt

## **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **Comment and Analysis**

### **Policy Background**

The application site is entirely located within the Green Belt in the Fylde Local Plan to 2032 with Policy GD2 relevant and simply referencing the need to assess applications in accordance with the Green Belt section of the NPPF.

The site is also entirely within the area allocated as the Blackpool Airport Enterprise Zone under Policy EC4. This policy refers to the aim of the EZ being to create more businesses, jobs and attract international investment, with positive benefits across the wider economic area. It refers to the EZ targeting the energy industry, advanced manufacturing and engineering, food and drink manufacture and the digital and creative sector. The Policy then makes refers to the potential for enabling development to be supported, with retail and leisure identified as possible forms of that, where they can be demonstrated to help deliver aviation uses on site. Finally, the policy has a section regarding the mechanics of its delivery with refers to the use of Local Development Orders and a Masterplan.

Policy ENV3 relates to the protection of existing open space. The area of this application site is largely in a current open space use. Whilst it is not specifically identified as 'Existing Open Space' it would be perverse for this policy to not apply to a large area of sports provision, and so the proposal can be assessed against the provisions of this policy alongside the requirements of the NPPF regarding maintaining the provision of sports pitches in an area.

The St Annes Neighbourhood Plan includes a policy which relates to the development of the Blackpool Airport Enterprise one (Policy SS1) which sets out a series of obligations for the development of that site with the key one being that the commercial and leisure uses that are presented as being ancillary to the EZ are not located in the green belt unless there are very special circumstances. Essentially this implies that there is a need to assess development in this area against green belt guidance in the NPPF.

### **Background Context to Scheme**

This application is one of three that are to be presented to deliver the infrastructure works as part of the preparation of the Blackpool Airport Enterprise Zone, with these all involving development that straddles the borough boundary with Blackpool and so being twinned with applications made to that authority.

The first of these was application 20/0114 which was considered at Planning Committee in June 2020 and related to the establishment of 12 replacement sports pitches and other associated works. This was approved and those works have been implemented to ensure that there is continuity of provision as the site is developed.

The current application is designed to provide the remaining pitches and other infrastructure works including the parking and changing rooms.

A final application will then be made that is to include a new road which is to lead through the area that is currently occupied by the sports pitches to serve the Enterprise Zone with an improved connection to the strategic road network. It is understood that this is to be submitted in the autumn and will follow the details set out in the agreed EZ masterplan.

### **Principle of Development**

The site's location in the green belt is a key policy consideration for assessing the principle of the development. The NPPF chapter relating to green belts explains in para 144 that substantial weight must be given to preserving green belts, with para 145 setting out where the development of new building is not to be regarded as 'inappropriate development' in green belts. Exception b) is *"the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it."*

The majority of development proposed under this application would be surface level comprising of car park, sports pitches, hard-surfacing and landscaping. The provision of open mesh fencing and lighting columns within this area would not have a notable impact upon the openness of this part of the green belt given the existing arrangements on the wider site. The key feature of consideration in relation to the openness of the green belt and the character of the public open space is therefore the proposed facilities building.

The single storey building would be around 14.7m wide and some 52m long. There is an existing building serving the South Shore Cricket, Squash and Rugby Club to the north-west. Although there is currently no permission in place for employment development to the north, the adopted EZ Masterplan is a material consideration in this decision in that it sets out the approach that is expected to be followed in the delivery of the EZ to satisfy Policy EC4 of the Fylde Local Plan to 2032. Given this policy position it is reasonable to assume that development will come forward on land to the north, subject to planning permission. That future development will see the green belt designation in Blackpool being replaced with development and so the building now proposed would sit toward the northern extent of the green belt area and would be viewed in the context of built development to the north. As such, it would not have a significantly harmful impact on the openness of the green belt. The building will also facilitate the long term future of the playing fields and so would help to secure the outdoor sport and recreational use of this land and so help to preserve the open character of the wider area of the site.

The Masterplan makes a commitment to ensure that, alongside the wider employment development, the playing field and pitch facilities at the site meet the current and future sporting needs at this location, creating an enhanced sporting hub which provides capacity not only for the clubs that currently use the facility at Common Edge Road but to also provide capacity for use by other clubs in the wider area.

Accordingly it is considered that the principle of the open space use of the site as proposed in this application, the car parking, and the building comply with the obligations of para 145 and so are acceptable in principle as development in the green belt.

With regard to compliance with Policy EC4 relating to the Blackpool Airport Enterprise Zone it is clear that the sports and associated facilities proposed in this application do not have a direct link to the aims of the EZ regarding aviation and other manufacturing sectors. However, they are a key part of the masterplan for the site as the relocation of the sports facilities is required to enable a more coherent layout for the site, and critically the provision of a direct access to it as is set out in

the context section above. The Policy allows for the provision of these ancillary forms of development around the wider master planning of the EZ and so it is not considered that the scheme has any conflict with this policy.

Notwithstanding the above assessment, it is considered that the location of the development adjacent to a strategic sport and recreation facility would represent very special circumstances that would allow any elements of the proposal that are not normally considered appropriate within the green belt to be acceptable in these particular circumstances.

### **Playing Field Provision**

In assessing the replacement of outdoor sports facilities in terms of quantity and quality, the proposals must meet the requirements of Policy HW3 and Paragraph 97 of the NPPF and Sport England Playing Fields Policy, including the relevant Exceptions 4 and 5.

Policy HW3 reflects Paragraph 97 of the framework, which states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The Sport England Playing Fields Policy states that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions. In this instance, Exceptions 4 and 5 are relevant to this proposal.

Exception 4 would apply where the area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field or fields:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Exception 5 would apply where the proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

This application in itself does not impact significantly on playing field provision, but this is a key issue as the phase 3 planning application for development within the EZ to the north of the application site, identified in the EZ Masterplan, will result in the loss of 71,400sqm of playing field at Common Edge Road. This phase 2 application, and that which preceded it under phase 1, is designed to re-provide enhanced sporting facilities at Common Edge Road to enable that later proposal to be policy compliant. It will also deliver sporting and health benefits to the communities of both Fylde and Blackpool.

In terms of the suitability of the location for the re-provision of playing pitches and facilities, the site at Common Edge Road is a long-established outdoor sporting facility. The southernmost part of the existing playing fields and land to the south, with improved access off Queensway/Common Edge

Road at Division Lane, is considered to be a suitable location for replacement sporting facilities, with permission granted for the bulk of the pitches under planning permission 20/0114. It is understood that the pitches would be managed by Blackpool Council's Leisure Department and will remain available for continued community use, in accordance with the submitted Management Plan.

The Playing Pitch Strategy sets out a number of measures to be taken in Blackpool in order to ensure sufficient provision of playing pitches to accommodate current and future demand, including the improvement of pitches where necessary, addressing overplay on current pitches and the marking out of additional pitches. A key component of the Playing Pitch Strategy and associated Action Plan is the delivery of the enhanced playing field re-provision at the EZ, including good quality changing and toilet facilities which are suitable for all, including those with additional access requirements.

At the time of the assessment of the site for the Playing Pitch Strategy, the existing football facilities on the site and land to the north comprised 10 pitches with 7 over-marked smaller pitches. There is also a grass rugby pitch and grass rugby training area. The functional area of the current playing field is 99,600sqm and the current quality of all pitches is rated as 'standard'.

The building and car park proposed are intended to serve a 3G football pitch, grass rugby pitch and training ground, the subject of this application as well as the twelve grass football pitches that were approved on land to the south under planning permission 20/0114. The car park would also serve the cricket club to the east and associated uses.

The re-provision and enhancement of playing pitches on the application site and the land to the south (20/0108 refers) will cover in total some 100,100 sqm of functional playing field, accommodating 12 grass pitches with no over marking, a grass rugby pitch, a rugby training pitch and the 3G pitch. The Playing Pitch Strategy confirms that this is sufficient to accommodate the current and future football and rugby playing pitch requirement at this location.

The grass football pitches approved under ref. 20/0114 include 7 adult pitches, 1 youth 9v9 pitch, 4 mini 7v7 pitches and these pitches are already in place and should be ready for use by September 2021 to ensure continuity of sporting provision. Unlike the current provision, none of the replacement pitches would be over-marked meaning more games can be accommodated whilst reducing overplay. The scale of the previously approved grass platform to the south of the site provides flexibility of pitch layout to respond to the seasonal needs of the clubs using the playing field. All the replacement pitches would be a 'good' standard and would include drainage to maximise their carrying capacity.

With regard to the 3G pitch, there is no current 3G provision at the Common Edge Road facility and so this brings a clear enhancement. The detailed design of the 3G pitch along with a timetable for implementation of the 3G pitch should be agreed by condition in advance of works to provide that facility, to ensure that the design fully conforms to the Football Federation and Football Associations requirements.

In terms of provision for Rugby League, the Blackpool Scorpions are based at the adjacent South Shore Cricket and Squash club and their main pitch is on the cricket outfield. The Club and a number of their members have made comment on the application relating to the perceived reduction in the quality of the rugby league facilities. The main pitch would be slightly re-positioned to accommodate the new footpath and cycleway on the southern boundary beyond the cricket outfield, but remains of an appropriate size for play by all. Floodlighting is proposed on the southern boundary to facilitate the use of the pitch in the evenings. The existing rugby pitch on the playing fields is used as an overspill facility when there is conflict between the timings of cricket



matches and rugby matches and has spare capacity for use. In any event, an enhanced and re-orientated replacement floodlit grass rugby pitch and replacement training area of an equivalent size would be provided to the west of the proposed 3G pitch and this provision is in accordance with the Playing Pitch Strategy. This is more remote than their existing facility, but not significantly so in the context of the site.

Sport England have requested that a condition be imposed requiring the submission of the rugby pitch specification (including water discharge permissions with solutions to mitigate outflow if further investigation concludes this is necessary) with maintenance requirements and a timetable for implementation, based in the recommendations of the submitted Agronomy Report. These details would need to be agreed prior to the commencement of works associated with the re-provided rugby pitch and training area.

Cricket provision will be unaffected, but the cricket club would have use of the proposed car and coach parking facility which would be located to the west of the existing clubhouse.

The existing changing facilities at Jepson Way cover 321sqm. The Local Football Facility Plan (LFFP) identifies these facilities as sub-standard and in need of replacement. The proposed single storey building would accommodate new changing facilities over 675sqm and would include six changing rooms with showers, two accessible changing rooms, first aid room, referee changing rooms, kitchens, storage and a social room. Following representations from Together We Can which raised concerns over the lack of facilities for equal access for the disabled community, amended plans were submitted to increase the provision of accessible changing facilities and to ensure the new facility is accessible for all.

Sport England initially raised objection to the application as they had concerns over the timing, extent and suitability of some elements of the replacement sports provision. They have since provided revised comments which withdraw their objections subject to two outstanding matters being resolved. These relate to clarification over the status of the (Blackpool) Playing Pitch Strategy and a confirmation from the Rugby Football League that the 3G pitch does not need to be rugby compliant.

It is understood that the applicant is providing this clarification and will have satisfied these remaining concerns by the time that the application is considered by the Planning Committee, but in the event that is not the case it would be appropriate to delegate the decision to officers to allow this to be resolved. Assuming it is, the position regarding sporting facilities will be that the development will bring an improved capability of the pitches so providing an increase in match play, improved functionality of the pitches through enhanced drainage and pitch surface, improving the players playing experience and creating flexibility of use of the playing field and pitches, improvements to the rugby league pitches through the provision of new floodlighting, and improving pitch accessibility and capability through opportunities for more flexible management.

The equivalent Fylde documents include the Open Space, Sport and Recreation Study from 2008 and the Fylde Playing Pitch Assessment from 2003. The Playing Pitch Assessment concluded that at the time it was prepared, there was an oversupply of pitches but an expected undersupply of junior football and rugby pitches. The more recent open space study recognised that some of the facilities in the borough were dated and so referenced the establishment of partnerships and external sources of funding to improve existing pitches. The existing pitches at this site have not been recognised in that study as they lie mainly outside of the borough and are managed as part of Blackpool's provision, but they clearly benefit the local population and the investment in them that is the result of this application must be welcomed. This is in the form of the removal of the existing

over-marking arrangements that restricts use, and the improved drainage, lighting and surfacing.

In light of the above, it is considered that the proposed scheme meets criteria set out in Policy HW3 and criteria (c) of NPPF paragraph 97 in that the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Permitting the scheme would then allow development on the site to the north to meet criteria (b) in that the loss of playing fields resulting from that development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. It is considered that, subject to resolving the remaining issues to the satisfaction of Sport England as set out above, the scheme also meets the requirements of Exceptions 4 and 5 of the Sport England's Playing Fields Policy in that, along with the 12 previously approved pitches to the south, the scheme would provide replacement playing fields of equivalent or better quality and quantity in a suitable location and with better accessibility and management arrangements, enabling the land to the north to be developed at a future date in accordance with the EZ Masterplan. The proposed development is for an outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of playing fields.

### **Access Arrangements**

The current application includes proposals for the improvement of the access off Division Lane from Queensway/Common Edge Road. These improvements include widening the carriageway (incorporating a pedestrian refuge) and widening the access point of Division Lane West amongst other technical works. The highway improvement works have been subject to lengthy discussions and agreement between the appointed Highways Consultants, Blackpool Council and Lancashire County Council Highways Department and have been informed by a Stage 1 RSA (Road Safety Audit).

Lancashire County Council have responsibility for the duties of the local highway authority in this area where there are potential borough boundary implications, and have provided detailed comments on this application which are set out earlier in this report. They confirm that the revised junction works are suitable for the expected vehicle types and numbers that will utilise the access, that these can be accommodated on the highway network, and that appropriate provision is made for the accessibility of the site by pedestrians and cyclists.

Given the relatively modest scale of this development, and that its trips are likely to be generated outside of peak hours, it is considered that this is a reasonable conclusion to reach. The scheme accords with the requirements of Policy GD7 in this respect

### **Parking Provision**

The second element of the highway arrangements concerns the level of parking that is provided, with that of direct relevance here as the car park for the wider sports development forms part of this application.

In terms of car parking, a Transport Statement and a Highways Technical Note support the application. The Statement confirms that the current playing pitches on the site and to the north are currently served by two car parks. The car park to the north of the application site accessed off Jepson Way is unmarked but has a maximum capacity in the region of 91 cars. Within the boundary of the site, there is a secondary unmarked car parking area accessed off Division Lane West and that has a maximum capacity of approximately 105 spaces. However, the Technical Note confirms that given that these car parking areas aren't marked out and parking is informal and at driver discretion, an 80% efficiency factor has been applied to provide a realistic representation of the current parking provision. The Technical Note considers that the existing sports pitches are served by a maximum of 157 spaces.

The car park provided with the application provides 194 spaces, and so involves a clear increase in the existing capacity. In addition to the vehicle parking four coach bays, eight motorcycle bays and a cycle shed for 18 bicycles would also be provided. However, the scheme includes a considerable improvement in the scope and quality of the playing fields with the likelihood that they will be more attractive to visitors and so require additional parking. This has been a significant concern to the local highway authority who rightly recognise that displacement of this parking onto surrounding streets is likely to lead to neighbour amenity impacts and highway safety concerns. With that in mind the Phase 1 application was subject to a condition which restricted the use of some of the pitches to ensure that the level of parking available was adequate to serve its needs. That is clearly not a sustainable solution as the idea of enhancing the sporting provision is for it to be utilised and so a more effective solution is needed with this application, albeit this may include some pitch rotation whereby not all pitches are in actual use at the same time to alleviate parking pressures and maintain pitch quality.

That solution involves the submission of a Car Parking Management Strategy (CPMS) and the preparation of a Travel Plan. The former has been submitted in draft and revised to reflect comments made by the local highway authority, although it is subject of on-going discussions and a matter that should be resolved prior to the issuing of any planning permission.

The basic approach is to look at three phases of the development:

In the initial short term phase, the additional pitches are provided under a separate permission and due to be available in September 2021 but there will be a period when construction works are underway on the car park and building proposed under this application. At this time the parking around the clubhouse will be limited, and so the facility is reliant on the parking at the Jepson Way site which is some way from the pitches. To accommodate this the Jepson Way car park will be promoted to users of the site along with a clear and convenient connection to the facility. This will be supported by lining and other measures to discourage parking at sensitive sites around Division Lane with leafletting, a social media campaign and coning used as required.

The medium-term phase occurs when the new facilities and clubhouse are all available and so the Jepson Way and car park under this application are both available. It is not expected that there will be any parking pressures at this time, and so whilst the physical measures for the initial phase will be retained these are expected to be sufficient. Monitoring of parking and journey movements will be undertaken to help prepare for the final phase.

This final phase occurs when the masterplan development progresses and so the Jepson Way car park has been removed as part of that wider development. At this time the parking capacity will be limited to the spaces provided in this application. The intention of this application is that these are to be adequate in their number to allow the facility to operate without dispersal of parking into surrounding areas. The methods to manage parking proposed for the earlier phases will continue, with the CPMS referring to the opportunity to utilise spaces on the employment sites that are to be developed to accommodate any overspill parking associated with this facility or visitors to AFC Blackpool's ground at School Road which currently utilises the Jepson Way car park informally. At this stage, the details provided on this have not been fully developed, but that is perhaps understandable as the phase 3 application has yet to be submitted so the location and extent of this parking is unknown.

This CPMS is the subject of on-going dialogue but seems to present a coherent approach to managing parking to ensure that it is sufficient to meet the needs of the application site, the cricket

club and the previously approved grass pitches to the south. Officers expect that the final document will satisfy the requirements of Policy GD7 with a condition imposed to ensure compliance with its requirements.

The Travel Plan is a document that will set out a series of targets regarding the methods of visitor and other travel movements to the site, with these monitored and then mechanisms introduced to enforce any underachievement of the targets. There is no draft travel plan at this stage, but it is a matter that will be required by condition.

The provision of adequate levels of parking and the management arrangements for that parking is a key element of ensuring that any site that attracts large number of visitors can operate safely and without causing amenity issues to neighbouring residents. The parking proposals here have been carefully assessed by the local highway authority who are now generally satisfied with the approach that is being proposed and so subject to the submission of an acceptable final document have agreed that the scheme can be supported. Your officers have no reason to disagree with that view and so it is acceptable that the proposal is capable of compliance with the requirements of Policy GD7 relating to the provision and management of the parking arrangements.

### **Design of Building and Other Works**

The Clubhouse building is primarily located in Fylde and is situated in the same north-south orientation as the existing building but is set further back from Common Edge Road than that facility with the proposed car park to the front. It is single storey in scale, and whilst of a simple and functional design it is not unattractive having a modern clean appearance faced in timber cladding and brickwork with projecting brick details and powder coated aluminium windows and doors. The single storey building would have a pitched roof which over sails the elevations to provide visual interest without being overly prominent in the landscape. This element is considered to be acceptable.

Apart from mesh fencing which would allow views through and the floodlights, the rest of the development would be surface level. It is considered that the visual impact of the development is acceptable, and any visual impact would be lessened as the site to the north comes forward for development.

### **Drainage**

The site falls within flood zone 1. As such there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. The site area is more than a hectare so the application is supported by a Flood Risk Assessment which confirms that the site is at medium risk of ground water flooding in the longer term and at low risk of flooding by any other source.

In terms of the car park drainage, the Environment Agency has stated that surface water from the car park should pass through an oil interceptor to avoid pollution of water bodies. However, the agent has confirmed that the surface water drainage scheme is a permeable system consisting of a surface stone filled reinforced geotextile over a low fines stone subbase wrapped in oil trapping filter membrane. Minor oil spillage anticipated will be treated via retention and biodegradation in situ. This system is widely used for car parks and the agent is not aware of any objections to date with this type of system.

The foul water drainage generated will be limited to that which is produced within the proposed changing facilities. As the site is currently not serviced by the sewer network this is not an option for drainage of this waste. The foul water drainage strategy involves foul water passing through a wastewater package treatment plant and into a temporary drainage field which is located adjacent to the car park area on site. This approach has been agreed by the Environment Agency, subject to

the applicant applying for the relevant permits. However, this is envisaged to be a temporary solution as there is expected to be a sewer connection available as part of the wider EZ development to the north of the site.

United Utilities (UU) have highlighted residents' concerns associated with flooding arising from the watercourse in Division Lane and notes the availability of other watercourses in proximity of the application site which may be preferable. UU have also requested to see the final point of outfall for the culvert to ensure there is no interaction with the public sewer system which could be agreed through the submission of a final sustainable drainage scheme. The council's Drainage Engineer has also expressed concerns over drainage works in the area.

Whilst it would be preferable for the drainage information to be known at the outset, the decision made by Blackpool Council in the determination of their application is to impose a condition that requires further detailed work to be undertaken on the drainage arrangements, and the submission of a scheme for consideration as part of a 'pre-commencement' planning condition. For consistency of approach it is suggested that a condition of that nature is also imposed on this application.

The details received for the consideration of the condition discharge application will be the subject of consultation with UU, EA and the council's drainage engineer. Only when they are satisfied with the details will that be approved and so work able to lawfully commence on the development. At that time the scheme will accord with the requirements of Policy CL2 regarding drainage. The acceptance of this approach by Blackpool Council indicates that they are expecting that a viable and acceptable scheme can be implemented. In the absence of any information that disputes that approach it is appropriate to accept the drainage arrangements in principle subject to this final design being secured by condition.

### **Neighbour Amenity**

The green belt location of the site indicates that the number of close neighbours will be limited, with these being those on the eastern side of Common Edge Road within the area of Blackpool Council, and then further afield on Jepson Way to the north within that borough and Division Lane to the east within Fylde and Blackpool. The nature of neighbour amenity impacts comes from three possible sources: lighting, noise, and general disturbance from the activity at the site. All three of these are already an issue as the site is located adjacent to existing sporting facilities and would replace existing sports pitches.

The assessment of the application has been supported with the submission of a noise assessment and floodlight specification. These have been assessed by this council's Environmental Protection team who consider that the proposals would not cause an unacceptable level of harm to residential amenity. They initially suggested a condition to require that the sporting use of the facilities cease at 9pm, but following the receipt of the noise assessment and consideration of the separation of the site from the nearest residential neighbours they have concluded that no unacceptable impacts on amenity are anticipated.

### **Ecology**

The application is supported by various ecological reports. Wintering bird surveys have determined that whilst the wider area provides some functionally linked land, this is limited Oystercatcher. It found that no Oystercatchers have been recorded using habitats within the site but in any event the creation of the pitches will provide some foraging habitat. The assessments conclude that the proposed development will have no adverse effect on the Ribble and Alt Estuaries Ramsar and SPA site, subject to the mitigation measures proposed in the Flood Risk and Drainage Strategy by Wardell

Armstrong (August 2020). These mitigation measures will reduce impacts arising from the development associated with surface water drainage. Subject to a condition requiring that the development proceeds in accordance with these mitigation measures and the adoption of the shadow Habitat Assessment, Natural England have raised no objections.

Greater Manchester Ecology Unit (GMEU) recommends a pre-commencement condition for the submission of a Construction Environmental Management Plan (CEMP). A Construction Phase Plan has been submitted which outlines the measures normally required in a CEMP such as including a Biodiversity Management Plan, biodiversity protection zones, certain works being overseen by specialist ecologists, demonstration of lines of communication and role responsibilities, risk assessments and use of protective fences etc. As such, a condition requiring the development to proceed in accordance with the Construction Phase Plan and Biodiversity Management Plan is considered sufficient. GMEU also advise that conditions be attached in relation to vegetation clearance outside of bird breeding season (March to August inclusive) and for a scheme of biodiversity enhancement measures. These are standard conditions and are included in the conditions list.

The Arboricultural Impact Assessment recommends that existing hedgerow along Division Lane to the south of the application site, is protected and sets out recommendations on how that can be achieved. A condition requiring that the development proceeds in accordance with the mitigation measures outlined in the AIA is also considered necessary to safeguard biodiversity.

In light of the above, no unacceptable biodiversity impacts have been identified and there are opportunities to enhance biodiversity around the site through suitable landscaping and through the agreement of biodiversity enhancement measures which would be agreed by condition. There is a need for the development to be subject to a Habitat Regulations Assessment, but a shadow document has been submitted by the developer's consultants and Natural England have confirmed they are supportive of the approach it takes and the conclusion reached. There is a need for this to be formally adopted by the council as competent authority as part of the decision on this application. This is a matter that should be included in the delegation to officers, but subject to that being undertaken and a series of conditions being imposed to ensure the relevant protections and enhancements are delivered the scheme will accord with the requirements of Policy ENV2 of the Fylde Local Plan to 2032.

### **Heritage Implications**

The site is not within a conservation area, there are no listed buildings in the area, and there are no locally listed buildings that could be affected. Consideration was given to the heritage value of a concrete structure at the site entrance as part of the local listing project, but it was excluded from that list. Accordingly, there are no heritage implications that will influence the determination of the application.

### **Air Safety**

The site is located immediately adjacent Blackpool Airport on the approach to the main runway. As such the potential implications for air safety from any new development is critical to the assessment of the application. Advice on this comes from two sources: Blackpool Airport and the National Air Traffic Service (NATS).

The application is supported with a Safeguarding Assessment which was requested by Blackpool Airport as a result of the addition of floodlights to the proposed sports facilities. This Assessment concludes that the proposed floodlighting and clearance heights of the floodlighting columns do not infringe on safeguarded areas and whilst the flood lights may be visible to aircraft on approach to

runway 28, it is highly unlikely that the flood lights would create an unsafe flying environment.

This has been assessed by those consultees, and whilst Blackpool Airport have not provided any comments, NATS have advised that the development will not conflict with the safeguarding criteria and so they raise no objection to the development. Given this position it is accepted by officers that the proposed development will not create any adverse risks to air safety, and so this does not constitute a reason to resist the development. A condition will be imposed to ensure that the development is implemented in accordance with the submitted lighting plan to ensure the operational arrangements reflects those which are set out in this safeguarding report.

### **Conclusions**

The application site is a generally rectangular area of land located to the west of Queensway / Common Edge Road in St Annes that straddles the boundary with Blackpool borough and so requires planning permission from both authorities.

The proposal is for the erection of a new clubhouse building, a series of new sports pitches (including a floodlit 3G pitch) a car park area, and other associated sporting infrastructure. The scheme is part of a phased approach that is intended to facilitate the development of the Blackpool Airport Enterprise Zone and involves the relocation and enhancement of the existing sporting facilities to allow the future phases of development to be accommodated on that site.

With regards to the merits of the scheme, the provision of buildings for outdoor sport and recreation is one of the exemptions to the definition of inappropriate development in the green belt, and so the clubhouse building is considered to be acceptable given the scale of the sporting facilities that are available on the site. The sports pitches themselves do not harm the openness of the green belt, with the other ancillary development in the application all being of a scale, design and location where that does not raise any concerns that are not outweighed by the sporting benefits of the development.

The site makes use of an existing access via Division Lane West which is to be upgraded to facilitate the increased use, with LCC highways having no objections to the design of the access and the associated connections for vehicles, pedestrians and cyclists. They are satisfied that the approach proposed in the Car Parking Management Strategy is a suitable one given the phasing of development that will be involved in the wider scheme but have requested some clarification of details which are expected to be provided shortly.

The scheme does not raise any ecological, drainage, amenity, or other considerations that cannot be adequately addressed by conditions and so the officer recommendation is that Committee delegate the decision to grant planning permission to officers subject to the satisfactory resolution of the minor outstanding queries and the drafting of a series of planning conditions.

### **Recommendation**

That the decision on the application be delegated to the Head of Planning and Housing, with and decision to GRANT planning permission to be subject to the following:

1. The satisfactory resolution of the outstanding matters identified by Sport England in their consultation response of 1 June 2021 relating to the views of the RFL over the design of the Artificial Grass Pitch
2. The satisfactory resolution of outstanding matters identified by Lancashire County Council as

local highway authority regarding the content of the Car Parking Management Strategy or the imposition of a suitable condition to require a final document to be submitted for consideration prior to the use of the facility

3. The conclusion of any outstanding ecological matters including the adoption of a Habitat Regulation Assessment, notification to Natural England of the intention to grant planning permission subject to a series of conditions and the wording of those conditions, and any other issues that arise.
4. The provision of a suitable surface water and foul water drainage scheme, if it is not concluded that this matter can be adequately addressed by the imposition of a planning condition that requires these details to be provided prior to the commencement of development
5. The drafting of a series of Planning Conditions to ensure that appropriate control is applied to the development and that the expectations of the consultees set out in this report are satisfied. The list below is provided as a suggested 'starting point' for these conditions.

1. The development must be begun not later than the expiration of three years beginning with 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 - Cassidy & Ashton Drawing no. FP-E-01 Rev. B
- Proposed Site Plan - Cassidy & Ashton Drawing no. FP-P-01 Rev L
- Proposed Off Site Highway Works - BWB Drawing BAEZ-BWB-GEN-01-DR-TR-121 Rev P7
- Proposed Swept Path Assessment - BWB Drawing BAEZ-BWB-GEN-XX-DR-TR-121 Rev P7
- Proposed Elevations - Cassidy & Ashton Drawing BEZ-CAA-V5-ZZ-DR-A-3002 Rev P3
- Proposed Ground Floor Plan - Cassidy & Ashton Drawing BEZ-CAA-V5-00-DR-A-3000 Rev P5
- Proposed Fencing – Cassidy & Ashton Drawing FP-P-12 Rev C
- Proposed Reuse Area – Cassidy & Ashton Drawing FP-P-13 Rev B
- External Works Hardstanding Specification - Booth King Drawing 13819-701 GA Rev T5
- Surface Water Drainage - Booth King Drawing 13819-500 GA Rev T2
- Foul Water Drainage - Booth King Drawing 13819-501 GA Rev T5
- External Lighting Plan – JRB Drawing 020.078.FPP01 Rev P1
- External Lighting Specification – JRB Drawing 020.006.FPP01 Rev P3

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

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

3. No development of the artificial grass pitch shall commence until details of the design and layout of the Artificial Grass Pitch have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The details shall include dimensions of the playable area and run off areas, cross sections of the sub layers, fencing type and height, sports lighting type, column number, height and location, and materials to be used in the construction of the artificial grass pitch.

The artificial grass pitch shall not be constructed other than in accordance with the approved details.



Reason: To ensure that the artificial grass pitch fully conforms to the Football Federation and Football Association requirements, is fit for purpose and sustainable to meet the current and future needs of the community in accordance with Policy HW3 of the Fylde Local Plan to 2032 and paragraph 97 of the NPPF.

4. No development of the rugby pitch and rugby training area shall commence until a Pitch Specification and Maintenance Scheme, based on the recommendations of the Agronomy Report dated 27th November 2020, have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall include a written specification and plans of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment, maintenance regime, and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Policy HW3 of the Fylde Local Plan to 2032 and paragraph 97 of the NPPF.

5. The pitches hereby approved shall not be brought into use until a community use agreement and Football Development Plan, prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to all existing and new sports facilities within the site and specifically the Artificial Grass Pitch, natural turf pitches, and ancillary facilities and include details of pricing policy, hours of use, management responsibilities and a mechanism for review.

The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy HW2 and HW3 of the Fylde Local Plan to 2032 and paragraph 97 of the NPPF.

6. Before the sports facilities (indoor facilities, outdoor natural turf and artificial pitch) are brought into use, a Management and Maintenance Scheme for the sports facilities including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. For the Artificial Grass Pitch the Scheme shall include measures to ensure the replacement of the Artificial Grass Pitch carpet within a ten year period.

The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the sports facilities.

Reason: To ensure that new facilities are capable of being managed and maintained to deliver facilities which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Policy HW3 of the Fylde Local Plan to 2032 and paragraph 97 of the NPPF.

7. No part of the development hereby approved shall be brought in to use until an improvement scheme for the construction the site access with the B5261 and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority. These works shall be based on the scheme listed in condition 2 of this planning permission and shall include:

- a. Site access with Division Lane (West)
- b. Division Lane (West)
- c. The Division Lane (West) / Common Edge Road / Division Lane (East) junctions
- d. Common Edge Road / Queensway

None of the sports facilities hereby approved or the changing facilities that support them shall be brought into first use until all the access works set out in this condition have been fully implemented.

Reason: In order to satisfy the Local Planning Authority and the Local Highway Authorities that the final details of the highway scheme/works are acceptable before work commences on site and in order to provide safe access to the site for all users (motorised and non-motorised), in the interests of highway safety in accordance with Policy GD7 and T4 of the Fylde Local Plan to 2032.

- 8. The development hereby approved shall not be brought into first use until a detailed Car Park Management Strategy (CPMS) has been submitted to and agreed in writing by the local planning authority. The CPMS shall include measures to encourage sustainable transport to limit parking demand, monitoring of peak period car park usage and capacity and to address impacts of any off-site parking.

Reason: In order to ensure that sufficient car parking can be provided, any offsite parking that may arise is appropriately managed and safe and convenient access is available to the development by a range of transport modes in accordance with the provisions of Policy T4 of the Fylde Local Plan to 2032 and para 111 of the NPPF.

- 9. The development hereby approved shall not be occupied until a travel plan has been submitted to and agreed in writing by the Local Planning Authority. The travel Plan shall include:
  - a. Contact details of a named Travel Plan Co-ordinator
  - b. Results from travel survey
  - c. Details of existing cycling, pedestrian and public transport infrastructure
  - d. Proposals for surveying
  - e. Details of the provision of cycle parking.
  - f. Objectives
  - g. SMART Targets for non-car modes of travel, taking into account the baseline data from the survey
  - h. Action plan of measures to be introduced, and appropriate funding
  - i. Details of arrangements for monitoring and review of the Travel Plan for a period of at least 10 years

The development hereby approved shall then proceed and be operated in full accordance with the approved Travel Plan.

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy T4 of the Fylde Local Plan to 2032 and para 111 of the NPPF

- 10. The car parking spaces indicated on the approved site plan listed in condition 2 of this planning permission shall be marked out in accordance with the details shown on the approved plan and made available for use before any of the dwellings hereby approved are first occupied, and shall be retained as such thereafter for the parking of vehicles.

Reason: In order to ensure adequate provision for vehicle parking off the highway in the interests

of road safety and the amenity of existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and the National Planning Policy Framework.

11. Before the development hereby approved is first brought into use:

(a) details of cycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the cycle storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.

Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy T4 of the Fylde Local Plan to 2032.

12. Prior to the commencement of any works on the construction of the car park hereby approved details of the number, location and timing of implementation of electric vehicle re-charging facilities shall have been submitted to and approved in writing by the local planning authority. The approved facilities shall be provided in accordance with the agreed phasing and retained in an operational condition thereafter.

Reason: To support the shift towards sustainable transport choices in accordance with criterion i) of Policy T4 of the Fylde Local Plan to 2032.

13. Prior to the commencement of any development on site, the hedgerow protection measures indicated in the Arboricultural Impact Assessment by Wardell-Armstrong dated August 2000 presented with this application shall be put in place and shall be retained for the duration of the site preparation and construction period.

Reason: To secure the protection, throughout the time that the development is being carried out, of hedgerows growing within or adjacent to the site which are of amenity and biodiversity value to the area, in accordance with Policy ENV2 of the Fylde Local Plan to 2032.

14. The development hereby approved shall proceed in full accordance with the recommendations and mitigations set out in the Preliminary Ecological Appraisal Report dated August 2020 by Wardell Armstrong and the Construction Phase Plan dated June 2020 by STRI.

Reason: In order to safeguard and enhance biodiversity in accordance with Policy ENV2 of the Fylde Local Plan to 2032.

15. The following measures shall be adhered to throughout the construction period of the development hereby approved:

- 1 all materials will be covered and stored on raised pallets only
- 2 means of escape for amphibians and small mammals shall be provided from any excavation (i.e. solid plank providing access from the base of the excavation to ground level)
- 3 construction and storage areas to be inspected at the start of each working day for

amphibians and small mammals

- 4 in the event that a protected species is found on site, works should immediately cease, and a suitably qualified and experienced ecologist consulted
- 5 any non-protected species found on site should be carefully removed and placed under cover on the other side of the site boundary.

Reason: In order to safeguard biodiversity in accordance with Policy ENV2 of the Fylde Local Plan to 2032.

16. Prior to the commencement of any above ground construction, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority. The scheme of ecological enhancement shall include:

- 1 Location, extent, species and phasing of implementation of a proposal to bolster existing hedgerows with native species
- 2 Design, location, phasing of installation of bird and bat boxes
- 3 Design, location, phasing of features to facilitate roaming of small mammals

The approved scheme shall be implemented in accordance with the agreed phasings and retained thereafter.

Reason: In order to safeguard and enhance biodiversity in accordance with Policy ENV2 of the Fylde Local Plan to 2032.

17. 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.

18. Prior to the first occupation or use of the development hereby approved for any sporting activity:
  - (a) a landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include a full planting schedule detailing plant species and initial plant sizes, numbers and densities;
  - (b) the landscaping scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details; and
  - (c) Any trees or plants planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within 7 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policy ENV1 of the Fylde Local Plan to 2032.

19. The external materials to be used on the development hereby approved shall be as specified on plan reference 9308 BEZ-CAA-V5-ZZ-DR-A-3002 Rev P3 dated 07/04/2021 unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy GD7 of the Fylde Local Plan to 2032.

20. The surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surfacing and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy GD7 of the Fylde Local Plan to 2032

21. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, the sports facilities hereby approved shall not be first used until details of the siting, height, design, materials and finish of all boundary treatments within the development have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in full accordance with the duly approved details before the dwelling on each associated plot is first occupied and shall be retained as such thereafter.

Reason: To achieve clear demarcation of public and private areas and to ensure that the design of boundary treatments is sympathetic to the character and appearance of the area in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

22. Before the development hereby approved is first brought into use the refuse storage shown on plan ref. 9308 FP-P-13 Rev B shall be provided and shall thereafter be retained and maintained as such.

Reason: In the interest of the appearance of the site and locality in accordance with Policy GD7 of the Fylde Local Plan to 2032.

23. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

a) Final sustainable drainage layout plan appropriately labelled to include:

- Pipe/structure references
- Dimensions,
- Design levels,
- Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL.

b) The drainage scheme should demonstrate that the surface water run-off and volume shall be attenuated on site up to the 1/100yr + climate change, with any excess discharged from site at the agreed Qbar rate of 5.75l/s/ as per the submitted Flood Risk and Drainage Strategy (GM10226

0013 V4).

c) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates in accordance with BRE365.

d) If it is agreed that infiltration is discounted by the investigations, an investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof).

e) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable.

f) A survey of the culverted section of the watercourse on Division Lane to confirm the final outfall point.

g) Details of mitigation measures which will reduce impacts arising from the development associated with surface water drainage ensuring there will be no adverse impact on site integrity of designated sites outlines in the letter from Natural England dated 12th April 2021.

The scheme shall be implemented in accordance with the approved details prior to first use of any of the approved development, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

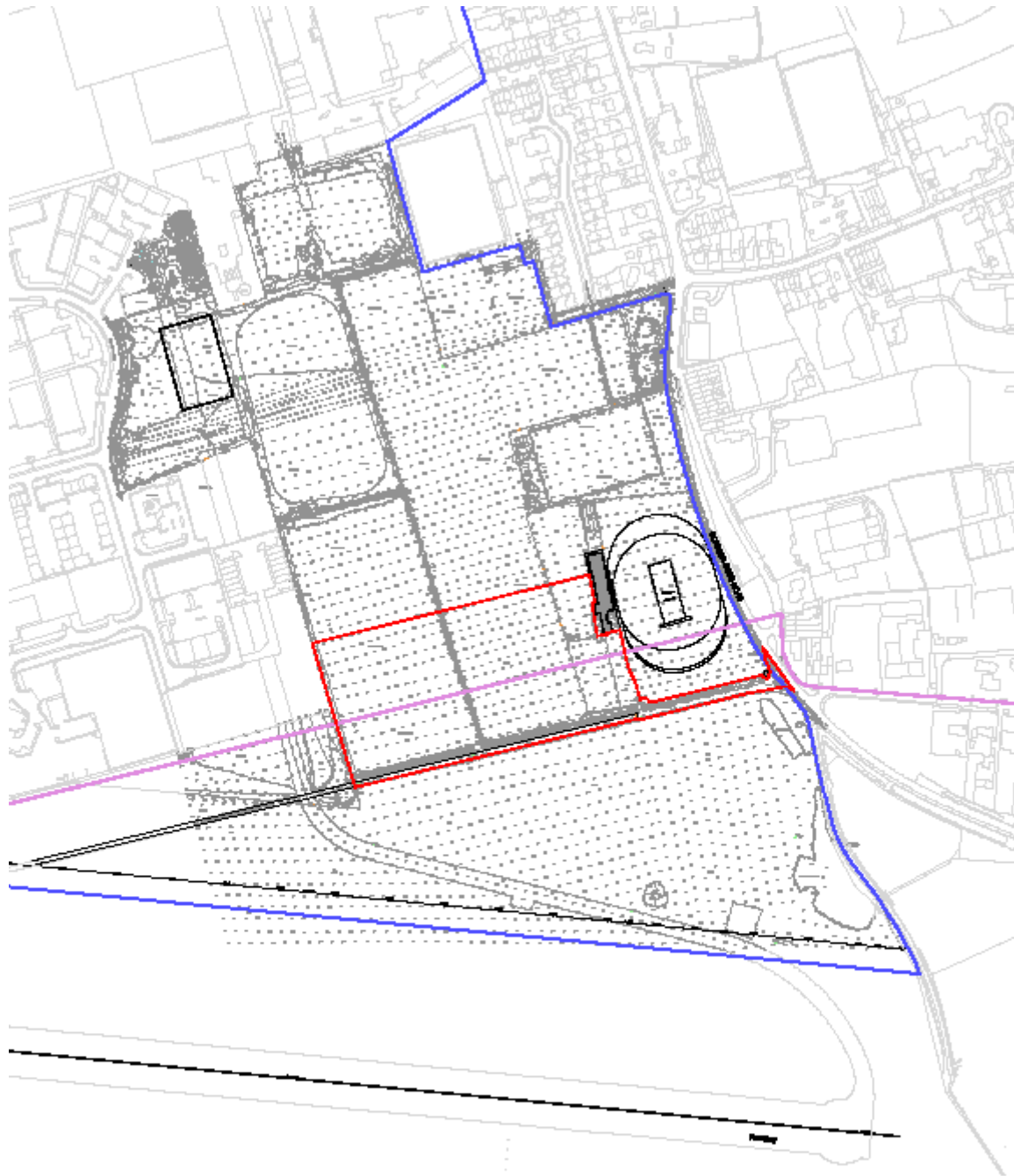
Reason: To promote sustainable development, secure proper drainage of sewage and surface water and to manage the risk of flooding and pollution in accordance with Policy CL2 of the Fylde Local Plan to 2032.

24. The development shall be undertaken in full compliance with the Construction Management Plan by Conlon dated January 2021 unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of safeguarding the character and appearance of the area and to ensure the development phase does not have an unacceptable impact on neighbour amenity, biodiversity or lead to pollution of water bodies in accordance with Policies GD7, ENV2 and CL2 of the Fylde Local Plan to 2032.

25. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a scheme to deal with the risks associated with this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance Policy GD9 of the Fylde Local Plan to 2032 and paragraph 170 of the NPPF.



**Item Number:** 3

**Committee Date:** 23 June 2021

<b>Application Reference:</b> 20/0876		<b>Type of Application:</b> Reserved Matters	
<b>Applicant:</b>	Create Developments(Elswick)L	<b>Agent :</b>	PWA Planning
	imited Create Homes (Elswick) Limited		
<b>Location:</b>	LAND NORTH OF MILL LANE, ELSWICK, PR4 3ZH		
<b>Proposal:</b>	APPLICATION FOR APPROVAL OF THE RESERVED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE PLANNING PERMISSION 16/0180 FOR A RESIDENTIAL DEVELOPMENT OF 50 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE		
<b>Ward:</b>	ELSWICK AND LITTLE ECCLESTON	<b>Parish:</b>	Elswick
<b>Weeks on Hand:</b>	30	<b>Case Officer:</b>	Matthew Taylor
<b>Reason for Delay:</b>	Design Improvements		
<a href="#">Click Here</a> for application site on Google Maps		<a href="#">Click here</a> for application on FBC website	

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The application relates to a broadly rectangular parcel of land extending to approximately 4.7 hectares between Mill Lane and Bonds Lane on the eastern fringe of Elswick. The site presently comprises open farmland on the periphery of the village but approximately two-thirds of it (some 3.1 hectares) falls within the settlement boundary of Elswick and is allocated as a housing site (site reference HS72) on the Fylde Local Plan to 2032 Policies Map. This allocation follows the granting of outline planning permission 16/0180 at appeal (reference APP/M2325/W/17/3172835) for up to 50 dwellings on 28 November 2017. Following this appeal, an application by Storey Homes for the approval of all outstanding reserved matters (reference 18/0318) was granted by the Local Planning Authority on 10 October 2018. Reserved matters approval 18/0318 has not, however, been implemented.

This application seeks a second, separate approval for the outstanding reserved matters of layout, scale, appearance and landscaping pursuant to outline planning permission 16/0180 for a residential development of 50 dwellings including associated open space and other infrastructure on behalf of another developer – Create Homes. The development layout has, however, been designed to closely follow that approved by application 18/0318, with the overall effect largely resulting in a substitution of Storey Homes' approved house types with those of Create Homes, while following the same basic plot configurations, highway layout, building scales, window orientations, landscaping arrangements and supporting infrastructure strategy.

Due to its close association with the approved Storey Homes scheme, the development layout continues to follow that of the illustrative masterplan for planning permission 16/0180



with respect to the location of housing, landscaped areas and open space, and the siting, configuration and spacing of the proposed dwellings would be compatible with the density and character of surrounding development. All the dwellings would be two storeys in height and their scale would provide an appropriate mix and size of housing that would integrate successfully with existing properties on the periphery of the village which border the site.

The dwellings would incorporate a combination of materials that would be sympathetic to the character of surrounding buildings while ensuring interest and consistency. The orientation and fenestration arrangements of dwellings – including those to corner plots – would ensure active frontages to existing and proposed highways and other public vantage points. A wide buffer of planting would be introduced to the east of the dwellings in accordance with the requirements of outline permission 16/0180 to provide a soft landscaped fringe to adjoining countryside, and internal landscaping would ensure the provision of soft-edged tree/hedge lined streets, garden fronted aspects to the estate road, buffers of open space alongside boundaries with Mill Lane and Bonds Lane, and enhanced screening with existing dwellings flanking the western site boundary.

The layout, scale and appearance of the dwellings – having particular regard to their siting, fenestration arrangements, levels, orientation and spacing with neighbouring dwellings – would ensure that the development has no undue effects on the privacy and amenity of adjoining occupiers through loss of outlook, overshadowing or overlooking, and would achieve appropriate standards of amenity for future occupiers. The development would deliver a suitable mix of housing and the number, type, size and distribution of affordable dwellings would be appropriate for a development of the size proposed.

The approval of a suitable drainage strategy is required before any development can take place in accordance with the provisions of condition 7 of the outline permission. A foul and surface water drainage scheme has been submitted in connection with a separate, ongoing application for the discharge of condition 7 (reference 20/0875) and any outstanding matters highlighted by the Lead Local Flood Authority will be addressed through the condition discharge process. The scheme makes appropriate provision for biodiversity net gain and the delivery of public open space (including play areas) to serve future occupiers.

Accordingly, it is considered that the layout, scale, appearance and landscaping of the development meets the requirements of both the outline permission and the objectives of relevant local and national planning policies. Therefore, the proposal is considered to represent sustainable development.

#### **Reason for Reporting to Committee**

The application is classified as major development and the officer recommendation is for approval.

#### **Site Description and Location**

The application relates to a broadly rectangular parcel of agricultural land measuring *circa* 4.7 hectares in area between Mill Lane and Bonds Lane on the eastern fringe of Elswick. Approximately two-thirds of the land to the western area of the site (some 3.1 hectares) falls within the settlement boundary of Elswick and is allocated as a housing site for 50 dwellings (site reference HS72) on the Fylde Local Plan to 2032 Policies Map. This allocation follows the granting of outline planning permission 16/0180 at appeal (reference APP/M2325/W/17/3172835) on 28 November 2017.

Following this appeal, an application by Storey Homes for the approval of all outstanding reserved matters (reference 18/0318) was granted by the Local Planning Authority on 10 October 2018. Reserved matters approval 18/0318 has not, however, been implemented.

The site borders the rural roads of Mill Lane and Bonds Lane to its southern and northern perimeters respectively. Dwellings on both highways are sparse in number and typically set in spacious plots fronting onto, but set back from, the roadside. An adjoining agricultural field with scattered dwellings and farm buildings to the northern and southern fringes is located to the east and the site is bordered by a collection of *circa* late 20<sup>th</sup> century two storey dwellings and bungalows on the cul-de-sacs of Ash Close and Linden Fold, and on Bonds Lane, which occupy a slightly elevated (between approximately 0.5m and 1.5m) aspect to the west. Several of these dwellings benefit from dual aspects to their side elevations where large, habitable room windows face over the existing field.

Although set at a slightly higher level to flanking highways, the site itself is relatively flat. The exception to this is a depression forming a natural pond which occupies a broadly central position within the site. The northern and southern boundaries of the site are marked by linear roadside strips of tree and hedgerow planting outside a stock-proof fence. Existing trees are deciduous specimens that vary in age, maturity and condition. A hedgerow marks the eastern boundary, with a similar feature flanking the western boundary outside the timber boundary fences of dwellings to the west.

### **Details of Proposal**

The application is submitted pursuant to outline planning permission 16/0180 (which included the detailed matter of access) and seeks approval for the remaining reserved matters of layout, scale, appearance and landscaping in connection with a residential development of 50 dwellings including associated open space and infrastructure.

The submitted layout includes a mix of detached, semi-detached and terraced houses providing 9 x 2 bed; 17 x 3 bed; and 24 x 4 bed dwellings across nine different house types. The means of access from Mill Lane is fixed by the outline permission, with the main estate road branching in a northerly direction off this to run up to the northern boundary adjacent to Bonds Lane. Two cul-de-sacs run perpendicular to the main estate road up to the eastern fringe of the development.

The estate road layout creates four distinct parcels of housing within the site, with these separated into 'islands' by intervening roads. The four housing parcels include:

- Parcel A (plots 1-19) – A linear row of properties forming a flanking corridor to the west side of the estate road and terminating at a turning head adjacent to Bonds Lane where the northernmost plot (no. 19) has a dual aspect to its side elevation facing onto Bonds Lane.
- Parcel B (plots 20-34) – A collection of terraced, semi-detached and detached houses fronting onto the main estate road to the western end and opening onto the adjoining field to the east. Four of the plots (nos. 20, 27, 28 and 34) have dual aspects with their side elevations facing onto Bonds Lane or the estate road.
- Parcel C (plots 35-41) – A collection of detached houses facing onto the estate road to the west, north and south, and over the adjoining field to the east.
- Parcel D (plots 42-50) – A group of detached houses fronting an arrival green to the south, the main estate road to the west and north, and incorporating dual aspect elevations onto the adjacent field to the east.

A total of 4385 m<sup>2</sup> of public open space is to be provided as part of the scheme. The open space

comprises: i) an arrival green to both sides of the site access from Mill Lane to the southwest corner; ii) amenity space encircling the retained pond to the centre of the site, including a Local Area for Play (LAP); and iii) a strip of open space flanking the site's northern boundary with Bonds Lane. The application also includes provision for a 3.5m wide shared footpath/cycle link onto Bonds Lane branching off the estate road to the northeast corner.

Soft landscaped areas include: i) the retention of existing trees to the boundaries with Bonds Lane and Mill Lane, and scatter trees and hedging to the western boundary with adjacent dwellings; ii) a wide planting buffer to the east of the dwellings running for the full depth of the site; iii) strengthening of the tree line to the northern boundary with Bonds Lane with supplementary planting; iv) the introduction of additional tree planting within the gardens of plots 1-19 alongside the western site boundary; and v) internal planting to provide a tree/hedge lined aspect to the estate road. Boundary treatments comprise a mix of hedges, 1.8m high walls to the side/rear of corner plots opening onto the estate road and 1.8m high timber fencing to rear garden boundaries. Enclosures to communal areas include 1.1m high estate railings to the edges of the entrance green and a 0.45m high kneel rail to the northern and eastern edges of the development where these border open spaces.

All of the dwellings are two storeys in height. Materials include red brick external walls, artstone cills and lintels, grey roof tiles and tile hung dressings to pediment features above double-height bay windows. Window frames would be dark grey.

Whilst the provision of affordable housing is dealt with principally through the planning obligation attached to the outline permission, the layout identifies the size and location of 15 affordable dwellings (equating to 30% of the total) clustered within parcels A and B to the northern end of the site. These include 9 x 2 bed and 6 x 3 bed dwellings show to follow an 8:7 tenure split between affordable rent (2 x 3 bed and 6 x 2 bed units) and shared ownership (4 x 3 bed and 3 x 2 bed units).

#### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
18/0318	APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION 16/0180 FOR THE LAYOUT, SCALE, APPEARANCE AND LANDSCAPING OF A RESIDENTIAL DEVELOPMENT COMPRISING 50 DWELLINGS WITH ASSOCIATED OPEN SPACE AND INFRASTRUCTURE	Granted	12/10/2018
17/0247	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Refused	28/07/2017
16/0180	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS AND ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Refused	10/02/2017

#### **Relevant Planning Appeals History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
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16/0180	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 50 DWELLINGS AND ASSOCIATED INFRASTRUCTURE (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Allowed	28/11/2017
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### **Parish/Town Council Observations**

**Elswick Parish Council** – Initially notified of the application on 01.12.20 and of amended plans on 27.05.21. The Parish Council submitted comments on 21.01.21 as follows:

*It was resolved to offer no objections as the application has outline permission granted, however, the parish council has several concerns it would like to highlight for consideration at the planning stage. The following are the thoughts of various parish councillors and were resolved to submit:*

- We have had several local objections regarding the flooding in Bonds lane. The council must ask Fylde to address this although from my reading of the application the developer seems to be working to the guidelines issued by the flooding authority (LCC). It is possible that if the flooding is coming from the field that the two drainage ponds might alleviate rather than increase the problem.*
- The previous developers of the site proposed draining the site to Mill Lane with similar drainage ponds. This was apparently rejected by the LCC Flooding team. There is also extensive flooding in Mill Lane so it seems that whichever way the development is drained there will be problems.*
- It is suggested that the parish council ask Fylde to deem this land a 'Designated Open Space' as part of the planning application. I understand that the developers will have no objection to this suggestion.*
- There is concern as to the maintenance of the boundary hedges long-term as well as the general land surrounding the development but contained within.*
- Concerns were raised relating to the overall ground level of the site in relation to the surrounding properties.*

*To summarise, drainage and on-going maintenance are the primary concerns which require addressing at the planning stage, in the opinion of the parish council.*

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

#### *Greater Manchester Ecology Unit (GMEU)*

- I have reviewed the risks associated with this development and great crested newts. The site is unlikely to have had any in-migration of great crested newts as the only ponds within 250m of the pond on site and two ponds to the east have been assessed as part of other applications since 2016 and none found to have great crested newts. Therefore, whilst the large pond cluster to the east does not appear to have been surveyed and therefore may have great crested newts, none are closer than around 350m and would have had to cross significant areas of hostile habitat.*
- There may, however, still be a very low population hanging on as we have experience of a few sites where very low populations are not revealed by eDNA and full surveys over several years and then one or two are found. What this however demonstrates is that very low populations do not get picked up and that in such cases reasonable avoidance measures are probably a better way ahead.*
- I am therefore satisfied that RAMs can be conditioned rather than require additional surveys. The site is relatively easy to check being improved grassland. I would however recommend that the very low risk of great crested newts being present is added into the*

RAM statement so that contractors are made aware that they were present on the site historically.

- GMEU confirm that an updated RAM statement submitted on 18.12.20 includes sufficient mitigation measures and compliance with it can be secured through a planning condition.

*Lead Local Flood Authority (LLFA)* – Latest comments received 30.04.21 (as a combined response with condition discharge application 20/0875) as follows:

- Condition 6 (levels) – Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot are required to confirm minimum 150mm difference for FFL.
- Condition 7 (foul and surface water drainage strategy) – Further details are required to address bullet points 1 (relating to discharge rates and volumes (both pre and post development); 2 (relating to the surface water runoff in relation to the pre-development greenfield runoff rate); and 5 (relating to a timetable for implementation, including phasing as applicable) of condition 7.
- Conditions 8 and 9 of the outline permissions include pre-occupation requirements relating to the management and maintenance of the surface water drainage scheme and the construction of detention basins and flow control devices.

*LCC Highways* – Comments on revised layout dated 19.04.21 as follows:

- The current planning application is concerned with the internal layout of the site only. The principle of the development; capacity and safety impact on local highway network; sustainability to the site and the site access were approved by the outline permission. LCC Highways comments are therefore based on the proposed internal highway issues only.
- **Summary** – LCC Highways do not have any objections to the proposed 50 dwellings and are of the opinion the development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
- **Sustainable links** – The revised 3.5m wide shared surface cycle link from the site to Bonds Lane is now acceptable. This route should be illuminated to ensure the route is safe and desirable to use.
- **Internal highway layout** – The highway layout and car parking conforms to current guidelines; recommendations; the philosophy of Manual for Streets; Creating Civilised Streets; the National Planning Policy Framework; and the highway layout would also be acceptable for adoption under section 38 of the highways act
- **Conditions** – Recommended for provision of: i) A construction management plan; ii) specification for new estate road construction; iii) estate road phasing and completion plan. No dwelling within each phase shall be occupied until the estate street(s) affording access to those dwelling(s) has been completed; iv) arrangements for future management and maintenance of estate road; v) full engineering, drainage, street lighting and constructional details of the streets proposed for adoption; vi) marking out of private parking and manoeuvring areas; vii) removal of permitted development rights to ensure garage retention; viii) details of off-road shared cycle paths.

*School Planning Team:*

- In line with the UU for outline permission 16/0180 dated 6 November 2017, the owner is to inform LCC within 20 working days following final reserved matters approval to enable LCC to calculate the Secondary Education contribution.

*Strategic Housing (FBC)* – Latest response on updated layout as follows:

- The 8:7 tenure split in favour of affordable rent is acceptable and makes sense based on the proposed layout of the affordable housing units.
- The clustering of units together on one part of the site is also acceptable in this instance as it

- is small site and clustering will be easier for the Registered Provider to manage the housing.
- The split of 2 and 3 bed units across both tenures is acceptable, with two 3-bed units now included for affordable rent.
- It would be preferable for the same Registered Provider to be secured for both the shared ownership and affordable rented units.
- The site is within a Designated Protected Area which restricts staircasing of the shared ownership units up to a maximum of 80%. This restriction should be in place for a minimum of 10 years and will need to be accounted for in the affordable housing statement required by the S106.

*United Utilities* – Comments on application 20/0875 in relation to details submitted to discharge condition 7 of the outline permission as follows:

- Further to our review of the submitted Engineering Appraisal drawing Ref: 882235-10-01, Rev: P3, dated: 12.11.2020, By: RSK United Utilities has no objection to condition 7 being discharged.

### **Neighbour Observations**

<b>Neighbours notified:</b>	1 December 2020
<b>Site notice posted:</b>	8 January 2021
<b>Press notice:</b>	10 December 2020
<b>Amended plans notified:</b>	27 May 2021 (21 day re-consultation expires 17 June 2021)
<b>No. Of Responses Received:</b>	17
<b>Nature of comments made:</b>	17 objections

The appropriate neighbouring properties were notified of the application by letter on 1 December 2020. Additional letters were sent out on 27 May 2021 following the receipt of amended plans allowing an additional 21 day period for comments on the revised plans. In addition, as the application involves major development, notices have been posted on site and in the local press. A total of 17 letters have been received in objection to the application at the time of preparing the report. Any additional letters of representation will be summarised in the schedule of late observations. The points made in the letters are summarised as follows:

### ***Principle of development:***

- Elswick lacks the services required to cope with the influx of new residents from this development. The bus service is very limited and there are few facilities to support new residents. Previous applications in Elswick have been refused on the grounds of these being unsustainable locations for development and there is no reason why a different approach should be taken in this case. The Local Plan indicates that Elswick is one of the least sustainable locations in the borough and so seeks to limit the number of new homes in the village to 50. This would be significantly exceeded by the proposal when considered in combination with other recent developments in Elswick and Great Eccleston.
- The lack of public transport, services and amenities in Elswick means that it is an unsuitable location for the provision of affordable housing where car-based journeys are required to serve everyday needs.
- The application relates to an attractive greenfield site which forms part of the green recreational core of Elswick and contributes to the village's character. Therefore, it should not be developed until all other brownfield sites have been exhausted.
- The period for which the original planning permission (16/0180) and reserved matters (18/0318) was granted appears to have expired at the end of November, thus requiring a fresh planning application. Also, the applicant is different to the developer who applied for

the outline permission.

**Officer note:** Outline planning permission 16/0180 was allowed at appeal on 28.11.17. Condition 1 of that permission requires the submission of any applications for approval of reserved matters within 3 years of that date (i.e. by 28.11.20). As application 20/0876 was received as a valid application on 27.11.20, it has been submitted within the timeframe allowed by planning permission 16/0180. The subsequent reserved matters approved by Storey Homes (18/0318) was granted on 10.10.18 and has not been implemented. Accordingly, the two year timeframe for implementing reserved matters approval 18/0310 (as set out in condition 1 of the outline permission) has expired. This does not, however, prevent the submission of subsequent applications for approval of reserved matters in accordance with the timescale allowed by condition 1 of the outline permission. In addition, as a planning permission runs with the land (rather than a specific developer) there is no reason why the reserved matters application must be submitted by the same applicant as the outline.

***Layout:***

- It is apparent that the layout has been designed to allow an extension of development onto the eastern part of the site at a later date, with an obvious future access designed-in off the cul-de-sacs.
- It would be preferable for the dwellings to be spread out across the site in order to provide a greater separation and maintenance buffer with existing properties to the west.
- The submitted boundary treatment plans appears to show rear garden fences for plots backing onto the western boundary running into the embankment at the bottom of existing gardens on Ash Close. This banking is, however, unstable and prone to erosion. A wide, open maintenance strip is required between the existing and proposed gardens, with the dwellings flanking the western boundary pushed further to the east away from existing houses and the ditch that straddles this boundary.
- The existing layout should be amended to: i) place the houses at the southern end of the field in a row flanking Mill Lane; ii) the hedge, ditch and banking along the western boundary should have an 8-10 foot buffer zone where they remain undisturbed; iii) both the existing and proposed ponds should be increased in size to cater for more frequent, severe storm events; iv) additional tree planting should be introduced within the northern end of the field away from the houses.
- New developments adjacent to existing housing should include similar types of dwelling. However, the submitted plans show affordable rented and shared ownership dwellings adjacent to existing properties to the west, thus breaking this protocol.

***Appearance and design:***

- The site will be prominently in view from Bonds Lane and Mill Lane along tranquil walking routes on the edge of the village. However, the proposed house types are very urban in nature and do not reflect the site's edge-of-village location. They appear, instead, to be the same as any other suburban housing development which would be expected in Preston or Blackpool and do not relate well to the rural fringe of the existing village.

***Amenity:***

- The submitted plans fail to show or properly consider the development's relationship with no. 14 Bonds Lane, having particular regard to a single storey side extension added to the property through application 96/094. This extension includes five windows in the east side facing the proposed development – all of which are for habitable rooms. Two of the windows are very close to the boundary and would be particularly affected. These windows

would be closely overlooked by five of the proposed dwellings (plots 15-19) facing no. 14, thus allowing direct views into them and resulting in an unacceptable infringement of privacy. In addition, the rear of plot 19 would step forward from the front of no. 14 Bonds Lane, thus allowing views from the rear-facing windows of that dwelling into the front-facing windows of no. 14 (which are the main or only windows allowing light into three rooms).

- The soft landscaping plan includes the introduction of several low-level trees within the rear gardens of plots flanking existing dwellings to the west. These saplings would, however, offer no screening for many years, especially due to existing dwellings occupying an elevated ground level in relation to the development.
- Several dwellings bordering the site along its western boundary have habitable room windows serving bedrooms, lounges and kitchens/dining rooms in their side elevations overlooking the existing field. The proposed dwellings will be located in close proximity to existing houses to the west. The minimal spacing between the existing and proposed dwellings, combined with their orientation and window arrangements, will result in a loss of privacy to adjoining occupiers due to overlooking. The proposed 1.8m boundary fence does not provide privacy as the site is already set at a lower level in relation to existing dwellings.
- The scale and density of the development – including the number and close grouping of properties along the shared boundary with existing houses to the west which presently overlook an open field – would have an oppressive and overbearing impact on the occupiers of residents who presently enjoy an outlook over the field. It would also result in a substantial loss of privacy due to overlooking and unacceptable overshadowing.
- Fylde Borough Council appears to allow new developments to overlook habitable rooms in existing houses from a much closer distance than most planning authorities. This reduces the amenity of the existing residents.

#### ***Landscaping:***

- The application includes the infill of gaps within the hedge on the western boundary. This will not, however, provide security for existing occupiers and it is unclear who will be responsible for its upkeep.

#### ***Flooding and drainage:***

- Incidences of surface water flooding on Bonds Lane have increased in recent years. This has led to an increase in standing water on Bonds Lane and within surrounding properties due to a lack of capacity within the nearby dyke that surface water discharges into. There have been recent changes to the on-site pond which have exacerbated this issue and the proposed development which would increase the impermeable area of the site would further worsen this scenario.
- The supporting surface water drainage infrastructure proposed by the development is inadequate. In particular: i) As with the existing pond, the new undersized pond will quickly fill and lacks capacity to store surface water from the development within the site; ii) Existing drains and ditches lack the capacity to serve the development as they are already overloaded without this being in place and flood regularly; iii) the existing field is frequently sodden and rainwater already ponds within it. It is unclear where surface water will be directed to by the development; iv) there is no provision for repairing and improving the current drainage infrastructure.
- The proposed surface water drainage strategy relies on the use of existing drainage infrastructure located on Bonds Lane. In particular, the outfall from the attenuation pond is into an existing manhole and then relies on onward flow using the existing chamber. There is, however, no condition survey to determine the standard and flow capacity of this existing apparatus. It is known that current surface water drainage infrastructure on Bonds Lane is overloaded and so funnelling surface water from this development into those drains would



only exacerbate matters.

- Water entering the ditch on Bonds Lane subsequently discharges into 'Copp Gutter' to the north, part of which borders dwellings where it passes over Copp Lane. Houses surrounding Copp Gutter have experienced several flood events in recent years due to a lack of capacity within Copp Gutter. These events cannot be described as once in 30 years or 1 in 100 years and are increasing in frequency. While the ditch has been cleared, nothing has been done to improve the flow or capacity of Copp Gutter which receives runoff from both Elswick and Great Eccleston. Surface water from the development is to run off onto Bonds Lane and will subsequently discharge into Copp Gutter. This will result in a significant increase to the risk of flooding for properties surrounding Copp Gutter with storm events becoming more frequent. The development should follow a different route for surface water drainage to avoid outfalling to Copp Gutter.
- There is a drainage ditch running along the western boundary of the site between the proposed houses and existing dwellings on Ash Close which is not shown on the drainage plan. This ditch is an important part of the field drainage system as water from elevated gardens on Ash Close drains into it. It is unclear how this ditch and the new landscaping within it will be maintained as these features would be located within the rear gardens of the new dwellings. If the ditch is not maintained, then it could flood the new dwellings. Responsibility for the maintenance of the ditch and hedge along the western boundary needs to be established.

#### **Highways:**

- The access into the site off Mill Lane (a single lane road) is very narrow and the second junction off Mill Lane onto Lodge Lane has limited visibility in both directions due to a blind bend. The two accesses are also in very close proximity to one another which makes them difficult to negotiate. Accordingly, the proposed access arrangements would be harmful to highway safety both for construction vehicles when carrying out the development and for future occupiers.
- The introduction of a further 100 cars passing through Elswick would result in congestion and capacity issues within the village, and onto the A585 corridor at the dangerous Thistleton junction.
- The footpath along Lodge Lane is very narrow in places which makes accessing the nearby shop from the site problematic.
- The Local Highway Authority have objected to the application on the grounds of the internal highway layout and parking being substandard and have also indicated that the internal road layout would not be to an adoptable standard.

**Officer note:** This comment references the Local Highway Authority's (LHA) response dated 17.12.20 in relation to a previous version of the layout. The layout has, however, now been altered to address the LHA's concerns and the LHA have since confirmed that they have no objection to the revised scheme.

- The revised position of the cycle/pedestrian link onto Bonds Lane shown in the amended plans places the opening directly opposite the access to Ash Farm on a bend in the road. This bend will restrict visibility of oncoming traffic for pedestrians and cyclists exiting the route onto Bonds Lane and thus increase the risk of accidents. Therefore, the ingress/egress for the link should be re-located further east in the position originally proposed. In addition, the 3.5m width of the proposed link seems to be excessively wide for cycles/pedestrians.

#### **Ecology:**

- There is a natural pond within the site which will be adversely affected by the development.

It is unclear whether the developer has carried out a new survey for newts within this pond as the previous e-DNA surveys from 2015 are 5 years out of date. The consultation response from GMEU suggests that further surveys are required for bats and Great Crested Newts.

**Officer note:** The reference to GMEU's comments in the representation relates to GMEU's original response on 14.12.20 which indicated that additional surveys for Great Crested Newt should be provided given the time that has elapsed since the original surveys for the outline permission. This was, however, superseded by a second response from GMEU dated 18.12.20 following the submission of additional information by the agent, with GMEU's response dated 18.12.20 confirming that "I am therefore satisfied that RAMs [(Reasonable Avoidance Measures)] can be conditioned rather than require additional surveys."

- Bats do exist in the area. However, the bat survey that has been carried out has been undertaken in the winter months when bats are hibernating.
- The site provides a habitat for many wildlife species including nesting birds, bats roosting in the trees and overwintering birds visiting the on-site pond. The ecology surveys that have taken place on this site have reported on a snapshot in time and do not reflect the site's true use by wildlife.
- Although the developer mentions biodiversity net gain, the final figure of 0.38% is far short of the 10% gain requirement included in the forthcoming Environment Bill. It is also unclear how many of the existing mature trees around the site are to be lost as a result of the development.

**Other matters:**

- The ownership of the land in the southwest corner of the site needs to be clarified if the access road is to be permitted in this location. If the other owners of the land have not been notified, then the application is invalid.

**Officer note:** The means of access into the site from Mill Lane has already been approved through the granting of outline planning permission 16/0180 which included 'access' as a detailed matter. Accordingly, the means of access to the development cannot be revisited as part of this application for the approval of the four other outstanding reserved matters. It is also the case that, as the red line boundary for reserved matters applications cannot extend beyond that of the outline permission, there is no requirement for reserved matters applications to be accompanied by ownership certificates as all required notices would have been served at the time of the outline application.

**Relevant Planning Policy**

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 (the 'FLP') was formally adopted by the Council at its meeting on Monday 22 October 2018 as the statutory development plan for the Borough. Therefore, the FLP should guide decision taking for the purposes of paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2 of the National Planning Policy Framework.

**Fylde Local Plan to 2032:**

SL5

Development Sites outside Strategic Locations for Devt

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
H2	Density and Mix of New Residential Development
H4	Affordable Housing
T4	Enhancing Sustainable Transport Choice
T5	Parking Standards
CL1	Flood Alleviation, Water Quality and Water Efficiency
CL2	Surface Water Run-Off and Sustainable Drainage
ENV1	Landscape
ENV2	Biodiversity
ENV4	Provision of New Open Space
ENV5	Historic Environment

**Other Relevant Policy:**

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance

**Other relevant Guidance:**

Building for a Healthy Life: A Design Code for neighbourhoods, streets, homes and public spaces – June 2020 (referred to hereafter as ‘BHL’)

**Environmental Impact Assessment**

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 but does not exceed the threshold in Column 2 of the table relating to category 10(b) developments. Therefore, it is not Schedule 2 development for the purposes of the Regulations and, accordingly, is not EIA development. It is also the case that the outline application (16/0180) was not EIA development.

**Comment and Analysis**

**Background:**

While the land presently comprises open farmland on the eastern fringe of Elswick, the western part of the site (equating to around two-thirds of its overall area) falls within the settlement boundary of Elswick and is allocated as a housing site for 50 dwellings (site reference HS72) on the FLP to 2032 Policies Map and within policy SL5 of the local plan. This allocation follows the granting of outline planning permission 16/0180 at appeal (reference APP/M2325/W/17/3172835) on 28 November 2017.

Following this appeal, an application by Storey Homes for the approval of all outstanding reserved matters (reference 18/0318) was granted by the Local Planning Authority on 10 October 2018. Reserved matters approval 18/0318 has not, however, been implemented. Although application 18/0318 was granted shortly before the adoption of the FLP on 22 October 2018, the advanced stage of that plan at the time attracted significant weight in the decision-making process. It is also the case that application 18/0318 was assessed against the provisions of the NPPF published in July 2018, with the current (February 2019) NPPF including only minor clarifications to the 2018 version.

Accordingly, while reserved matters approval 18/0318 has expired without being implemented, it remains a material consideration given that the current application is to be assessed against

substantially the same policy context having regard to the merits of the reserved matters applied for. Moreover, the current application, with respect to its layout, scale, appearance and landscaping, closely follows that approved as part of application 18/0318.

#### Policy context and main issues:

As outlined in paragraphs 10 and 11 of the NPPF, at the heart of the Framework is a presumption in favour of sustainable development. In terms of decision taking, subparagraphs c) and d) of paragraph 11 indicate that this means:

- c) approving development proposals that accord with and up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 12 of the NPPF makes clear that “the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

As the application seeks approval for reserved matters pursuant to outline planning permission 16/0180 (which included ‘access’ as a detailed matter), issues concerning the principle of development (including the sustainability of the site’s location for housing) and the means of access to the site (including transport impacts at and away from the site) have already been assessed and found acceptable at the outline stage. Accordingly, these matters are not to be revisited through this application for approval of reserved matters. Instead, the main issues for consideration in this application relate to specific impacts associated with the development’s appearance, landscaping, layout and scale, having particular regard to:

- Its compliance with the conditions, restrictions and parameters associated with outline planning permission 16/0180 where these have specific implications at the reserved matters stage.
- Its effects on the character and appearance of the area, including nearby heritage assets.
- Its impact on the amenity of surrounding occupiers.
- Any other relevant matters, including those relating to the development’s internal highway layout, housing mix, the type and distribution of affordable housing, the provision of open space and its effects on flood risk, drainage and ecology.

#### Compliance with outline permission 16/0180:

In addition to conditions detailing the time limit for the submission of any application(s) for approval of reserved matters and setting out which reserved matters are outstanding (conditions 1 and 2 respectively), outline planning permission 16/0180 includes several conditions which either specify that certain details are to be provided as part of any application for approval of reserved matters submitted pursuant to the outline permission or identifies parameters that are intrinsically linked to

the outstanding matters. Specifically, those are conditions 4, 5 and 7 of 16/0180. The scheme's compliance with the provisions of each of these conditions is addressed in turn below:

***Condition 4 (layout and scale):***

Outline application 16/0180 included an illustrative masterplan (drawing no. 15-063 FP02 Rev H). With respect to the development layout to come forward at reserved matters stage, condition 4 of the outline permission reads as follows:

*Any application which seeks approval for the reserved matter of layout pursuant to condition 2 of this permission shall accord with the parameters shown on amended drawing number 15-063 FP02 revision H:*

- *the developable areas of the site.*
- *the areas to be laid out as open space and landscape buffer.*
- *the scale of development being no greater than 2 storeys in height.*

While the illustrative masterplan for application 16/1080 identifies broad locations for development blocks, roads and landscaping/open space, it lacks any detail concerning the layout of individual dwellings and associated infrastructure (those matters having been reserved at the time). The purpose of the illustrative masterplan is, instead, to identify the broad areas of the site that will be developed, along with those which will be retained as open space and/or landscape buffer.

The primary objective of the illustrative masterplan (and of condition 4) is to guide the spatial distribution of development across the land in order that: i) developable areas are contained to the western part of the part of the site where they would border existing buildings and so be seen as a continuation of the settlement rather than being detached from it; ii) a landscape buffer of appropriate depth is provided around the edges of the development; and iii) to ensure that the land to the far eastern part of the site (which is now designated as countryside in the FLP) is kept open. This intention, and the scope of the illustrative masterplan, is made clear in paragraphs 16 and 17 of appeal decision APP/M2325/W/17/3172835. Indeed, paragraph 16 of the Inspector's decision highlights that "the illustrative framework plan splits the application site in two, with housing to the village side of a deep landscape buffer which incorporates an existing pond which would be retained". It is not however, as is suggested by objectors, the intention of the illustrative masterplan to set strict, rigid restrictions on the precise size or exact siting of areas that can be developed for housing at reserved matters stage.

The proposed reserved matters layout follows the broad principles identified in the illustrative masterplan by splitting housing across four distinct parcels – including a linear strip to the west of the main estate road where it borders existing dwellings and three perimeter blocks to the east separated by intervening roads. A wide swathe of soft landscaping to the east of the housing blocks – including the retained central pond and an additional attenuation pond– provides an intervening buffer with the retained field parcel to the eastern end of the site. Accordingly, the proposed layout follows the development parameters identified in the illustrative masterplan with respect to the locations of developable, open space and landscaped areas and, in turn, satisfies the first and second bullet points to condition 4.

With respect to building scale, all of the proposed dwellings are of a two-storey height and, therefore, there is no conflict with the restriction in the third bullet point of condition 4.

Objectors have suggested alternative layouts which would locate the proposed dwellings further away from existing properties to the west, including through a linear ribbon of development fronting Mill Lane alongside the southern boundary. However, the siting of development parcels shown on

the illustrative masterplan includes a clear expectation for a corridor of buildings to flank the western boundary of the site, along with the intention of limiting the extent of developable areas to the western areas. Therefore, the alternative layouts suggested by the objectors would not accord with the parameters of the illustrative masterplan or, in turn, the requirements of condition 4.

**Condition 5 (landscaping):**

With respect to landscaping parameters to be followed at reserved matters, the first part of condition 5 of planning permission 16/0180 reads as follows:

*“Any application which seeks approval for the reserved matter of landscaping pursuant to condition 2 of this permission shall provide for a development which demonstrates compliance with the principles of the landscape strategy indicated on drawing number 15-063 FP02 revision H. The scheme shall include, but not be limited to, the following details:*

- retention of existing trees, hedgerows and other vegetation on/overhanging the site.*
- a compensatory planting scheme to replace any trees or hedgerows to be removed as part of the development.*
- the introduction of a landscape buffer and public open space to the east of the built form proposed.*
- the introduction of additional planting within the site which forms part of the internal development layout and does not fall within (1) to (3).*
- the type, size, species, siting, planting distances and the programme of planting of hedgerows, trees and shrubs.”*

The application is accompanied by a detailed landscaping scheme (drawing nos. 6418.01 Rev I and 6418.02 Rev I) which provides for: i) the retention of existing tree belts flanking the northern and southern boundaries to Bonds Lane and Mill Lane (save for the cluster of trees which are to be removed in order to provide the access from Mill Lane), and of existing hedgerows along the eastern and western boundaries; ii) as no existing trees (except for those at the access) or hedgerows are to be removed there is no specific requirement for compensatory planting, though a significant net increase in overall tree/hedge coverage across the site will occur through the implementation of the landscaping scheme; iii) The provision of a wide planting buffer to the east of the proposed dwellings which would intervene between the housing and a retained parcel of open land to the east of the site. Landscaped open space buffers are also shown alongside the southern (an arrival green) and northern (flanking Bonds Lane) borders; iv) the introduction of tree, hedge and shrub planting within the development to provide tree-lined streets and soft landscaped aspects to gardens bordering the estate road; v) a detailed specification setting out the type, size, species, siting, planting distances and the programme of planting of hedgerows, trees and shrubs.

Accordingly, the submitted landscaping scheme satisfies the requirements of condition 5 of planning permission 16/0180 and the location, coverage, mix, size and species of plants, hedges and shrubs proposed is considered to provide an appropriate balance of hard and soft landscaping in order that the development’s visual impact by virtue of its edge of settlement location is suitably minimised in accordance with the parameters identified by the illustrative masterplan and the condition.

**Condition 7 (drainage):**

Condition 7 of planning permission 16/0180 requires that “as part of any reserved matters application and prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local

Planning Authority.” The condition goes on to identify eight specific requirements of any such scheme and indicates that “the scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.”

A detailed surface water drainage scheme has been submitted in support of the application and in tandem with a separate application (20/0875) to discharge condition 7 (among others) of the outline permission. In summary the surface water drainage scheme includes the following provisions:

- Soakaway tests indicate very limited soakage potential for infiltration drainage systems due to the underlying glacial clay strata. Therefore, it is not recommended that soakaways are used for disposal of surface water runoff.
- Surface water from the development will discharge into an existing highway chamber on the southern side of Bonds Lane which feeds into a pipe crossing Bonds Lane and subsequently discharges into a drainage ditch in open channel running through fields to the north.
- An attenuation pond with a depth of approximately 2m will be created to the northeast corner of the site which will have capacity to cater for flood flows from all events up to and including the 1:100 year + 40% climate change event. Surface water will be conveyed through two headwalls at the entrance and exit to the attenuation pond and a hydro-brake within the exit flow control chamber will be used to restrict the post-development surface water run-off rate to mimic the pre-development (greenfield) rate of 13.7 l/s.
- An overland flood exceedance plan indicates how surface water runoff within the development will be directed away from the proposed dwellings towards undeveloped, lower lying areas of the site in order to reduce the risk of flooding to future occupiers.
- Two networks are proposed for foul water. The site frontage is proposed to drain via gravity into the existing combined sewer on Lodge Lane, with the remainder of the site draining to a new foul water pump station which will discharge into the new gravity foul water sewer.

The opening trigger to the wording of condition 7 is multi-faceted in that it requires the submission (and subsequent approval) of a surface water drainage scheme “as part of any reserved matters application **and** prior to the commencement of any development” (emphasis added).

In this case, reserved matters application 20/0876 has been submitted in tandem with a separate application (reference 20/0875) to discharge several conditions attached to outline planning permission 16/0180 including, among others, condition 7. As a result, the restriction in the condition means that, in spite of any reserved matters application which may be granted, no development can take place until condition 7 is discharged.

Both United Utilities (UU) and the Lead Local Flood Authority (LLFA) have been consulted on the details submitted with applications 20/0875 and 20/0876 to discharge condition 7 of the outline permission. UU have confirmed – through their response to 20/0875 – that the details submitted to discharge condition 7 are acceptable to them with respect to foul disposal.

In terms of surface water drainage, the LLFA’s latest response of 30.04.21 indicates that further details are required to address the requirements in the first, second and fifth bullet points of condition 7 relating to:

- Surface water discharge rates and volumes (both pre and post development);
- Surface water runoff in relation to the pre-development greenfield runoff rate; and
- A timetable for implementation, including phasing as applicable.

The applicant submitted an updated drainage strategy as part of the package of amended plans on

27.05.21. The LLFA have been consulted on the updated drainage strategy and their further comments on this are awaited. Nevertheless, given that a separate application to discharge condition 7 of outline permission 16/0180 has been made in tandem with this application for approval of reserved matters, it is considered that any outstanding issues within condition 7 can be appropriately dealt with through condition discharge application 20/0875 and so need not delay determination of this application for approval of reserved matters.

The LLFA's current response does not make any suggestion that an appropriate surface water drainage strategy cannot be achieved – indeed, a strategy substantially in accordance with the scheme proposed in this case was approved by the LLFA as part of previous reserved matters application 18/0318. Instead, further technical information is required to address specific parts of condition 7. In any case, and whether dealt with through application 20/0875 or 20/0876, the LLFA's approval of the proposed surface water drainage strategy will be required before any development can take place in accordance with the provisions of condition 7 of the outline permission.

Objectors have raised various concerns relating to surface water flooding and the submitted drainage strategy. These issues are addressed later in the report.

#### Character and appearance:

FLP policy GD7 states that development proposals demonstrate a high standard of design, taking account of the character and appearance of the local area, in accordance with 15 guiding principles (a – o). In particular, criteria b), d), g), h), i), k), l) and m) of the policy identify the following requirements:

- Ensuring densities of new residential development reflect and wherever possible enhance the local character of the surrounding area.
- 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.
- Applying Secured by Design principles.
- 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.
- Ensuring the layout, design and landscaping of all elements of the proposal, including any internal roads, pedestrian footpaths, cycleways and open spaces, create user friendly, sustainable and inclusive connections between people and places resulting in the integration of the new development into the built and historic environment.
- Creating safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion, and there are clear and legible pedestrian and cycle routes and high quality public space, which encourages the active and continual use of public areas.
- Protecting existing landscape features and natural assets as an integral part of the development; requiring multi-functional green infrastructure to be integrated into urban areas; providing enhancements to open spaces to encourage people to use them; protecting and enhancing habitats; providing open spaces and linkages to the wider ecological networks as part of the Green Infrastructure network; and enhancing the public realm.

FLP policy H2 indicates that developments will be expected to make efficient use of land, whilst avoiding detrimental impacts on the amenity, character, appearance, distinctiveness, and



environmental quality of the surrounding area. It is expected that this will normally result in a minimum net residential density of 30 homes per hectare. The policy goes on to state that high density development should be very carefully designed to relate well to its surroundings, be orientated towards and have principal entrances facing towards the street, and should include sufficient usable amenity space to provide for the needs of residents.

FLP policy ENV1 requires development to have regard to its visual impact within its landscape context and type, and for an assessment to be made as to whether it is appropriate to the landscape character, amenity and tranquillity of the area within which it is situated. In addition, criteria a) – e) of the policy indicate that:

- A landscaped buffer of appropriate depth and species will be provided for development that impacts upon land in or adjacent to the Countryside, and wherever necessary includes advanced planting, in order to limit the visual impact of development.
- Development proposals will ensure that existing landscape features will be conserved, maintained, protected and wherever possible enhanced through increased tree and shrub cover including soft edge / transitional areas of planting.
- In the event of the loss of landscape features, the impact will be minimised or, where loss is unavoidable, their like-for-like replacements will be provided. Where such features including trees, woodlands, hedgerows, and field ponds, are lost and replaced, measures will be put in place to manage these new features.
- Suitable landscape planting of native species, appropriate to its context should be incorporated within or, where appropriate, close to new development. Measures should be put in place for the management of such landscaping. Specific consideration should be given to how landscaping schemes will minimise the rate of surface water run-off.
- Details of the ongoing maintenance of all landscaping areas will be presented for approval by the Council.

Paragraph 127 of the NPPF sets out six general principles of good design (a – f) and paragraph 129 indicates that local planning authorities should make use of “tools and processes for assessing and improving the design of development [including] assessment frameworks such as Building for Life” (footnote 47 of the Framework refers to the document “Building for Life 12: The sign of a good place to live” which has since been updated by BHL). Paragraph 130 of the NPPF indicates that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

#### ***Layout, scale, appearance and landscaping:***

The development’s layout follows the broad principles established by the outline masterplan with respect to the siting of housing alongside the built-up edge of the village to the west and the containment of three other distinct development parcels to the western portion of the site behind a wide buffer of landscaping and open space to the central and eastern areas. It is also the case that the layout has been arranged to very closely replicate the Storey Homes scheme approved as part of reserved matters application 18/0318 with respect to the location, orientation and spacing of dwellings, the siting and alignment of the estate road and the soft landscaping strategy.

The main access to the site is from Mill Lane to the southwest corner. The site access would be bordered by a deep area of landscaped open space to each side, forming an ‘arrival green’ which would ensure a sense of spaciousness to the entrance and a substantial setback of development from Mill Lane. This would contribute to the creation of an open, semi-rural, tree/hedge lined entrance branching off the rural throughfare of Mill Lane. While a narrower strip of open space would flank the northern boundary with Bonds Lane, existing roadside trees to this route would be

retained and supplemented by new tree and hedge planting to filter views from this vantage point, and dwellings with a side facing aspect to the road (plots 19, 20 and 34) would present active elevations to the roadside by virtue of their bespoke fenestration arrangements, thus ensuring that this highway frontage is addressed.

Dwellings are designed to present an outward, active-facing aspect to public vantage points on Mill Lane, Bonds Lane and overlooking the field to the east. This is carried through to houses occupying corner plots within the development where interest is added to elevations facing junctions through the use of well-proportioned, habitable rooms windows and/or other protruding features such as double-height bay windows to create active frontages to the street. Dwellings are laid out at a higher density along the main spine road running through the site, with densities reducing along the eastern frontage bordering open fields where the site transitions to open countryside.

A spacious, garden-fronted aspect to estate roads would be achieved through the setback of dwellings from the roadside to both front and side elevations, with houses laid out to follow a consistent building line that affords a sense of openness to the highway and allows the creation of tree/hedge lined streets. Where boundary treatments are visible from the estate road (e.g. on corner plots), these would comprise brick walls merging with the corner gables of the host dwellings (rather than contrasting fences) and would be set back behind green verges with hedge lined boundaries to soften views from the roadside, rather than forming imposing features set against the back edge of the footway.

The scheme includes the provision a dedicated, shared pedestrian/cycle link of 3.5m in width between the cul-de-sac to the northeast corner of the development and Bonds Lane (fronting plots 28-34). The siting of this route avoids the root protection areas of existing trees flanking the site's northern boundary, thus requiring only the removal of a short section of hedgerow to the boundary with Bonds Lane. Vehicle access along this route would be restricted through the installation of bollards (or a similar barrier) to ensure 'edge-to-edge' cycle and pedestrian connectivity between Mill Lane and Bonds Lane.

All dwellings would be two storeys in height. Houses would incorporate well-proportioned and balanced elevations exhibiting a strong sense of rhythm, symmetry and legibility, and interest would be added through the inclusion of projecting gables, bay windows and canopies to avoid overly flat façades. Materials include red brick to external walls, grey roof tiles and artstone window headers and cills. This reflects the prevailing scale and materials of existing dwellings to the west.

Neighbouring dwellings to the west are laid out in a relatively rigid pattern with a strong emphasis on linearity. While this is also true of the proposed layout with respect to ensuring a consistent building line – especially to the linear run along the western boundary – the curvature of cul-de-sacs facing open fields, combined with the lower density and staggered arrangement of dwellings bordering the eastern edge of the site ensure a more spacious and less suburban appearance to the development's rural fringe.

This transition between suburban and rural landscapes is marked by the wide buffer of landscaping which follows a meandering profile to the east of the development. The retained pond to the centre of the site provides a focal point for this, with a footpath on its eastern fringe linking cul-de-sacs to the north and south to provide a short walking route through this space. A Local Area for Play (LAP) is located to the south of the retained pond. Significant natural surveillance of this recreational space is afforded by the outward, front-facing aspects of dwellings on plots 37-41 over this area. Similarly, the front facing orientation of dwellings over the arrival green to the southern end of the site and the shared footpath/cycle link with Bonds Lane to the centre of the northern boundary

ensures that communal areas are made focal points of the development layout.

Considerations 1 and 7 of BHL encourage developments to incorporate “connected street patterns [which] include straight or nearly straight streets to make pedestrian routes as direct as possible”; “edge to edge connectivity”; “respond to pedestrian and cyclist desire lines”; “streets with active frontages”; “cohesive building compositions and building lines”; “front doors that face streets and public spaces”; and “perimeter blocks”. The proposed layout addresses these positive design aspirations by organising dwellings to front onto estate roads with an outward-facing orientation to sensitive vantage points within and outside the site, the use of a perimeter block structure to ensure a consistent building line to separate parcels of housing and providing edge-to-edge connectivity with filtered permeability linking pedestrians and cyclists to areas outside the site over direct routes that follow desire lines. The scheme, through the siting of open space, landscaping, and building pattern and density, also reflects the site’s transition between its more urban surroundings where it borders existing dwellings at its western end and its rural fringe to the east as required by policies GD7 and ENV1 of the FLP.

For the reasons given above, the development’s layout, scale, appearance and landscaping are considered to demonstrate compliance with the principles of good design set out in FLP policies GD7, H2 and ENV1, the NPPF and BHL.

#### ***Effects on heritage assets:***

A grade II listed building – Elswick Memorial United Reform Church – is located on Lodge Lane approximately 58m due south of the site. This is a “designated heritage asset” for the purposes of the definition in Annex 2 of the NPPF.

Paragraphs 194 and 195 of the NPPF make clear that any development causing substantial harm to or loss of the significance of a designated heritage asset (including development within its setting) should be refused, other than in exceptional circumstances. Paragraph 196 of the Framework indicates that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. This approach is supported by FLP policy ENV5 which indicates that developments resulting in harm to or loss of significance of a listed building and/or its setting will only be permitted where any harm is justified by the public benefits of the proposal.

In addition, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that:

- In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The nearby listed building is separated from the site by the highways of Lodge Lane and Mill Lane, with four dwellings on Lodge Lane intervening between the heritage asset and the site’s entrance off Mill Lane. Further screening is provided by the mature tree line along the site’s southern boundary which – with the exception of those specimens to be removed to create the access – is to be retained. From within the site, only the belfry and spire of the church are readily visible above the tree line to the southern boundary. No adverse effects on the listed building or its setting were identified at the time of the outline permission and there is no reason to conclude that this situation has changed as a result of the development’s layout, scale, appearance or landscaping.

Although the listed building is visible from within the site, its separation with the proposed

dwelling, combined with the screening afforded by intervening buildings and planting, would avoid any harmful effects on its setting. Accordingly, the proposed development would not diminish its significance as a designated heritage asset.

#### Impact on amenity:

FLP 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 o) states that “all new housing developments should result in a high standard of amenity for occupiers. The standard of amenity for occupiers should not be compromised by inadequate space, poor layout, poor or lacking outlook or inconvenient arrangements for waste, access or cycle storage. Developments should include adequate outside amenity space for the needs of residents.”

Furthermore, paragraph 127 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.”

While principally used in the assessment of applications involving extensions to existing dwellings, the guidance in Design Note 1D iii) of the Council’s ‘Extending Your Home’ Supplementary Planning Document (the ‘SPD’) indicates that:

- “Windows to habitable rooms at first floor level should be a minimum of 21 metres from any facing habitable room windows in neighbouring properties. A relaxation of this distance may be considered where the relationship between the extension and the window(s) is oblique.”

#### ***Existing occupiers:***

The western boundary of the site is bordered by dwellings on Linden Fold, Ash Close and Bonds Lane. There are also properties fronting onto Lodge Lane to both sides of the site access, though the siting of the arrival green means that these houses would not be bordered by the proposed dwellings. A split-level dormer bungalow with a two-storey element on its west side (‘The Bungalow’) faces onto the site from Bonds Lane to the north, as does the bungalow at Ash Farm. Objectors have raised concerns regarding a lack of spacing between existing and proposed dwellings, opining that this would result in a loss of privacy, overshadowing, an oppressive outlook, and loss of views over the existing field.

The illustrative masterplan to outline permission 16/0180 identifies the positioning of a linear development parcel alongside neighbouring dwellings to the west in order to relate the development to this built-up fringe of the village. In allowing the appeal for the outline permission, paragraph 19 of the Inspector’s decision indicates that “with regard to the outlook and privacy of existing dwellings, the application is in outline and I consider that, with adequate separation distances which is a matter within the planning authority’s control, the amenity of existing residents could be protected. I acknowledge that some residents would lose their outlook over an open field. However, it is not the role of the planning system to existing protect private views.”

While dwellings on Linden Fold and Bonds Lane have a side-facing aspect to the site, these properties also have habitable room windows in their side elevations facing over the field. In addition, no. 14 Bonds Lane has a lean-to extension on the east side and lounge/bedroom windows in an elongated rear extension that overlook the site. Dwellings on Ash Close back onto the site and are orientated with their principal, rear elevations overlooking the site. The exception to this is no. 19 Ash Close which is a bungalow with a side-facing aspect containing a single, central window. With the exception of this bungalow, the remaining dwellings bordering the site are two storeys in height.

Neighbouring dwellings to the west are set at a higher level to the site. This level difference varies between approximately 0.5m at the southern end of the site (adjacent to no. 10 Linden Fold) to *circa* 1.5m at the northern end (adjacent to no. 14 Bonds Lane). The shared boundary with these dwellings is formed by a combination of scattered hedging with occasional tree planting backed by timber garden fences of varying height.

The layout proposes the following separation distances between the existing and proposed dwellings:

- 10.5m – 15.5m between the side elevations of plots 1 & 3 and nos. 9 & 10 Linden Fold that have a side-on aspect to the site.
- 21m – 23m between the rear elevations of plots 4-10 and nos. 21-29 Ash Close backing onto the site.
- 15m – 16.5m between the rear elevations of plots 12-19 and nos. 19 Ash Close and 14 Bonds Lane that have a side-facing aspect to the site.
- 26-32m between the side elevations of plots 19, 20 & 34 and the front elevations of the two dwellings to the north side of Bonds Lane facing onto the site (The Bungalow and Ash Farm).

The above spacing distances are similar to those achieved by the approved development layout in 18/0318, though the minimum spacing distances achieved by that scheme were higher for the situation in bullet point 1 (at 12m) and lower for the situations in bullet points 2 and 3 (at 20m and 14m respectively). An informative note on the decision notice for 18/0318 also stated that:

- “The applicant is advised that, in resolving to grant planning permission, members of the Planning Committee expressed their expectation that the additional landscaping to be introduced along the western site boundary pursuant to condition 5 of this permission should include a proportionate element of tree planting in addition to any hedge and shrub planting in order to provide a mature screen of vegetation between the existing and proposed dwellings in the interests of the privacy and amenity of existing and future occupiers. This requirement should be reflected as part of any application for approval of details reserved by condition that relates to condition 5.”

This objective has been addressed through the details contained in the submitted landscaping scheme for this scheme which shows a continuous belt of tree planting along the western edge of the rear gardens to plots 4-9 and 11-19 (with an existing tree at the rear of plot 10 being retained amongst this supplementary planting). The landscaping scheme shows these specimens would be ‘standard’ size Field Maples of 3m-3.5m in height when planted. A condition requiring the implementation of this landscaping prior to the occupation of each associated dwelling is recommended in this regard.

It is recognised that the outlook from neighbouring dwellings to the west who presently have open views over the field will change significantly as a result of the development. This is, however, the case with all edge-of-settlement expansions onto greenfield sites and does not automatically result in adverse amenity impacts. Objectors have referred to spacing standards for new residential developments adopted by other Councils in opining that the development would result in substandard separation between existing and proposed dwellings, but those standards are not applicable to Fylde. Instead, the only guidance contained within the ‘Extending Your Home’ SPD refers to “a minimum [spacing distance] of 21 metres from any facing habitable room windows in neighbouring properties [...] to [proposed] habitable rooms at first floor level”. When assessing suitable separation distances, consideration must also be given to the level of spacing that is typical between existing dwellings in the surrounding area.

Although several dwellings with a side-facing aspect onto the field benefit from habitable room

windows in their eastern elevations facing the site it is, in many cases, also true that these provide a second opening to the rooms in question (i.e. in addition to a window on the front/rear) and/or that windows do not lead to habitable rooms (e.g. some appear to serve garages and landings). In any case, as the opposing side elevations of dwellings on plots 1 and 3 do not contain habitable room windows at first floor level, the level of separation between these dwellings and nos. 9 and 10 Linden Fold – in combination with the size/positioning of proposed garden buffers, the screening and/or offset position between them – would ensure that the dwellings do not appear unduly oppressive in the outlook from those neighbouring dwellings by virtue of their proximity, nor would unacceptable views be afforded towards them.

Plots 4-10 would have a 'back to back' relationship with nos. 21-29 Ash Close. While this would place buildings in view from the main, rear-facing windows of existing houses, the minimum level of separation achieved between the existing and proposed dwellings would meet the 21m standard set out in the SPD and would also be commensurate with that available between existing dwellings within the group to the west where 'back to back' spacing distances between houses on Lodge Lane, Linden Fold, Ash Close and Bonds Lane vary between *circa* 21m and 23.5m. Any effects in terms of loss of outlook and overshadowing would be further mitigated by the difference in levels between the existing and proposed dwellings (the existing properties being elevated). Although the 'back to back' relationship between the properties would introduce a degree of mutual overlooking, the proposed dwellings would have elongated gardens with a minimum depth of 12m to provide a buffer with existing garden areas and the level of spacing between opposing rear elevations would reflect the density and character of surrounding development in order that the amenity of adjoining occupiers would not be unduly affected.

Dwellings on plots 12-19 would be orientated with their rear elevations backing onto the side elevations of a bungalow at no. 19 Ash Close and a two-storey dwelling at no. 14 Bonds Lane. Number 14 Bonds Lane has a lean-to extension with glazing on its east side. A flat-roofed extension to the rear of no. 14 also contains windows in the east side which serve a rear living room and bedroom – though those windows are offset from the rear of plots 17-19 and would achieve a separation of *circa* 20m from the rear of plot 16.

The level of separation achieved between plots 12-19 and these dwellings would be greater than comparable 'rear to side' relationships between existing dwellings in the group to the west. For example, minimum spacing distances of *circa* 13.5m and 12m are apparent between nos. 1 Linden Fold (a two-storey dwelling) and 2 Ash Close (a bungalow) & nos. 9 Linden Fold and 29 Ash Close respectively. In combination with the approximate 1.5m difference in levels between the existing and proposed dwellings at this point, the depth of rear gardens and the supplementary planting to be introduced along this boundary, the siting of plots 12-19 would not give rise to undue effects on the amenity of these adjoining occupiers through loss of outlook, overshadowing or overlooking.

Two dwellings to the north on the opposite side of Bonds Lane are orientated with their front elevations facing over the site. The level of spacing achieved between these dwellings and plots 19, 20 and 34 (though containing habitable room windows in their side elevations facing Bonds Lane), combined with the screening provided by the intervening tree line, would ensure that the development has no unacceptable impact on the privacy and amenity of these occupiers.

#### ***Future occupiers:***

Separation distances between dwellings within the scheme would replicate those achieved with existing dwellings to the west and, accordingly, would ensure a continuation in the density, pattern and character of surrounding development. Where side-facing windows are proposed to corner

plots there would be defensible space between these openings and the roadside in the form of side gardens enclosed by hedging in order that these windows are not unduly exposed to the roadside. In addition, there are no unique, site-specific effects associated with surrounding land uses that would generate nuisances to future occupiers in terms of noise or odour. Therefore, it is considered that the development would provide a high standard of amenity for future occupiers.

Other matters:

***Internal highway layout:***

Criteria p), q) and r) of FLP policy GD7 require developments to ensure that they prioritise the needs of non-motorised users through design measures and do not prejudice highway safety.

FLP policy T4 requires developments to enhance opportunities for travel by maximising access to sustainable transport modes. Policy T5 relates to parking provision and indicates that “a flexible approach [will be applied] to the level of car parking provision, dependent on the location of the development”. Paragraph 11.61 of the local plan indicates that the Council “will prepare a Supplementary Planning Document (SPD) on parking standards”. However, as this has not yet been adopted the standards contained in the Joint Lancashire Structure Plan (JLSP) are of greatest relevance in this case.

Table A of the JLSP includes the following baseline parking standards for individual dwellings based on the number of bedrooms they provide:

- Single bed houses – 1 space per dwelling.
- 2-3 bed houses – 2 spaces per dwelling.
- 4+ bed houses – 3 spaces per dwelling.

While several objectors referred to what they consider to be an unsafe means of access from Mill Lane, along with effects on the capacity of the surrounding highway network arising from the additional vehicle traffic generated by the scheme, as access has been approved at outline stage these are not matters which can be revisited as part of this application. Instead, consideration of the development’s effects on highway grounds are limited to the internal highway layout only. This is also recognised by the Local Highway Authority who identify that “the principle of the development; capacity and safety impact on local highway network; sustainability to the site and the site access were approved by planning application 16/0180”.

The Local Highway Authority (LHA) made observations concerning the design of the shared pedestrian/cycle line, parking provision and highway adoption in their initial comments dated 17.12.20. These issues have been addressed through the submission of amended plans and the LHA have subsequently advised that the revised layout “will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site”.

Each dwelling would be provided with a minimum of two in-curtilage parking spaces. Several of the detached house types would also incorporate a third space within longer driveways and/or integral/detached garages. Semi-detached and terraced houses include parking within their front gardens, though uninterrupted hardstanding frontages to the street would be avoided through the introduction of hedging strips between spaces. A block paved surface treatment to parking spaces would also distinguish these from the tarmac finish of the estate road.

The shared footway/cycleway onto Bonds Lane would provide permeability through the site to encourage travel into the village and to accesses other services beyond by sustainable transport

modes. It also provides a linkage between the site and nearby recreational routes, including Public Rights of Way to the east. Conditions have been imposed relating to the design, construction and phasing for this route, with an expectation that it will be brought forward at the midway stage (for example, concurrently with the construction of plots 28-34). The condition also requires precise details of how the use of this route by vehicular traffic is to be prevented.

Objectors have raised concerns that the access to the route opens onto Bonds Lane at a bend in the road, which could restrict users' visibility of oncoming traffic. The same concerns are not, however, shared by the LHA. It is also noted the bend referred to is a relatively gentle curve in the road and that the access point to the link opens onto the end of the bend in the road where visibility to the east is unrestricted and to the west the outer edge of the road's curvature is clearly visible. While it is appreciated that visibility from the access to Ash Farm on the north side of Bonds Lane may be more limited as this faces the inner edge of the road's curve, the same is not true of access to the link on the south side which benefits from greater visibility at the junction. Furthermore, it is also the case that this stretch of Bonds Lane (away from the junction with Ash Road) is a very lightly trafficked route which further reduces the risk of conflicts between the shared link and other road users.

As advised by the LHA, the internal highway layout would ensure safe and suitable access and circulation arrangements for all road users and a suitable level of parking provision for the proposed dwellings in order that the development would not have any adverse effects on highway safety.

#### ***Housing mix:***

Under the subheading "Mix", FLP policy H2 requires developments to deliver "a broad mix of types and sizes of home, suitable for a broad range of age groups". The policy states that "all developments of 10 or more dwellings will therefore be required to include at least 50% of dwellings that are 1, 2 or 3 bedroom homes" and includes an additional requirement for "developments within or in close proximity to the Tier 2 Smaller Rural Settlements [which includes Elswick] to include at least 33% 1 or 2 bedroom homes".

Under the subheading "Specialist Accommodation for the Elderly" policy H2 includes an additional requirement for "at least 20% of homes within residential developments of 20 or more homes [to be] designed specifically to accommodate the elderly, including compliance with optional technical standard M4(3(2a)) (wheelchair adaptable dwellings), unless it is demonstrated that this would render the development unviable".

The proposed housing mix includes 9 x 2 bed (18%); 17 x 3 bed (34%); and 24 x 4 bed (48%) dwellings. Accordingly, while 52% of the dwellings would be 1-3 bed homes, the proportion of 1-2 bed dwellings would fall below the 33% requirement for a Tier 2 settlement set out in policy H2. In addition, there is no indication that any of the dwellings would comprise "specialist accommodation for the elderly".

Nevertheless, as the original outline permission 16/0180 pre-dated the adoption of the FLP it did not include a condition requiring a specific mix of housing that accords with policy H2 to be delivered. In the absence of such a condition, the housing mix requirements in policy H2 cannot be introduced at reserved matters stage. This principle has been established in recent case law and appeal decisions. In particular, paragraphs 18 and 19 of appeal decision APP/X2410/W/16/3163501 conclude as follows:

- Housing mix cannot reasonably be considered under the condition requiring, amongst other



things, the submission of details of scale and appearance at reserved matters stage. I conclude that the conditions attached to [the] outline planning permission [...] do not require the agreement of an appropriate mix of housing at the reserved matters stage. Consequently, there is no need for me to consider whether the appeal proposal provides an appropriate mix of housing, having regard to the requirements of the Framework and the development plan.”

Therefore, in the absence of any condition on outline permission 16/0180, it is not considered that this application for approval of reserved matters is required to deliver the mix of 1 and 2 bed homes in the Tier 2 settlement of Elswick, or the 20% specialist accommodation for the elderly, that would normally be required by FLP policy H2.

***Affordable housing and other contributions:***

In accordance with the requirements of FLP policy H4, outline planning permission 16/0180 includes a planning obligation which requires the development to deliver 30% of the dwellings as affordable housing. The obligation controls the mix (including the number, location, size and tenure) of the affordable housing units through a requirement to submit an Affordable Housing Scheme before any development commences. The planning obligation also secures the following additional contributions:

- A “Bus Contribution” of £100,000 “to be used to enhance existing bus services and/or provide new bus services that are routed through the village of Elswick”.
- A “Secondary Education Contribution” to be calculated by LCC within 20 working days of any reserved matters approval being granted “for the provision of additional secondary school places at Hodgson Academy” (Poulton-le-Fylde).

Although matters relating to affordable housing provision are to be dealt with principally through the submission of an Affordable Housing Scheme to meet the terms of the planning obligation, this application for reserved matters includes details of the number, location, size and proposed tenure of the affordable housing units. In particular, the layout includes provision for 15 affordable dwellings in order that the quantitative requirement of 30% contained in the planning obligation is met. These include a mix of 9 two-bed and 6 three-bed dwellings located to the east (7) and west (8) sides of the main spine road. The affordable units would comprise a mix of semi-detached and terraced houses positioned in two separate clusters to either side of the main spine road, within the northwest part of the site.

Consideration 4 of BHL encourages developments to be designed so that “it is difficult to determine the tenure of properties through architectural, landscape or other differences” (tenure blindness) and for “affordable homes [to be] distributed across a development [rather than] grouping [them] in one place (except on smaller developments).”

It is commonplace for affordable housing to be grouped in clusters across a site as this simplifies management arrangements for Registered Providers. While Consideration 4 of BHL indicates that affordable homes should only be grouped in one place on “smaller developments”, this term is not defined with reference to a specific quantum. In this case, the Council’s Housing Services Manager has raised no objection to the grouping of the affordable dwellings within a single area of the site and considers the size and indicative tenure split between affordable rent (8 units) and shared ownership (7 units) to be acceptable. It is also reasonable to conclude that a development of 50 dwellings can be considered “smaller” in the context of BHL and in relation to the varying scale of housing allocations contained within the FLP as a whole.

Importantly, the affordable housing units would be constructed to the same specification and in the same materials as the market housing and would benefit from commensurate plots sizes, number and arrangement of parking spaces as the market dwellings in order that they are not readily distinguishable by reason of their layout or appearance. While matters concerning other eligibility criteria are dealt with through the planning obligation, the number, location, size, type and tenure of the affordable housing units shown as part of the application for approval of reserved matters are considered to be acceptable for the purposes of FLP policy H4.

***Public open space:***

FLP policy ENV4 states that, within new housing developments comprising 10 or more homes, the provision of amenity open space (including facilities for children's play where appropriate) will be required in accordance with the following minimum standards:

- 16 sqm per 1 bedroom dwelling.
- 24 sqm per 2 bedroom dwelling.
- 32 sqm per 3 bedroom dwelling.
- 40 sqm per 4 bedroom dwelling.
- 48 sqm per 5 bedroom dwelling.

Having regard to the above standards, the proposed mix of dwelling sizes would generate a cumulative, minimum requirement for the delivery of 1,720 sqm of amenity open space for the development.

The application is accompanied by a plan identifying 3 parcels of public open space with a total area of 4,352 sqm (some 2,632 sqm above the minimum requirement in policy ENV4). These areas include: i) the arrival green to the southern end of the site; ii) open space surrounding the central pond; and iii) a corridor of open space flanking the northern boundary with Bonds Lane. While the narrow width of the open space mentioned in iii) provides limited opportunities for outdoor recreation, the open space in i) and ii) would provide usable areas with genuine recreational potential in order to satisfy the quantitative requirement in FLP policy ENV4.

The application also includes the provision of a Local Area for Play (LAP) within a circular space measuring approximately 11m in diameter to the south of the pond. The landscaping scheme indicates that the LAP would be enclosed by 1m high bow top fencing (including two gated openings) painted green and would contain three pieces of play equipment. Guidance from Fields in Trust – 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard' (October 2015) – indicates, at Table 4, that LAPs should have minimum dimensions of 10m x 10m (a minimum activity zone of 100 sqm). The proposed size of the LAP meets this requirement and its enclosure by fencing would enhance the safety of users (with LAPs aimed at young children under 6 years old). Matters concerning the timetable for delivery of the LAP (and other open space) can be addressed through condition, as can future maintenance arrangements.

***Flood risk and drainage:***

FLP policy CL1 requires that planning decisions follow the sequential, risk-based approach to the location of development required by the NPPF (paragraph 157). Policy CL1 indicates that all new development is required to minimise flood risk impacts on the environment, retain water quality and water efficiency, and mitigate against the likely effects of climate change on present and future generations in accordance with 10 criteria (a-j).

FLP policy CL2 sets out a hierarchy of measures that should be used to attenuate surface water

discharge from development sites. The policy indicates a preference for infiltration, followed by attenuation in open features for gradual release into a watercourse and, finally, storage in tanks. The policy also encourages surface water to be discharged direct to a watercourse in the first instance, with discharge to a surface water sewer where this is not possible and finally to the combined sewer. Policy CL2 indicates that development should make use of sustainable drainage systems whenever practical and reduce discharge to greenfield run-off rates wherever feasible.

Several objections have been received in connection with the scheme's potential to increase surface water flooding in the area due to the greater impermeable area associated with development of a greenfield site, a perceived lack of capacity within surrounding drainage infrastructure to support the development and references to recent incidences of localised flooding at and around the site which objectors opine would be exacerbated by the development, thus placing both existing and future occupiers at greater risk of flooding. Objectors have also raised concerns regarding the future operation and maintenance of a drainage ditch which runs along the western boundary of the site and receives surface water from the gardens of existing dwellings at a higher level.

At a strategic level, it is the case that the whole of the site lies within flood zone 1 as defined on the Flood Map for Planning and so is at the lowest risk of flooding from fluvial and tidal sources. It should also be noted that the principle of residential development for up to 50 dwellings has been established through the granting of outline permission 16/0180 at appeal, with that application having been accompanied by a site-specific flood risk assessment which, among other matters, included an indicative strategy for the disposal of surface water drainage from the site. Accordingly, the site's capacity to accommodate a development of 50 dwellings – including factors associated with flood risk – have already been established through the granting of outline permission and cannot be revisited this stage. In particular, paragraph 48 of the Inspector's decision for appeal APP/M2325/W/17/3172835 reads as follows:

- "With regard to the potential for flooding, the site lies entirely in Flood Zone 1, in the lowest risk category. The scheme includes sustainable drainage techniques to attenuate flows of surface water by means of detention basins, attenuation ponds and other measures to compensate for any loss of permeable surfaces. Such measures are widely used to avoid the risk of flooding both on-site and downstream of the development and in my view are a satisfactory means of addressing the issue."

There has been no change in the site's flood risk categorisation since the outline permission was granted to indicate that an alternative approach to that set out in the Inspector's decision should be taken. Therefore, the only matters relevant to flood risk at this stage are those concerning the scheme's proposed surface water drainage strategy, which, in turn, are linked to its compliance with condition 7 of the outline permission.

As set out in the section of the report concerning 'compliance with outline permission 16/0180' under the subheading 'condition 7 (drainage)', the post-development rate of surface water disposal from the scheme would be restricted to mimic the pre-development (greenfield) runoff rate through the use of an attenuation pond and hydro-brake. The volume of the attenuation pond would also include capacity to hold storm water flows within the site for events up to and including the 1 in 100 year (+ 40% climate change) event. It is also the case that the introduction of a positively drained system within the site will ensure that surface water leaving the site is conveyed through a formalised, controlled and maintained system rather than the current arrangement which lacks any formal infrastructure.

As percolation testing has ruled out infiltration-based SuDS, the inclusion of an open feature for surface water attenuation and discharge of surface water to the existing drainage ditch network

(which acts as a tributary to a watercourse) accords with the drainage hierarchy contained in FLP policy CL2 and the NPPG. In combination with the drainage infrastructure to be installed as part of the scheme which will restrict the rate of surface water discharge from the site to mimic the greenfield rate and hold storm waters for all relevant events within the site, there is no reason to conclude that the proposed strategy for the disposal of surface water from the site would increase the risk of flooding either to the development itself or elsewhere.

In terms of the drainage ditch located alongside the western boundary of the site, the applicant has confirmed that, while there is no intention to alter or infill this ditch, it is not part of the site-wide drainage strategy and is not required to drain surface water from the development. It will continue to take runoff from neighbouring gardens, without having any implications for the new dwellings.

### **Ecology:**

Section 1 of FLP policy ENV2 a) identifies a hierarchy of nature conservation sites falling within three tiers including International, National and Local designations. Criterion b) sets out a list of five principles that must be followed for developments within or affecting designated nature conservation sites. Criterion c) of the policy defines what will constitute damage to nature conservation sites in assessing developments. Section 2 of policy ENV2 indicates the protection that will be afforded to priority species. Paragraph 170 d) of the NPPF requires developments to minimise impacts on and provide net gains for biodiversity.

Outline application 16/0180 was accompanied by a detailed ecology survey which outlined potential ecological impacts and recommendations for mitigation. It also included eDNA surveys of four ponds (that lying within the site, and 3 other surrounding ponds located within 250m). All eDNA results were negative, confirming the absence of great crested newts (GCN) during the 2015 breeding season. Paragraph 47 of the Inspector's decision on the outline appeal refers generally to concerns raised by objectors over potential ecological impacts as follows:

- "With regard to wildlife impacts, the Greater Manchester Ecology Unit (which provides advice to authorities in Lancashire amongst others) accepted that with reasonable avoidance measures any residual risk to amphibians could be removed. No significant impacts on bat activity were identified. A substantial area of the site would be retained as open land with potential to provide habitat for birds and other wildlife, through an ecological management plan which can be secured by condition. I consider that the scheme would make satisfactory provision for wildlife to ensure that there would be no significant habitat loss, with opportunities for compensatory provision in the retained open areas of the site."

The current application is accompanied by supplementary statements in relation to bats and amphibians. The statements refer to an updated site walkover and tree inspection surveys undertaken by the applicant's ecological consultants in late 2020. The conclusions in these updated statements are as follows:

- The updated walkover revealed that the habitats present on site had remained unchanged since the original site walkover in 2015. The site remains predominantly semi-improved grassland, grazed by cattle, with a central pond and hedgerows and mature trees to the site boundaries.
- **GCN** – Previous surveys in 2015 included the assessment of all ponds within a 250m radius of the site. The assessment concluded that GCN were highly unlikely to be present within 250m radius of the site and this was confirmed through eDNA sampling where possible. Since the 2015 surveys, additional desktop data is available on Magic Map which shows GCN survey class licence returns and also GCN pond surveys from 2017 to 2019. There are no records of GCN presence within a 2km radius of the site. Given the habitats across the

surrounding area have remained the same since 2015 (residential edge with cattle grazed fields and horse stables) and the short grazed grassland and lack of sheltering opportunities on site, the likelihood of GCN ranging into the site from over 250m away is considered to be very low. As there have been no material changes to the land use of the site and surrounding area since 2015 it is considered highly unlikely that the amphibian species composition of the pond will have altered. The pond on site, and those within 250m of the site, tested negative for great crested newt presence in 2015 and it is considered highly unlikely that great crested newt will have taken occupancy of these ponds since this date.

- **Bats** – The 2015 ecological assessment highlighted that tree T18 (located on the northern boundary with Bonds Lane) had suitability for roosting bats. This tree requires removal to facilitate a drainage connection to an existing manhole located in Bonds Lane. Updated ground and aerial assessments of T18 were undertaken on 19 November 2020. These inspections conclude that T18 is unsuitable to support roosting bats and no potential roost features were identified. As T18 is considered to have negligible suitability for roosting bats there are no further implications for the removal of T18.

The application is also accompanied by a biodiversity net gain statement from the applicant's ecologist which concludes that:

- There is an overall biodiversity net gain of 0.38% from the development. Under the current requirements of NPPF a development must achieve net gain. The NPPF does not state what percentage net gain must be achieved.
- The draft Environment Bill includes a requirement for 10% net gain on all developments. However, this is yet to be passed through Parliament and so is not in effect at present.
- Using the Defra 2.0 metric it has been demonstrated that, alongside the implementation of an Ecological Management Plan, the development can achieve biodiversity net gain.

GMEU have been consulted on the application and indicate their agreement with the conclusions in the updated supplementary ecology statements, having particular regard to potential impacts on GCN given the results of previous assessments in connection with the outline application and those that have taken place in connection with other applications nearby since 2016 (which also confirm the absence of GCN through eDNA surveys. Accordingly, GMEU advise that any very low risk to GCN can be appropriately dealt with through the Reasonable Avoidance Measures set out within the applicant's Reasonable Avoidance Measures Method Statement (as updated on 18.12.20).

The implementation of the submitted Reasonable Avoidance Measures Method Statement is secured through condition 21 of the outline permission (which the applicant has applied to discharge through application 20/0875). As advised by GMEU, this will minimise any risks to amphibians arising from the development. The updated tree inspection of T18 also confirms there will be no risk to and/or loss of bat roosting habitat arising from the removal of this tree – a conclusion not challenged by GMEU. Accordingly, the development would have no harmful effects on the favourable conservation status of protected species.

While the applicant's biodiversity net gain assessment reveals a modest net gain from the development, it is also the case that neither the NPPF (paragraphs 170 and 175 d)) nor FLP policy ENV2 requires a specific percentage to be achieved in this regard (with the 10% figure in the draft Environment Bill not yet in force – though there is also no indication that this would apply retrospectively to pre-existing permissions). Accordingly, while the level of biodiversity net gain would be limited it is, nonetheless, an uplift above and beyond current circumstances as required by the NPPF and FLP policy ENV2 (along with the Biodiversity SPD).

## **Conclusions**

The application relates to a broadly rectangular parcel of land extending to approximately 4.7 hectares between Mill Lane and Bonds Lane on the eastern fringe of Elswick. The site presently comprises open farmland on the periphery of the village but approximately two-thirds of it (some 3.1 hectares) falls within the settlement boundary of Elswick and is allocated as a housing site (site reference HS72) on the Fylde Local Plan to 2032 Policies Map. This allocation follows the granting of outline planning permission 16/0180 at appeal (reference APP/M2325/W/17/3172835) for up to 50 dwellings on 28 November 2017. Following this appeal, an application by Storey Homes for the approval of all outstanding reserved matters (reference 18/0318) was granted by the Local Planning Authority on 10 October 2018. Reserved matters approval 18/0318 has not, however, been implemented.

This application seeks a second, separate approval for the outstanding reserved matters of layout, scale, appearance and landscaping pursuant to outline planning permission 16/0180 for a residential development of 50 dwellings including associated open space and other infrastructure on behalf of another developer – Create Homes. The development layout has, however, been designed to closely follow that approved by application 18/0318, with the overall effect largely resulting in a substitution of Storey Homes' approved house types with those of Create Homes, while following the same basic plot configurations, highway layout, building scales, window orientations, landscaping arrangements and supporting infrastructure strategy.

Due to its close association with the approved Storey Homes scheme, the development layout continues to follow that of the illustrative masterplan for planning permission 16/0180 with respect to the location of housing, landscaped areas and open space, and the siting, configuration and spacing of the proposed dwellings would be compatible with the density and character of surrounding development. All the dwellings would be two storeys in height and their scale would provide an appropriate mix and size of housing that would integrate successfully with existing properties on the periphery of the village which border the site.

The dwellings would incorporate a combination of materials that would be sympathetic to the character of surrounding buildings while ensuring interest and consistency. The orientation and fenestration arrangements of dwellings – including those to corner plots – would ensure active frontages to existing and proposed highways and other public vantage points. A wide buffer of planting would be introduced to the east of the dwellings in accordance with the requirements of outline permission 16/0180 to provide a soft landscaped fringe to adjoining countryside, and internal landscaping would ensure the provision of soft-edged tree/hedge lined streets, garden fronted aspects to the estate road, buffers of open space alongside boundaries with Mill Lane and Bonds Lane, and enhanced screening with existing dwellings flanking the western site boundary.

The layout, scale and appearance of the dwellings – having particular regard to their siting, fenestration arrangements, levels, orientation and spacing with neighbouring dwellings – would ensure that the development has no undue effects on the privacy and amenity of adjoining occupiers through loss of outlook, overshadowing or overlooking, and would achieve appropriate standards of amenity for future occupiers. The development would deliver a suitable mix of housing and the number, type, size and distribution of affordable dwellings would be appropriate for a development of the size proposed.

The approval of a suitable drainage strategy is required before any development can take place in accordance with the provisions of condition 7 of the outline permission. A foul and surface water drainage scheme has been submitted in connection with a separate, ongoing application for the discharge of condition 7 (reference 20/0875) and any outstanding matters highlighted by the Lead

Local Flood Authority will be addressed through the condition discharge process. The scheme makes appropriate provision for biodiversity net gain and the delivery of public open space (including play areas) to serve future occupiers.

Accordingly, it is considered that the layout, scale, appearance, and landscaping of the development meets the requirements of both the outline permission and the objectives of relevant local and national planning policies. Therefore, the proposal is considered to represent sustainable development.

### **Recommendation**

That approval of reserved matters be GRANTED subject to the following conditions:

1. This approval relates to the following plans:
  - Drawing no. LP01 – Location plan.
  - Drawing no. 0001 Rev O – Proposed site layout.
  - Drawing no. BT01 Rev F – Boundary treatments plan.
  - Drawing no. BT02 Rev A – Boundary treatment details.
  - Drawing no. HL01 Rev F – Hard landscaping plan.
  - Drawing no. 6418.01 Rev I – Landscape proposal (sheet 1 of 2).
  - Drawing no. 6418.02 Rev I – Landscape proposal (sheet 2 of 2).
  - Drawing no. AF01 Rev F – Affordable housing layout allocation.
  - Drawing no. 3169-F01 Rev C – Visibility plan.
  - Drawing no. 3169-SP01 Rev D – Swept path analysis.
  - Drawing no. POS01 Rev B – Public open space.
  - Drawing no. LD01 Rev F – Land disposal plan.
  - Drawing no. MA01 Rev A – Material schedule.
  - Drawing no. SA-OPP-001 – Savick-OPP.
  - Drawing no. SA(DA)-OPP-001 – Savick-OPP (dual aspect).
  - Drawing no. LA-AS-001 – Larches AS.
  - Drawing no. BAR-AS-001 – Barton AS.
  - Drawing no. BAR(DA)-AS-001 – Barton AS (dual aspect).
  - Drawing no. GRI-AS-001 – Grimsargh AS floor plans.
  - Drawing no. GRI-AS-002 – Grimsargh AS elevations.
  - Drawing no. SH-AS-001 – Sherwood AS.
  - Drawing no. SH(DA)-AS-001 – Sherwood AS (dual aspect).
  - Drawing no. BRO-AS-001 – Broughton AS floor plans.
  - Drawing no. BRO-AS-002 – Broughton AS elevations.
  - Drawing no. BRO(DA)-AS-001 – Broughton AS floor plans (dual aspect).
  - Drawing no. BRO(DA)-AS-002 – Broughton AS elevations (dual aspect).
  - Drawing no. WH-AS-001 – Whittingham AS floor plans.
  - Drawing no. WH-AS-002 – Whittingham AS elevations.
  - Drawing no. NW-OPP-001 – Newsham OPP elevations.
  - Drawing no. NW-OPP-002 – Newsham OPP floor plans.
  - Drawing no. RIB-OPP-001 – Ribbleton OPP elevations.
  - Drawing no. RIB-OPP-002 – Ribbleton OPP floor plans.
  - Drawing no. RIB(DA)-OPP-001 – Ribbleton OPP elevations (dual aspect).
  - Drawing no. RIB(DA)-OPP-002 – Ribbleton OPP floor plans (dual aspect).
  - Drawing no. SG01 – Single garage.

Except as provided for by other conditions to this approval and those imposed on outline planning permission 16/0180, the development shall be carried out in complete accordance with the approved drawings.

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

2. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the buildings shall be constructed in accordance with the materials detailed on drawing no. MA01 Rev A.

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

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the soft landscaping scheme for the development shown on drawing nos. 6418.01 Rev I and 6418.02 Rev I shall be carried out during the first planting season that occurs: i) in the case of landscaping within the curtilages of the dwellings hereby approved, after the dwelling on each associated plot is first occupied; and ii) in the case of landscaping on all the other areas of the site located outside the curtilages of the dwellings, before 50% of the dwellings hereby approved are first occupied. The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To secure appropriate landscaping of the development concurrently with the delivery of housing in the interests of visual amenity, to provide biodiversity enhancements and to ensure that a landscaped buffer of appropriate depth and species is provided by the development alongside its boundaries with adjacent dwellings and countryside in order to limit its visual impact in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2, and the National Planning Policy Framework.

4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, boundary treatments for each plot shall be erected in accordance with the details (including their siting, height, design, materials and finish) shown on drawing nos. BT01 Rev F and BT02 Rev A before the dwelling on that plot is first occupied, and shall be retained as such thereafter.

Reason: In the interests of the security of future occupiers, to ensure adequate levels of privacy between neighbouring dwellings and to achieve an acceptable appearance within the street scene in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

5. With the exception of those specimens identified on drawing nos. 6418.01 Rev I and 6418.02 Rev I, no other trees or hedges shall be pruned, topped or removed unless details of those works and, in the case of removal a scheme for the provision of appropriate replacement planting which includes details of the type, size, species, siting, planting distances and the programme of planting for replacement hedges and trees, have first been submitted to and approved in writing by the Local Planning Authority. Any replacement planting to be introduced pursuant to this condition shall be carried out in accordance with a timetable which has first been submitted to and approved in writing by the Local Planning Authority and any replacement trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.



Reason: To protect the existing trees and hedgerows on the site that are shown to be retained as part of the scheme and to ensure appropriate replacement planting is introduced to compensate for any additional tree and hedge removal required as part of the development in the interests of visual amenity, to safeguard the amenities of existing and future occupiers and to ensure appropriate protection for and/or replacement of ecological habitats and green infrastructure networks in accordance with the requirements of Fylde Local Plan to 2032 policies GD7, ENV1 and ENV2.

6. None of the dwellings hereby approved shall be occupied until a scheme for the provision and future maintenance of the areas of public open space (including the Local Area for Play) identified on drawing nos. 6418.01 Rev I, 6418.02 Rev I, POS01 Rev B and LD01 Rev F has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- A timetable for the provision (including any phased delivery) of all the areas of informal open space and the Local Area for Play.
  - Details of future management and maintenance arrangements (including a schedule, programme and timetable of works) for all the areas of informal open space and Local Area for Play.

The areas of public open space (including the Local Area for Play) shall thereafter be provided and subsequently maintained in accordance with the duly approved scheme and the timetable contained therein.

Reason: To ensure that the development makes an appropriate contribution towards the provision of recreational open space in order to avoid a deficiency in the quantity and quality of recreational open space in the locality and to ensure that appropriate measures are put in place to secure the future maintenance of open space in accordance with the requirements of Fylde Local Plan to 2032 policies ENV1 and ENV4, and the National Planning Policy Framework.

7. The Barton, Broughton, Ribbleton, Savick and Sherwood house types which are identified as “dual aspect units” on drawing no. 0001 Rev O shall be constructed in accordance with the specification for the dual aspect (DA) versions of each respective house type shown on drawing nos. BAR(DA)-AS-001, BRO(DA)-AS-001, BRO(DA)-AS-002, RIB(DA)-OPP-001, RIB(DA)-OPP-002, SA(DA)-OPP-001 and SH(DA)-AS-001.

Reason: For the avoidance of any doubt and to ensure a suitable design response for dwellings on plots which are required to present dual aspect homes and to avoid presenting blank or largely blank elevations to streets and public spaces in the interests of achieving a high standard of design in accordance with the provisions of Fylde Local Plan to 2032 policy GD7, the National Planning Policy Framework and the recommendations in Building for a Healthy Life.

8. Notwithstanding any details shown on the approved plans and the requirements of condition 1 of this permission, no development associated with the construction of the foul water pumping station shown on drawing no. 0001 Rev O shall take place until details of the size, height, design, materials and finish of its apparatus and of any associated means of enclosure to be erected around its perimeter have been submitted to and approved in writing by the Local Planning Authority. The pumping station shall thereafter be constructed in full accordance with the duly approved details and shall be retained as such thereafter.

Reason: For the avoidance of doubt and as no such details have been submitted with the application, to ensure that the foul water pumping station is secure and to ensure an appropriate appearance for this element of the scheme in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

9. None of the dwellings hereby approved shall be occupied until a scheme for the installation of fencing to the perimeter of the on-site ponds to be retained and introduced by the development (the locations of which are shown on drawing no. 0001 Rev O) has been submitted to and

approved in writing by the Local Planning Authority. The scheme shall include details of the height (which shall be no less than 1 metre), position, design, materials and finish (including colour treatment) of the fencing. The fencing shall be installed in accordance with the details in the duly approved scheme before any of the dwellings are first occupied and shall be retained as such thereafter.

Reason: In the interests of public safety for future occupiers/users of the development in order to minimise the risk of accidents occurring and to ensure a satisfactory appearance for any means of enclosure in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

10. No above ground works of development shall take place until a scheme for the design, construction, drainage and phasing of all new estate roads and associated footways has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full engineering, drainage, street lighting and constructional details. Each estate road and their associated footways shall be constructed in full accordance with the duly approved scheme before any of the dwellings to be served by that road are first occupied.

Reason: To ensure a satisfactory standard of engineering works for the construction of roads and footways to serve the development and to provide appropriate facilities for access and circulation of all road users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

11. None of the dwellings hereby approved shall be occupied until a scheme setting out arrangements for the future management and maintenance of all the estate roads and associated footways to be constructed pursuant to condition 10 of this permission has been submitted to and approved in writing by the Local Planning Authority. The estate roads and associated footways shall thereafter be managed and maintained in accordance with the duly approved scheme.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of estate roads and footways to serve the development in order to provide appropriate facilities for access and circulation of all road users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 and the National Planning Policy Framework.

12. The private vehicle parking and manoeuvring areas for each dwelling shall be constructed and made available for use in accordance with the details (including their surface treatment) shown on drawing no. HL01 Rev F before each associated dwelling is first occupied, and shall be retained as such thereafter for the parking and manoeuvring of vehicles.

Reason: In order that there is adequate provision for vehicles to be parked clear of the highway in the interests of road safety and to ensure appropriate surface treatment of parking areas in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 policies T5 and GD7, and the National Planning Policy Framework.

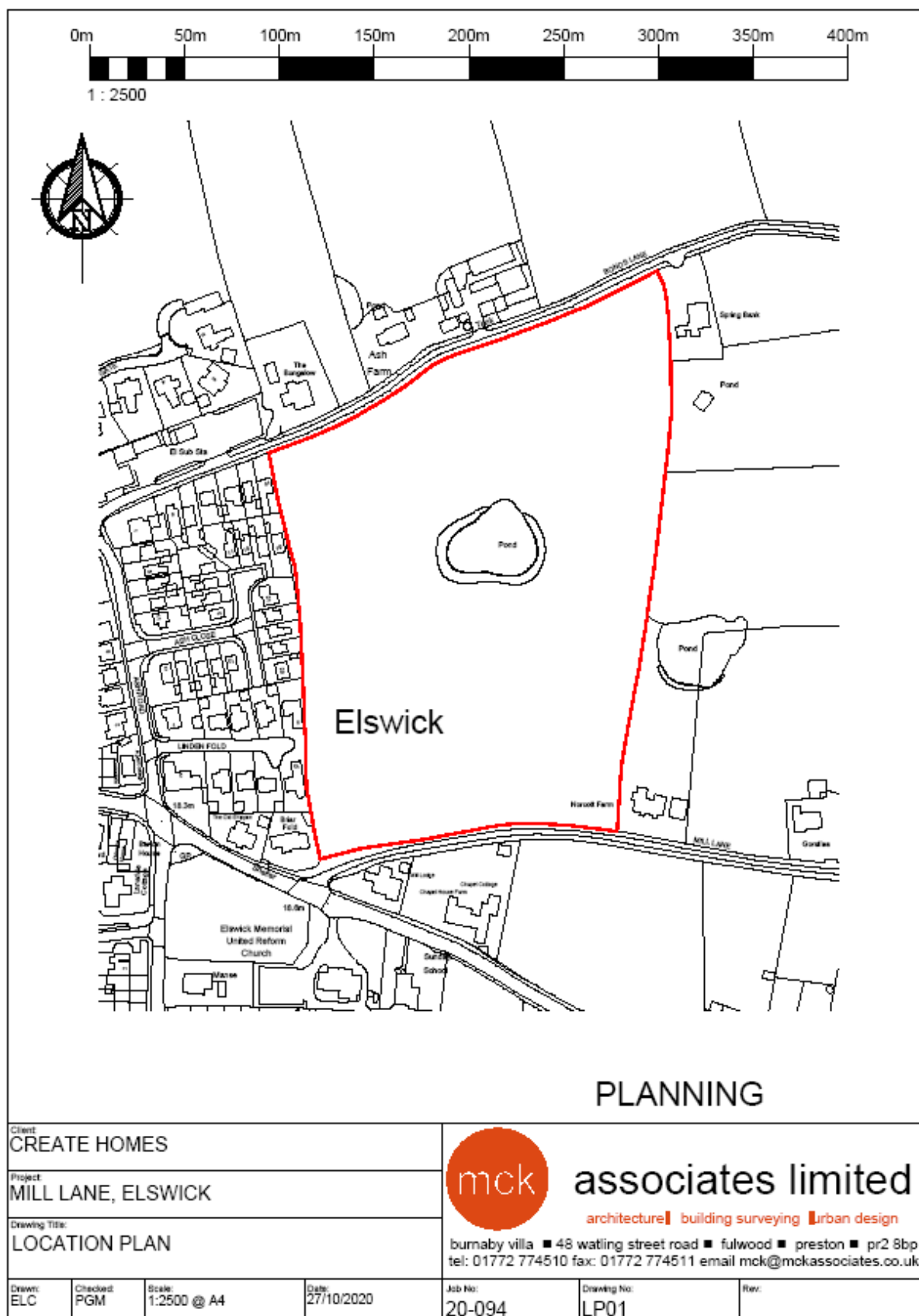
13. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and E of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), all garages (whether integral or detached) associated with each dwelling shall be retained for the parking of vehicles and shall not be converted to or used as additional living accommodation unless a separate application for planning permission has first been granted by the Local Planning Authority.

Reason: To ensure that appropriate provision is maintained for the parking of vehicles off the highway in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T5, and to ensure that parking provision which meets the standards identified in Table A of the Joint Lancashire Structure Plan (2005) is maintained.

14. None of the dwellings hereby approved shall be occupied until a scheme for the provision of the shared pedestrian/cycle link onto Bonds Lane (the location and layout of which is shown on drawing no. 0001 Rev O) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details for the shared pedestrian/cycle link:
- a) A specification for its design, construction (including surface treatment) and lighting.
  - b) Details of the layout and design of its junction onto Bonds Lane, including any changes in levels, gradients and ground markings.
  - c) Details of any trees, hedges or other vegetation to be removed in order to allow its construction.
  - d) Details of the siting, layout, height, design, materials and finish of a barrier to prevent its use by vehicular traffic.
  - e) A timetable for its completion.

The shared pedestrian/cycle link shall be constructed in full and made available for use in accordance with the details and timetable in the duly approved scheme and shall be retained as such thereafter.

Reason: To encourage access to and from the site via walking and cycling by ensuring that the shared pedestrian/cycle link provides a safe and attractive route for pedestrians and cyclists in the interests of highway safety and to ensure that opportunities for crime are limited through the detailed design of the route in accordance with the requirements of Fylde Local Plan to 2032 policies GD7 and T4, the National Planning Policy Framework and the recommendations in Building for a Healthy Life.



**Item Number:** 4

**Committee Date:** 23 June 2021

<b>Application Reference:</b>	21/0298	<b>Type of Application:</b>	Householder Planning Application
<b>Applicant:</b>	Mr & Mrs Bradshaw	<b>Agent :</b>	Brimas Construction Limited
<b>Location:</b>	15 RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2NB		
<b>Proposal:</b>	SINGLE STOREY REAR EXTENSION		
<b>Ward:</b>	RIBBY WITH WREA	<b>Parish:</b>	Ribby with Wrea
<b>Weeks on Hand:</b>	11	<b>Case Officer:</b>	Beth Winstanley
<b>Reason for Delay:</b>	Need to report to Committee		
<a href="#">Click Here</a> for application site on Google Maps		<a href="#">Click here</a> for application on FBC website	

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The application relates to an end terrace dwelling located within the settlement of Wrea Green, situated close to the village centre and part of an attractive terrace dwellings. The application looks to create a sunroom to the rear elevation of the property which would be completed in a mixture of brick and glazing with a slate roof. The extension would project 3.2m from the rear of the property, with an eaves height of 2.1m and a ridge height of 2.9m.

The extension will be completed in materials that match the existing dwelling and will be of a size and scale that is appropriate to the host dwelling. Due to the large brick boundary wall which stands at approx. 2.3m in height the majority of the extension will be screened from the streetscene with only the pitched slate roof sitting over the wall height.

The extension will retain an appropriate level of amenity to the occupants of the adjoined dwelling to the west, with the scale and size of the extension not compromising loss of light or over-dominance to the occupants, and privacy being retained due to the 1.1m set off distance from the boundary and existing 1.6m high gate and fence.

The Parish Council have objected to the proposal, with the main concern relating to the right of way of the neighbouring occupant in order to allow bins to pass through to the front of the dwellings for collection. This is not a material planning consideration but is a private matter between the applicant and the neighbouring occupiers, although it is noted that the submitted plane reference a diversion of this route being retained around the extension.

It is considered the proposal complies with policies GD7 and ENV5 of the Fylde Local Plan, and it is hoped the members will agree with the recommendation of granting this application.

**Reason for Reporting to Committee**

The officer recommendation for approval is in conflict with the views of the Parish Council and so it

is necessary to present the application to the Planning Committee for a decision.

### **Site Description and Location**

The application site is located within an end terrace dwelling located close to the village green area of Wrea Green. The property sits on the boundary of the conservation area of Wrea Green, and the character and appearance of the dwelling has a positive impact on the character of that conservation area.

The dwelling is positioned at the eastern edge of a terrace of brick-built dwellings. The cluster are similar in appearance to the front elevation, with matching pitched roof designs to the front elevation which sit over a first-floor window. The dwellings have concrete headers across both the doors and windows to the front elevations, with undisturbed front gardens with hedging or walls as a boundary along the frontage further adding to the character of the dwellings.

The site is located within the settlement of Wrea Green and is situated within the conservation area of Wrea Green, as defined under Policy GD1 and ENV5 of the Fylde Local Plan to 2032.

### **Details of Proposal**

The application proposes the erection of a conservatory structure to the rear elevation of the property. The extension would be completed in full length glazing to the East and South, with bricked walls to the West. The roof will be completed in tiles which will have a flat roof at the join to the property, with a pitched circular design.

The extension will measure approx. 3.2m in width at its widest place, and 3.2m in length away from the rear wall of the dwelling at its widest place. The roof will have an eaves height of 2.1m, and an overall pitch height of 2.9m. The flat roof addition to the back of the extension will measure 2.8m.

### **Relevant Planning History**

Application No.	Development	Decision	Date
10/0197	PROPOSED TWO STOREY REAR EXTENSION	Granted	01/07/2010
09/0734	CONSERVATION AREA CONSENT FOR DEMOLITION OF REAR EXTENSION.	Granted	22/12/2009
09/0737	RE-SUBMISSION OF 09/0511 - PART SINGLE STOREY / PART TWO STOREY REAR EXTENSION	Granted	15/01/2010
09/0511	ERECTION OF PART SINGLE STOREY PART TWO STOREY EXTENSION TO REAR.	Refused	15/09/2009

### **Relevant Planning Appeals History**

Application No.	Development	Decision	Date
09/0511	ERECTION OF PART SINGLE STOREY PART TWO STOREY EXTENSION TO REAR.	Dismiss	14/12/2009

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

**Ribby with Wrea Parish Council** notified on 08 April 2021 and comment:

*Objects on grounds of appearance in the conservation area and the issues raised regarding the*

neighbours right of way.

Plans for two schemes had been received, although main concerns relate to the right of way which will be moved around the extension, it was considered appropriate to allow re-consultation of the proposed plans once clarification had been sought from the agent. The plans will be looked at on the 14/6/21 and comments will be received after that.

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

#### **Regeneration Team (Heritage)**

No Comments Received

### **Neighbour Observations**

<b>Neighbours notified:</b>	08 April 2021
<b>Amended plans notified:</b>	04 May 2021
<b>Site Notice Date:</b>	14 May 2021
<b>Number of Responses:</b>	None

### **Relevant Planning Policy**

#### **Fylde Local Plan to 2032:**

GD1:	Settlement Boundaries
GD7	Achieving Good Design in Development
ENV5	Historic Environment

#### **Other Relevant Guidance:**

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
	Residential Design Guides in Extending Your Home SPD

#### **Site Constraints**

Conservation area site

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

#### **Principle**

The application site is located within the settlement area under Policy GD1 of the Fylde Local Plan to 2032. In these areas the application is to be assessed against the requirements of Policy GD7 of the Plan which relates to the general design principles of development, and so is documented in the following sections of this report.

#### **Design and Appearance in Streetscene**

The application relates to an end terraced residential property. Along the property's boundary there

is a tall brick wall which stands at approx 2.3m in height and projects along the full boundary length of the dwelling. To the east of the site is a row of shops which are set back from the roadside slightly to allow parking to the front elevations.

The proposed extension is located to the rear of the property, and as such retains the important character seen to the front elevation of the dwelling. Any views of the proposed extension from public views will be limited due to the natural angle of the roadside in relation to the dwelling and the existing shop premises which are set back from the roadside but still sit in front of the rear building line of the dwelling.

The proposed extension will be completed with a slate roof, with full length glazing to the east and south elevations and brick to the west. The eaves of the roof will sit at approx. 2.1m with the overall circular pitched roof of the extension sitting at approx. 2.9m in height. This allows approx. 0.6m of slate roof to be seen above the brick wall which runs along the boundary. Due to the limited views available, and when visible only the slate roof structure would be seen, this allows the overall extension to have a limited impact on the surrounding conversation area.

As such, it is considered that due to the proposed materials used on the extension, limited views from the roadside and single storey height of the extension further reducing the impacts created, that the extension would have an acceptable appearance within the conservation area, and from the proposed design would not cause unacceptable harm to the surrounding streetscene. The design and scale of the extension accord with the requirements of criteria b), d), h) and i) of Policy GD7.

#### Relationship to Neighbours

The proposal relates to an end terrace located to the eastern end of the row. The property is adjoined to the west, and is non-attached to the east, therefore the only neighbour that will be potentially impacted from the proposal will be the occupants of the adjoined dwelling to the west.

The boundary between these properties comprises a fence with an access gate at approx. 1.6m in height. The proposed extension will be set inside this by approx 1.1m, which is sufficient to ensure that the relationships complies with the guidance in Design Note 4 of the adopted SPD as the projection of the extension at 3.2m away from the rear of the application property, does not conflict with the guidance in that document. The sympathetic roof design and eaves height will further retain the overall amenity of the neighbouring occupant.

The rear garden of the application site is set over two levels, the proposal looks to retain this, with the higher garden level unaffected by the proposed extension and the extension sat on the original ground floor level. This is consistent with the level of the neighbouring dwelling. There are 2 narrow floor to ceiling windows located within the western elevation which look onto the existing fence and gate, but due to this boundary they will not compromise privacy to internal areas of the neighbouring property or its external amenity area.

The rear garden is approx. 22m in length allowing the residential dwellings which share boundaries to the rear of the application site to not be unduly harmed by the proposal.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c), d) 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.

### Other Matters

The Parish Council refer to the obstruction of a private right of way which runs across the rear elevation of the terrace and serves as an access for bins and suchlike. The extension will obstruct the existing route of this, but the proposed plans indicate an alternative route is retained around the extension to the access gate. Whilst this is a helpful indication the provision of this access is a private matter between the applicant and their neighbours and is not part of the planning considerations when assessing this proposal.

### Conclusion

The application relates to the erection of extensions at a dwelling in the settlement of Wrea Green. Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with Policy GD7 of the Fylde Local Plan to 2032 and other relevant development plan policies, and the guidance in the House Extensions 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 beginning with 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:

- a) Location Plan Scale 1:1250
- b) Proposed Plans and Elevations - Titled 'Sun Lounge' Received 6th April 2021

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

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

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

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



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The representation of features as lines is no evidence of a property boundary.

Scale 1:1250



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Centre coordinates: 339853, 431882

**Item Number:** 5

**Committee Date:** 23 June 2021

<b>Application Reference:</b> 21/0345		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	Wrea Green Dental Practice	<b>Agent :</b>	
<b>Location:</b>	19A RIBBY ROAD, RIBBY WITH WREA, PRESTON, PR4 2NB		
<b>Proposal:</b>	CHANGE OF USE OF DWELLING HOUSE (CLASS C3) TO DENTAL SURGERY FACILITIES FOR USE IN ASSOCIATION WITH ADJOINING DENTAL PRACTICE (CLASS E)		
<b>Ward:</b>	RIBBY WITH WREA	<b>Parish:</b>	Ribby with Wrea
<b>Weeks on Hand:</b>	9	<b>Case Officer:</b>	Ruth Thow
<b>Reason for Delay:</b>	Need to determine at Committee		
<a href="#">Click Here</a> for application site on Google Maps		<a href="#">Click here</a> for application on FBC website	

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

This application seeks permission for a change of use of part of a property near the centre of Wrea Green. It is currently in a residential use but forms part of a building in use as a dental practice and other commercial purposes. The proposal is for the residential parts of the building to be used in association with the dental practice and include two additional surgeries, a decontamination room, bathroom and waiting room. No external changes to the building are proposed.

The premises have forecourt parking and parking to the rear of the building and additional parking can be used at the adjoining hairdresser's premises on Mondays when they are closed which is considered to be sufficient parking to serve the expansion of the business.

The equipment to be used will not result in a level of noise to cause a disturbance for neighbours.

As a consequence of the lack of harm arising from the proposal the scheme is considered to comply with the requirements of the National Planning Policy Framework and the Fylde Local Plan to 2032 which supports the expansion of health facilities in the borough. Accordingly, the application is recommended for approval by Members.

**Reason for Reporting to Committee**

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

### **Site Description and Location**

The application site is 19A Ribby Road, Wrea Green. In particular the application relates to part of the ground floor and all of the first floor of a two storey, 'L' shaped, semi-detached property which is situated at the junction of Ribby Road and Manor Road on the south side of the road. Part of the property is in use as a dwelling and part in use as a dental practice situated at 19 Ribby Road, Wrea Green. The pair of properties also includes an adjoining hairdressers and nail salon and is situated in the settlement of Wrea Green as designated on the Fylde Local Plan to 2032.

### **Details of Proposal**

This application seeks permission for a change of use of no. 19a to use in association with the dental practice. Currently the property has a bathroom on the ground floor which is to become an 'X-ray' room with the rooms at first floor level currently laid out as living room, dining room, kitchen and bedroom proposed to change to two new surgery rooms, decontamination room and a waiting room with the existing bathroom remaining a bathroom for staff use.

No external alterations to the building are being proposed in this application.

### **Relevant Planning History**

None

### **Relevant Planning Appeals History**

None

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

**Ribby with Wrea Parish Council** notified on 24 May 2021 and comment:

*RECOMMEND REFUSAL.*

*There is insufficient parking currently, prior to any further development. There is a current natural bottleneck on the adjacent access road and development will further increase traffic / parking requirements.*

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

#### **Environmental Protection (Pollution)**

The council's Environmental Protection officers initially raised queries over the activity undertaken in regard to the potential for noise nuisance. Following clarification from the applicant on the types of noise producing machinery to be used, the EP officers are satisfied that the proposal will not impact on any residential neighbours.

#### **Lancashire County Council (Highways)**

Comments are expected in time for the Committee meeting and so will be reported as part of the late observations schedule.

#### **Ward Councillor (Cllr Andrews)**

*I did not comment on this application before as I really didn't think anyone would object to it. Whilst the PC are right to be worried about additional parking in general they need to remember that parking from the former chauffeur business will have moved and that will remove the pressure on the adjacent street parking. The Practice already has 5 slots for customer parking in front of the shop and 2 places behind the actual premises for staff. I don't ever remember seeing these 7 slots all taken at the same time so it seems highly reasonable that the existing parking is adequate to meet the current and foreseeable needs.*

*With regard to the business I can't see any down side but there are a lot of positives. This application is for the expansion of an excellent practice which is used by many residents local and not so local, it is provides valued local employment for all the staff and it helps bring activity/life into the village. Apart from this dental practice Wrea Green just has a beautician and a Spar/PO beside refreshment /hospitality venues. The nature of the business simply doesn't have a down side and I hope the Planning Committee will look favourably on this application.*

### **Neighbour Observations**

<b>Neighbours notified:</b>	24 May 2021
<b>Site Notice Date:</b>	01 June 2021
<b>Number of Responses</b>	None received.

### **Relevant Planning Policy**

#### **Fylde Local Plan to 2032:**

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development
HW1	Health and Wellbeing
EC2	Employment Opportunities

#### **Other Relevant Policy:**

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

This application proposes a change of use of part of the ground floor and all of the first floor of a property in residential use to a use as a dental surgery in association with the existing dental practice at 19 Ribby Road.

### **Policy Background**

Paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004 indicates that development

proposals should be determined in accordance with the development plan unless material considerations indicate otherwise. The Fylde Local Plan to 2032 is the up-to-date development plan for Fylde and so the policies of the plan can be afforded full weight in decisions.

Policy GD1 refers to 'Settlement Boundaries'. The application site in this instance is within the defined settlement boundary where development is encouraged by the Plan subject to compliance with all relevant local plan policies.

Policy GD7 refers to 'Achieving Good Design in Development'. This policy sets out an expectation that all development will achieve a high standard of design, taking account of the character and appearance of the local area, and provides a detailed list of considerations. This includes but is not limited to ensuring that development meets the following requirements:

- *c) ensuring that amenity will not be adversely affected by neighbouring uses, both existing and proposed”;*
- *f) conserving and enhancing the built and historic environment”;*
- *h) being sympathetic to surrounding land uses and occupiers, and avoiding demonstrable harm to the visual amenities of the local area”;*
- *j) ensuring parking areas for cars, bicycles and motorcycles are safe, accessible and sympathetic to the character of the surrounding area and that highway safety is not compromised*
- *q) the development should not prejudice highway safety, pedestrian safety, and the efficient and convenient movement of all highway users (including bus passengers, cyclists, pedestrians and horse riders). The development should not reduce the number of on-site parking spaces available, unless there are other material considerations which justify the reduction'.*

Policy HW1 refers to Health and Wellbeing with the criteria supporting improved health care facilities.

Policy EC2 refers to employment opportunities. *'The council will take account of the following factors when assessing all development proposals for employment uses:*

- a. The accommodation should be flexible and suitable to meet changing future employment needs, and in particular provide for the requirements of local businesses and small firms.*
- b. The council will seek to ensure that employment opportunities are provided and are easily accessible for local people and, where necessary, developers will be encouraged to implement relevant training programmes.'*

#### Character and appearance

The proposal is for a change of use of part of the ground floor and the whole of the upper floor of the premises which is in a residential use to a use which provides additional facilities for the existing dental practice at no. 19 Ribby Road which already occupies the majority of the ground floor of the property.

No external changes are required as part of this change of use and as a consequence there will be no impact on the appearance of the building and the character of the area.

Accordingly, the development is compliant with Policy GD7 in this regard.

### Impact on neighbours

As reported above, the property is a semi-detached building with the adjoining property having a lawful use as a hairdressers and beauty salon.

The applicant has advised that whilst some additional noise producing equipment will be required in the newly provided surgeries these will be handheld pieces which operate at about 50dB, normal conversation is around 60 dB. Given the attached neighbouring property is in a commercial use as a hairdressers there will be no loss of amenity for these neighbours.

Whilst there are residential neighbours on the opposite corner at no. 21 Ribby Road and to the rear at no. 2 Manor Road there is a separation distance of approximately 15 metres between these properties and the application property. Consequently, it is considered that there would be no loss of amenity by way of noise for the occupiers of any nearby residential property.

### Highway impact

Concerns have been raised by the Parish Council in regard to the potential increase in the volume of traffic and the lack of parking.

The site has forecourt parking which can provide parking for five cars with a further three to the rear, with two on the drive and a space in the garage.

The applicant has advised that the practice currently employs:

- 1 dentist 3.5 days per week
- 1 x dentist 2 days per week
- 1 x hygienist 2 days per week
- 2 dental nurses full time
- 1 receptionist full time

The proposal is expected to involve this raising by an additional dentist on 2 days per week who is likely to see an additional 15 patients per week, although further increases are possible as the COVID restrictions impacting on the operation of dental surgeries are eased.

In response to the concerns of the Parish Council the applicant has advised that not all of the staff will be present every day. Under the new proposals their current projections regarding the maximum number of staff and patients present at any one time will be no more than seven (1 receptionist; 2 clinicians; 2 nurses; 2 patients). The applicant explains that they are a small private practice with low patient numbers and long appointment times unlike multi-surgery NHS practices where there are high volumes of patients with many being kept in the waiting room.

The applicant has also advised that the previous occupier of the dwelling operated a chauffeur and airport taxi business from the premises and that as this tenant is no longer resident this has removed the additional vehicles situated around the site. In addition the applicants also have use of the forecourt parking to the front of the hairdressers on Mondays as they are closed, and this provides a further 3 spaces. This use is reciprocated on Saturdays when the dental practice is closed.

Whilst the local highway authority comments on this matter are outstanding, the officer view regarding parking is that the concerns expressed by the Parish Council on this do not warrant a refusal of the application. This is based on the availability of the existing forecourt area (which

provides 8 parking spaces with a further 3 on Mondays), the availability of casual parking on side streets around the site, the fact that the site is in the village where some patients and staff may walk or use the bus services, and the limited scale of the extended accommodation involved in this application. Considering these matters, it is considered that the proposal would not compromise highway safety and therefore complies with the requirements of Policy GD7.

#### Other matters

The proposal will provide additional employment in the borough in a sector that provides essential health facilities, both of these factors are supported by the Fylde Local Plan to 2032 under Policies EC2 and HW1.

#### Conclusions

This application seeks permission for a change of use of a property currently in a residential use to a use associated with the adjoining dental practice. The proposal would enhance the existing facilities without any harm by way of noise or disturbance arising from the development.

Accordingly, the application is considered to comply with the requirements of the above policies of the Fylde Local Plan to 2032 and the aims of the National Planning Policy Framework and 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 beginning with the date of this permission.

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

2. This permission relates to the following plans:

- Location Plan - Drawing no. ReQuestaPlan ref. no. TQRQM21101174738379
- Proposed Site Plan - Drawing no. TQRQM21101174941940
- Proposed Floor Plans - Drawing no. 21-49-1

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 and National Planning Policy Framework





**Item Number:** 6

**Committee Date:** 23 June 2021

<b>Application Reference:</b>	21/0385	<b>Type of Application:</b>	Householder Planning Application
<b>Applicant:</b>	Mr P Hodgson	<b>Agent :</b>	A.N Designs Ltd
<b>Location:</b>	2 OXFORD DRIVE, KIRKHAM, PRESTON, PR4 2XD		
<b>Proposal:</b>	FIRST FLOOR AND TWO STOREY SIDE EXTENSION INCLUDING ALTERATIONS TO THE EXISTING FRONT PORCH CANOPY FEATURE AND GARAGE ROOF		
<b>Ward:</b>		<b>Parish:</b>	Kirkham
<b>Weeks on Hand:</b>	9	<b>Case Officer:</b>	Jennifer Simpson
<b>Reason for Delay:</b>	Need to determine at Committee		
<a href="#">Click Here</a> for application site on Google Maps		<a href="#">Click here</a> for application on FBC website	

**Summary of Recommended Decision:** Grant

#### **Summary of Officer Recommendation**

The application relates to a two storey detached property with an attached flat roofed garage to the side. It is located on the north side of Oxford Drive in Kirkham and within the defined settlement area as shown on the Policies Map within the Fylde Local Plan to 2032.

The application is seeking permission for the erection of a first floor and two storey side extension that would sit above part of the existing garage. The application also proposes roof alterations, from flat to mono-pitched, to the existing porch canopy feature and garage.

The proposed extension would incorporate a 1.5m set back from the main frontage of the dwelling at first floor level and the ridge would sit 0.5m below that of the existing ridge. These ensure the design is subservient to the host dwelling. The development would be constructed in appropriate materials to match that of the existing dwelling.

The proposed development complies with the relevant criteria 'Design Note 3' contained within the Councils 'Extending Your Home' and it is considered that the development would not harm visual amenity within the street, impact on neighbouring amenity or adversely impact on highway safety and parking. As such, the proposal complies with Policy GD7 of the Fylde Local Plan to 2032 and other relevant development plan policies, and the guidance in the House Extensions SPD, and therefore the application is recommended for approval.

#### **Reason for Reporting to Committee**

The application has been submitted by an elected member of Fylde Borough 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 dwelling located on the north side of Oxford Drive in Kirkham. The site is within a Settlement Area, as shown on the Policies Map within the Fylde Local Plan to 2032.

### **Details of Proposal**

The application is seeking permission for the erection of a first floor and two storey side extension, including roof alterations to the existing porch and garage.

- The proposed extension would sit above and to the rear of the existing single storey attached garage which extends 5.4m beyond the eastern facing side elevation of the dwelling. The extension would be set back 1.5m from the main frontage at first floor level and it would have a dual pitched roof that would tie in with the existing eaves and it would sit 0.5m below the main ridge. The development would be finished in materials to match those of the host property.
- The proposal includes a mono sloping roof above the existing porch canopy feature and garage that would tie into the proposed first floor/two storey extension.

The application is a resubmission of application 21/0162 which was withdrawn following design concerns raised by the Local Planning Authority. As initially submitted, the scheme did not include a set back from the main frontage of the dwelling and the extension was not set sufficiently below the main ridge to appear as subservient to the host dwelling in accordance with the relevant criteria set out within the Councils 'Extending Your Home' SPD.

### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
21/0162	FIRST FLOOR SIDE EXTENSION ABOVE EXISTING GARAGE. PITCHED ROOF OVER PORCH AND GARAGE TO FRONT ELEVATION AT FIRST FLOOR LEVEL.	Withdrawn by Applicant	19/04/2021

### **Relevant Planning Appeals History**

None

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

The site is within the area of **Kirkham Town Council** who were notified on 27 April 2021 and have no objections to the proposal.

The site is immediately adjacent the area of **Newton with Clifton Parish Council** who were notified on 27 April 2021 and have not submitted any comments on the proposal.

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

#### **Lancashire CC Flood Risk Management Team**

The site is immediately adjacent Dow Brook and so they were consulted but confirm that

they have comments to make.

### **Neighbour Observations**

**Neighbours notified:** 27 April 2021  
**Number of Responses:** None received.  
**Summary of Comments:** N/A

### **Relevant Planning Policy**

#### **Fylde Local Plan to 2032:**

GD1	Settlement Boundaries
GD7	Achieving Good Design in Development

#### **Other Relevant Guidance:**

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
	Residential Design Guides in Extending Your Home SPD
JHE	Joint House Extensions SPD

#### **Site Constraints**

N/A

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

#### **Principle**

The application site is located within the settlement area under Policy GD1 of the Fylde Local Plan to 2032. In these areas the application is to be assessed against the requirements of Policy GD7 of the Plan which relates to the general design principles of development, and so is documented in the following sections of this report.

#### **Design and Appearance in Streetscene**

The street scene in general is made up of two storey detached properties that vary in house type and external finishes, albeit some are similar in appearance. The application property sits to the end (east) of a row of detached properties and is therefore prominent in the street, particularly when approaching Oxford Drive from a westerly direction.

The proposed extension and alterations would be highly visible within the street given the prominent positioning of the property and location of the development to the side. However, the development would be sufficiently set back from the main frontage at first floor level and the ridge would be set below that of the existing fully in accordance with the relevant guidance contained within Design Note 3 of the Councils 'Extending Your Home' SPD.

Furthermore, first floor side extensions are a common feature within the street scene, and the development would be finished in materials to match that of the host property and therefore, it is considered that the development would be in keeping with and would not overwhelm the existing property or adversely impact on visual amenity within the street scene in general.

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

#### Relationship to Neighbours

The application property sits to the end of a row of two storey detached properties that are situated west of the site. The extension would not protrude beyond the front or rear elevation of the existing property, and given the easterly positioning of the extension, it is considered that it would not have any undue impact on any neighbouring property.

As such the proposal has an acceptable relationship to its neighbours in all regards and complies with criteria c), d) 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.

#### Other Matters

There are no other material considerations of note to influence the decision.

#### Conclusion

The application relates to the erection of a domestic extension and alterations at a dwelling in the settlement of Kirkham and Wesham. Having viewed the proposal and assessed the issues raised, it is considered that the proposal accords with Policy GD7 of the Fylde Local Plan to 2032 and other relevant development plan policies, and the guidance in the House Extensions 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 beginning with 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, Proposed Site Plan, Floor Plans and Elevations - Project Paul-102 Drawing no. PL-01

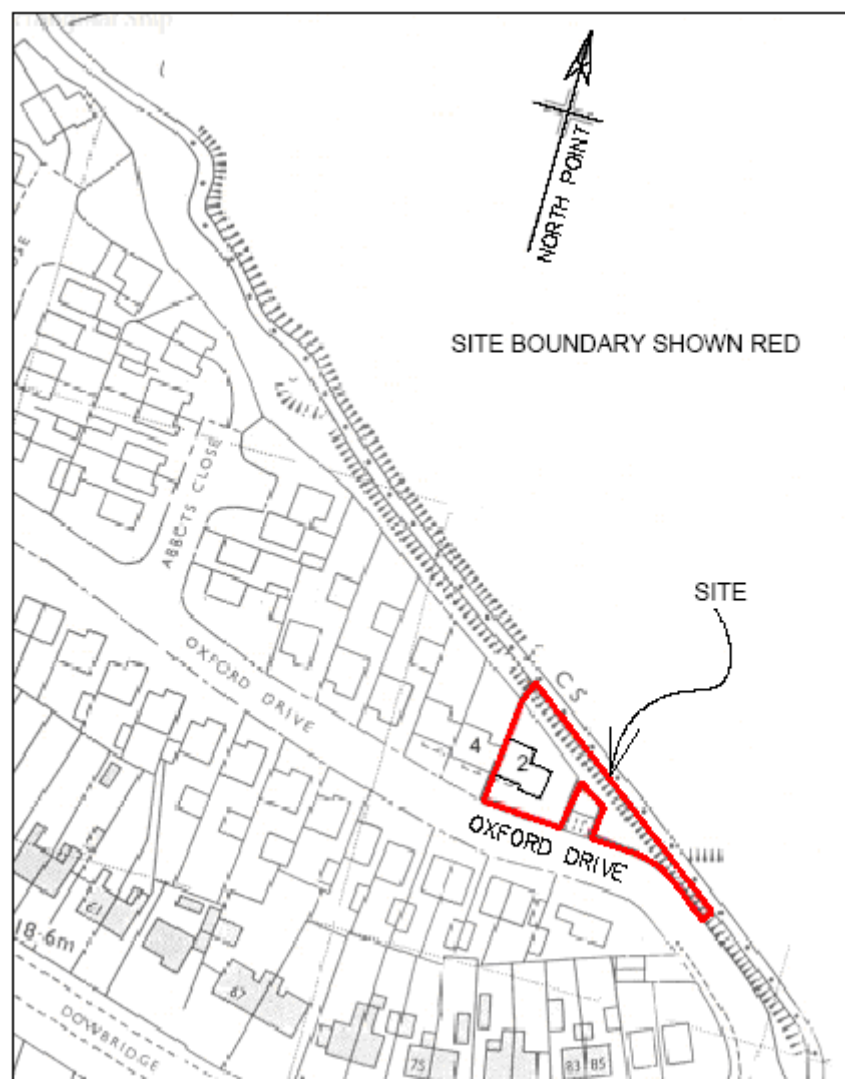
Except as provided for by other conditions to this permission, the development shall be carried out

in complete accordance with the approved drawings.

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

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

Reason: In order to ensure a satisfactory relationship with the character of the host dwelling and the street scene in the interests of visual amenity in accordance with Policy GD7 of the Fylde Local Plan to 2032.



**Item Number:** 7

**Committee Date:** 23 June 2021

<b>Application Reference:</b> 21/0438		<b>Type of Application:</b> Full Planning Permission	
<b>Applicant:</b>	MR PEMBERTON	<b>Agent :</b>	ML Planning Consultancy Ltd
<b>Location:</b>	BIRKS FARM, BALLAM ROAD, WESTBY WITH PLUMPTONS, LYTHAM ST ANNES, FY8 4NL		
<b>Proposal:</b>	ERECTION OF REPLACEMENT AGRICULTURAL LIVESTOCK BUILDING, FOLLOWING DEMOLITION OF EXISTING BUILDING		
<b>Ward:</b>	WARTON AND WESTBY	<b>Parish:</b>	Westby with Plumptions
<b>Weeks on Hand:</b>	6	<b>Case Officer:</b>	Beth Winstanley
<b>Reason for Delay:</b>	Not applicable		
<a href="#">Click Here</a> for application site on Google Maps		<a href="#">Click here</a> for application on FBC website	

**Summary of Recommended Decision:** Grant

**Summary of Officer Recommendation**

The site of the application is Birks Farm, which is a well-established agricultural operation located off Ballam Road outside of Lytham. The proposal is for the erection of a new agricultural building within the farm site to be used as a cow feeding shed for up to 110 cows at one time. The decision is to be made by the Planning Committee as the scale of the building proposed means that it is classed as 'major' development.

The site is located in the Countryside where development that is needed for agricultural purposes is one of the exemptions to the general restriction on development in rural areas. As such it is supported in principle under Policy GD4. The building has a scale and location that is also considered to comply with the requirements of Policy GD4 and GD7 of the Fylde Local Plan to 2032. It is a form of development that also accords with guidance in paragraph 83 of the NPPF which supports the growth and expansion of rural business.

Due to the nature of the development, the location of the proposal and the sympathetic design of the building the application is recommended for approval by members.

**Reason for Reporting to Committee**

The application is for 'major development' and so it is necessary to present the application to the Planning Committee for a decision given the officer recommendation for approval.

**Site Description and Location**

The application site is located at a working farm along Ballam Road just outside Lytham. Birks Farm is a well-established farm operating for over 200 years with a working site of approx 140 hectares.

The site has diversified in recent years, with an onsite farm shop allowing members of the public on to the area. Whilst there are isolated clusters of properties in the wider area and a dwelling alongside the farm, the area is generally agricultural in its character.

The site is located within the countryside as defined under Policy GD4 of the Fylde Local Plan to 2032.

### **Details of Proposal**

The application looks to build a new agricultural building to the immediate north east of the existing agricultural site. The building will connect onto an existing barn on the site in order to house approx. 110 cows with appropriate design and machinery space.

The building will have a width of 28.3m and length of 41.9m, having an overall floor area of approx. 1,200m<sup>2</sup>. The building will have an eaves height of approx. 4.5m, with a dual pitched roof with an overall pitch height of approx. 10.2m.

The building will be completed in a mixture of tanalised timber Yorkshire boards to the upper half of the building and concrete panels to the lower part of the building. The roof will be completed in grey colour cement fibre sheets with roof lights to allow light into the barn structure.

### **Relevant Planning History**

<b>Application No.</b>	<b>Development</b>	<b>Decision</b>	<b>Date</b>
21/0439	PRIOR APPROVAL FOR ERECTION OF AGRICULTURAL MACHINERY STORAGE BUILDING UNDER SCHEDULE 2, PART 6 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015	Prior Approval is not required	28/05/2021
15/0558	CHANGE OF USE AND ALTERATIONS TO EXISTING FARM BUILDING TO FORM RETAIL UNIT FOR FARM AND OTHER PRODUCE, USE OF ADJACENT FARM BUILDING AS ASSOCIATED STORE AND ERECTION OF CONNECTING LINK	Granted	23/11/2015
09/0312	DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND ERECTION OF REPLACEMENT DWELLING AND OUTBUILDINGS AND DRIVEWAY OFF EXISTING ACCESS.	Granted	30/03/2010
98/0081	PROPOSED CONSERVATORY, FIRST FLOOR EXTENSION TO PROVIDE BEDROOM DETACHED PRIVATE DOUBLE GARAGE AND OFFICE	Granted	22/04/1998
89/0704	PROPOSED AGRICULTURAL WORKERS DWELLING	Refused	25/04/1990

### **Relevant Planning Appeals History**

None

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

**Westby with Plumpton Parish Council** notified on 13 May 2021. At the time of writing this report



they have not provided any comments on the application, but these are expected by the Committee meeting itself and so will be reported through the late observations.

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

#### **Lancashire CC Flood Risk Management Team**

No Comments to make on the application

### **Neighbour Observations**

<b>Neighbours notified:</b>	13 May 2021
<b>Site Notice Date:</b>	14 May 2021
<b>Press Notice Date:</b>	27 May 2021
<b>Number of Responses</b>	0
<b>Summary of Comments</b>	N/A

### **Relevant Planning Policy**

#### **Fylde Local Plan to 2032:**

GD4	Development in the Countryside
GD7	Achieving Good Design in Development

#### **Other Relevant Policy:**

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance

### **Environmental Impact Assessment**

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

### **Comment and Analysis**

#### **Principle of development**

The site falls within a countryside area allocated through Policy GD4 of the Local Plan to 2032. Policy GD4 states that development in the countryside will be limited with one of the forms that is acceptable being *'a) that needed for purposes of agriculture, horticulture or forestry or other uses appropriate to a rural area.'*

The proposed structure is to be used to create a new indoor feeding area for approx. 110 cows on the site. The site in recent years has undergone improvements with a farm shop opening up to diversify the business, but it remains primarily as an agricultural enterprise. This building is associated with the core dairy farm activity and is to replace an existing out-dated facility and provides a winter housing area for the cattle with a series of feed cubicles and a robotic milking facility at one end.

The building is clearly associated with an agricultural activity and so complies with criteria a of Policy GD4 of the Fylde Local Plan to 2032.

## Design and Appearance

The proposed structure will be located within the existing built area of the farm and will be positioned away from the current farm shop which is used by members of the public. The site will be located close to the existing slurry tank which is visible from Ballam Road, and at the scale and height involved it will also be visible from the roadside. However due to the distance from the roadside, the agricultural appearance of the building and its siting within an agricultural setting it is accepted that the building will be a sympathetic addition to the site. Its location will not reduce the open aspect of the surrounding agricultural land.

The building has an overall roof height of 10.2m and so will stand above a number of the existing agricultural buildings within the site, and as such will be a prominent addition to the site, but again the rural context ensures that the proposal will not stand out to be an unacceptable addition within the streetscene of Ballam Road.

The materials which are looking to be used will reflect the agricultural use of the building, with timber panels to the top half and a concrete panel base. The building is considered to sit well within its surroundings and allow improvements to the overall infrastructure to the farm.

As such, the proposal is considered to comply with Policy GD7 of the Fylde Local Plan to 2032.

## Impacts on surrounding occupants

The proposed development site is not located close to any surrounding residential neighbours and is sat within the farmland of Birks Farm.

## Conclusions

It is considered that the proposal is acceptable and complies with the requirements of the Fylde Local Plan to 2032 and is supported by NPPF paragraph 83 which requires that planning policies and decisions should enable:

*a) the sustainable growth and expansion of all types of businesses in rural areas, both through conversion of existing buildings and well-designed new buildings;*

In the absence of any demonstrable harm from this development it is considered to be acceptable and so is supported subject to conditions.

## 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 beginning with 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
  - Proposed Plans and Elevations- Drawing no. ML/TP/6004

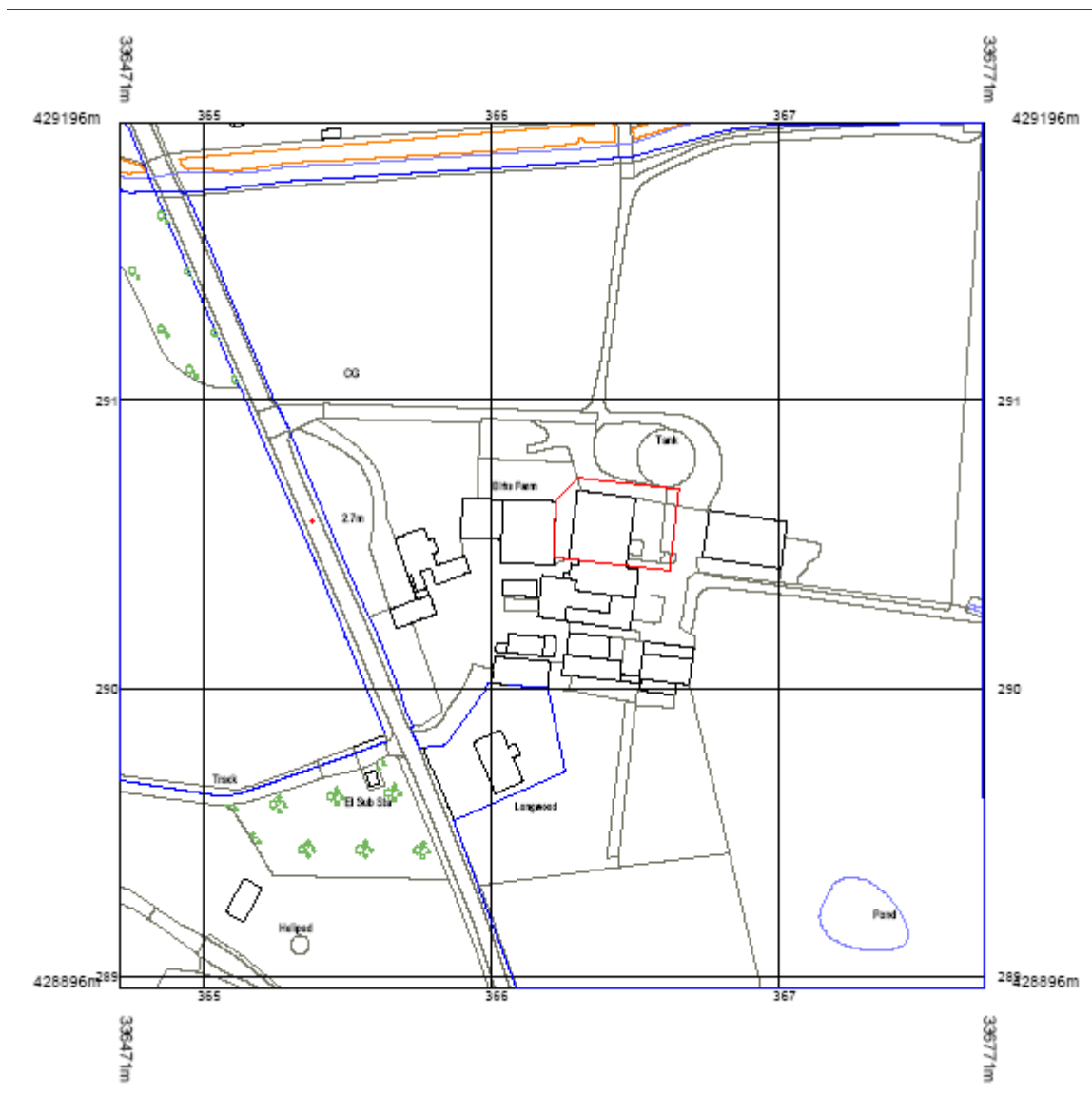
- Design and Access Statement submitted 11th May 2021

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

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

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

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



## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	23 JUNE 2021	5
<b>KIRKHAM FUTURE HIGH STREET FUND</b>			

### PUBLIC ITEM

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

### SUMMARY

An award of £6.291m for the development of the Town Centre Strategy for Kirkham (known as Kirkham Futures) was formally announced on the 19<sup>th</sup> May from the Ministry of Housing, Communities and Local Government. This was under the Future High Street Fund (FHSF). This is in effect an award of 100% grant to assist in the delivery of specific projects contained in the detailed bid. This scheme is complementary to the High Street Heritage Action Zone (HS HAZ) award of £1.791m – total scheme value of £3.271m, which is currently in the approved Capital Programme.

It is recommended that a fully funded budget increase should be approved for inclusion into the Council's Capital Programme. In particular, it should be noted that the first-year allocation of £3,489,071 has been transferred to the Council recently so that the scheme can commence forthwith. The details are given in more depth in the body of the Report. The Committee is recommended to formally approve the funding award, the first year spend allocation and agree in principle to the implementation of the schemes contained within the first year programme (set out at Appendix 1) including the acquisition of key building assets which formed an integral part of the bid and subsequent approved award.

### RECOMMENDATIONS

1. That Council be requested to approve the award of the Grant from the Ministry of Housing, Communities and Local Government (MHCLG), under the Future High Street Fund, of £6.290m in respect of the full funding award for the financial years 2021 – 2024.
2. To recommend that Council approve a fully funded capital budget increase of £6.290m to the Future High Street Fund: Kirkham allocated over the financial years as follows: (2021/22 - £3.489m), (2022/23 - £2.118m) and (2023/24 - £0.683m)
3. That Committee agree to the principles of developing and implementing the projects and initiatives as outlined in the Scheme Programme including the development of building acquisition, appropriate procedures in respect of the repurposing of the buildings, public realm development proposals and building refurbishment schemes.
4. That full details of the schemes as they develop including building acquisitions and associated matters be reported to Committee (and other appropriate committees) in due course but in a timely manner to ensure that the Implementation Programme as agreed is achieved with MHCLG.

### SUMMARY OF PREVIOUS DECISIONS

A series of reports and presentations have been made to Committee as the HAZ and FHSF bids have emerged.

These are referenced in the section 'Background Papers' towards the end of this report.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	
Tourism – To create a great place to live and visit	✓

## REPORT

### INTRODUCTION

1. The Future High Street Fund (FHSF) is a national initiative launched by the H.M. Government, in October 2018. Initially, the fund was £675m with a smaller part of that, some £42m, to be directed at the Heritage Action Zone initiative (HAZ), for the revitalisation of town centres that have historic value. The Prospectus set out the aims of the fund, its objectives and eligibility criteria. The FHSF was a competitive process.
2. Planning Committee resolved to apply to the fund for schemes within Kirkham and following that decision, officers drew together an 'Expression of Interest', which was submitted within the deadline. The announcement early in 2019 of 50 'shortlisted' towns did not include Kirkham although the Council, in receiving feedback, were encouraged to bid again in 2020 (Round 2).
3. On the 26<sup>th</sup> August 2019, H.M. Government announced that the fund had been increased by a further £325m. Shortly afterwards, it was announced that the Council would be invited to progress to the next stage for Kirkham (shortlisted) and in doing so, would be asked to make a fully detailed business case. In addition, on the 14<sup>th</sup> September 2019, it was also announced that the bid for the HAZ had been successful, again the Council being invited to develop a programme for delivery.
4. A fully costed bid was submitted to Government for c£9.8m in line with the timescales required. The Government intimated that the bid had been well received but, following a later notification to authorities, it was requested that bids should be revised downwards in view of demands on the Fund. The bid was reassessed which had to ensure that it still met the value for money and economic outputs required by the Fund. A revised scheme amounting to c.£6.3m was submitted and the positive aspect of this was that the fundamentals of the actions and outputs proposed by the original bid remained. This was partly due to the fact that the Council had secured additional significant grant aid as a result of the success of its scheme under the High Street Heritage Action Zone (HA HAZ), approved by Government on the advice of Historic England.
5. The full value of the scheme under the HS HAZ within the approved capital programme is £3.271m including match funding. In essence these schemes are aimed at revitalising Kirkham town centre where market failure is already being experienced or can be envisaged as being such in the future. The grant aid is aimed at incentivising development that otherwise is unlikely to happen with consequent further economic decline of the particular town centre.

### DECISION BY GOVERNMENT

6. On the 19<sup>th</sup> May of this year, the Ministry of Housing, Communities and Local Government announced that the final allocation of £576m had been awarded to 57 areas under the Future High Street Fund. The Kirkham bid had been successful as the sole representative in Lancashire. In total, the grant aid amounts to £6.291m and is to be expended on a range of projects over the lifetime of the Fund which, incidentally, was 4 years but now 3 as a result of delayed announcements and the impact of the COVID Pandemic. In essence, the Future High Street Fund will operate alongside the previously approved HS HAZ scheme and

can now be treated as a total town centre regeneration initiative for practical purposes, although the specific funding allocations and the schemes within the programmes are run separately.

7. The benefit of aligning the two programmes is that the building/property owners can look forward to the development of several initiatives across the town centre in its entirety since the HAZ, previously approved, could only develop schemes in the Conservation Area. Some of the projects within the FHSF are similar in nature to those in the HS HAZ (discussed below).

#### SCOPE OF THE SCHEME

8. As outlined above, the HAZ and the FHSF awards will, over the next 3 years, develop a range of projects. Within the HAZ these include: public realm enhancements, building refurbishments, restoration of the Hillside – also now part of the FHSF, cultural, health programmes, arts and heritage projects. These schemes are being developed for phased implementation.
9. The FHSF Prospectus had similar objectives, namely the regeneration of the high street. However, a major aspect of the objective of the Fund was one of repurposing buildings since the general assumption is that whilst retail will remain a major aspect of the town centre offer, its impact will be reduced in the future. In many towns, large retail footprints have become redundant with little prospect of reuse for retail purposes and so securing long term imaginative new uses, appropriate to a town centre, is the key challenge. In the case of Kirkham, a number of sites were identified as suitable for redevelopment and a key part of the success of the bid was the fact that building owners had been an integral part of the process and were to actively participate in the development of key sites.
10. The principal projects contained within the FHSF are:
  - Purchase of three key buildings with a view to seeking their reuse and development for appropriate uses. These include *The Hillside*, for the development of a heritage, Eco and Skills training centre in traditional crafts along with new build. *The Kirkgate Centre*, for the use of the ground floor for high level retail/commercial uses, upper floors for residential and the remodelling of outdoor space to the rear. *The former TSB Bank*, to be developed as a community hub including a cinema and arts centre. These schemes were supported by the community, including the Town Council and Business Group. The Hillside and former TSB are both very attractive nationally listed buildings and so seeking their re-use has significant heritage benefits.
  - Public Realm reconfiguration and enhanced quality of design including the potential creation of a public events space at Market Square. Public Realm enhancements along Poulton Street and Town End.
  - Repurposing and refacing of building facades along Poulton Street to a conservation area standard.

11. As outlined, the budget is £6.291m and the projects are required to be phased over the 3 years. The funding requirements have been estimated and uniquely the funding allocation for Year 1, to meet the agreed programme has been transferred. Essentially, an agreement has been signed with the Ministry to commit the Council to delivering the projects set out in the approved scheme programme. This is attached at Appendix 1.

#### YEAR 1 SPEND

12. The agreed funding for Year 1, essentially amounts to the development of three of the key projects, which are as follows.
  - The purchase of three key buildings. Essentially, the funding award will require the Council to purchase these properties and then transferring them to developers to achieve the agreed outputs. The grant aid will allow for this. Initial purchase prices have been agreed based on market valuations. The detailed schemes are now being developed. In the case of the Kirkgate, the development will most involve a housing association who will develop the site for residential to the

upper floors and commercial use at ground floor. Therefore, in addition to the grant aid costs to bridge the funding gap of development, the housing association will invest considerably in the development and reuse of the site. The two aspects of the development, therefore, amount to a major investment in the site. In the case of Hillside, again an initial purchase price has been agreed and the FHSF will be used to purchase the property. Grants from Historic England as part of the HAZ in addition to match funding will be used for refurbishment and repair of the listed building. The asset will then be transferred in due course, with the assumed economic benefits to the town being seen as considerable. The former TSB is of a similar proposition, whereby the Council would use the grant aid funding to purchase the building and develop fully costed proposals working with potential developers.

13. The purpose of this report is to seek approval of the funding now received and integrate this into the Capital Programme as well as agreeing to the Year 1 spend. In respect of the acquisition of buildings, the legal processes and other assessments are currently being undertaken to ensure due diligence and in the near future, full reports will be presented to both Planning Committee and Finance and Democracy Committee to detail the processes involved in delivering the proposed schemes.
14. The enclosed Programme (Appendix 1) details the full anticipated programme over the 3 years, but the key aspects are as follows:
  - Purchase of the three key buildings and working up the investment strategies for redevelopment for each, services, business case planning, looking at floorspace options, configuration of uses, architectural studies and overall development options.
  - Public Realm scheme for Market Square and environs (being drawn upon at the present time with public engagement events included). This will be complimentary to the HAZ public realm aspects for Poulton Street, Church Street and Freckleton Street). In effect this will be one scheme funded through both programmes. Work on site anticipated to be from April 2022.
  - Public Realm design proposals to be prepared for Poulton Street to Town End outside the conservation area. Work on site anticipated to be from April 2023.
  - Preparing proposals for building refurbishment and repurposing of upper floors where possible, with potential grant aid on offer this financial year – to compliment the scheme operating within the HAZ area.

## CONCLUSION

15. Committee members are fully aware of the FHSF bid for Kirkham and a presentation has previously been made to describe the proposals in more detail when the bid was being prepared. It has now been confirmed that the award of £6.290m has been made to this Council to develop the schemes as contained within the bid. It is necessary for Committee to recommend that both the full award and the first-year allocation be brought into the Council's Capital Programme as appropriate. Committee will note the proposed development of the First Year of the programme and are asked to agree to the development of these schemes including the 'in principle' agreement to purchase the three buildings referred to. A full report explaining in detail the proposals for the buildings and the necessary financial and legal obligations will be presented in due course to this Committee and the Finance and Democracy Committee.
16. Further details will be given by way of an update at the Committee meeting.

IMPLICATIONS	
Finance	That Council be requested to approve the award of the Grant from the Ministry of Housing, Communities and Local Government (MHCLG), under the Future High Street Fund, of £6.290m in respect of the full funding award for the financial years 2021 – 2024 and to

	approve a fully funded capital budget increase of £6.290m to the Future High Street Fund: Kirkham allocated over the financial years as follows: (2021/22 - £3.489m), (2022/23 - £2.118m) and (2023/24 - £0.683m)
Legal	The funding is to be used specifically for the development of the FHSF scheme. The Council has agreed to the processes of monitoring and managing the fund including its correct appropriation. Monitoring and reporting will be required and normal auditing as well as legal mechanisms to ensure the correct procedures are followed commensurate with Central and Local government procurement, policy and financial regulations
Community Safety	Dealt with at detailed stages of the development of individual schemes within the Programme.
Human Rights and Equalities	No specific issues. The scheme is aimed at benefitting all sections of the community.
Sustainability and Environmental Impact	Scheme aimed at sustaining and enhancing the role of Kirkham as an important service centre and market town.
Health & Safety and Risk Management	Deal with at subsequent sages of the Programme development

LEAD AUTHOR	CONTACT DETAILS	DATE
Paul Drinnan	Email & Tel 01253 648434	11.6.2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
The Future High Street Funding Bid : Report to Planning Committee	14.11. 19	Town Hall, St. Annes
Fully Funded Budget Increase : Report to Planning Committee contains detailed background information	25.11.19	Town Hall, St. Annes

Attached documents

Appendix 1 - Programme for the delivery of the FHSF 2021 - 2024



	2021/22	2022/23	2023/24	
1. High Street (Poulton Street) Improvement Works - refer to pg 16 and Appendix 2 of the Business Plan.	£532,652.00	£500,000.00	£251,089.00	
2. Mill Street Improvement Works - refer to pg 16 and Appendix 2 of the Business Plan	£ -	£ -	£ -	
3. Market Square - Refer to Appendix 2 of the Business Plan	£155,000.00	£675,000.00	£ -	
3. Eastern Gateway Improvements - refer to pg 16 and Appendix 2 of the Business Plan	£ -	£ -	£ -	
4. Western Gateway Improvements - refer to pg 16 and Appendix 2 of the Business Plan	£ -	£ -	£ -	
5. Miscellaneous movement / connectivity improvements - refer to pg 16 and Appendix 2 of the Business Plan	£ -	£ -	£ -	
6. Conversion and shop improvement grants - refer to pg 15 and Appendix 2 of the Business Plan	£167,209.00	£167,208.00	£167,208.00	
8. The Kirkgate Centre - refer to page 17 and Appendix 2 of the Business Plan	£1,452,210.00	£ -	£ -	
9. Hillside Court - refer to pg 17 and Appendix 2 of the Business Plan	£473,250.00	£ -	£ -	
10. Hillside Phase 2 and 3 - refer to pg 17 and Appendix 2 of the Business Plan	£385,000.00	£471,255.00	£180,000.00	
11. Former TSB Bank - refer to pg 17 and Appendix 2 of the Business Plan	£323,750.00	£305,000.00	£85,000.00	
	<b>£3,489,071.00</b>	<b>£2,118,463.00</b>	<b>£683,297.00</b>	<b>£6,290,831.00</b>

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	23 JUNE 2021	6
KIRKHAM HERITAGE ACTION ZONE			

### PUBLIC ITEM

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

Please note that the KIRKHAM HERITAGE ACTION ZONE report is TO FOLLOW

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	23 JUNE 2021	7
<b>PROPOSED REVISION OF DELEGATED AUTHORITY TO DETERMINE PLANNING APPLICATIONS ASSOCIATED WITH THE REDEVELOPMENT OF THE PUBLIC OFFICES SITE</b>			

### PUBLIC ITEM

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

### SUMMARY

Authority to grant planning permission for a mixed retail and residential development of the Public Offices and former Tourism and Leisure Offices site was delegated to the Head of Planning & Housing in December 2020. This report seeks to vary that delegated authority to assist in the determination of existing, and limited potential future, planning applications associated with the redevelopment of the Public Offices site. The development package that is currently proposed involves the conversion and change of use of the Public Office building to a retail use, the demolition of the former Tourism and Leisure Building and the erection of an apartment scheme on that site, and the associated re-development of the former St Annes Station platform to provide off-site affordable residential units and a public realm scheme.

The form of the redevelopment involved has previously been considered by the Planning Committee, with the resolution being to support the development and so grant planning permission and listed building consent for the associated applications. Those decisions were delegated to the Head of Planning and Housing subject to a series of matters being resolved, principally regarding the content of a s106 agreement and the drafting of planning conditions. Progress has been made on these but there is the potential that revisions to some elements, particularly the content of the s106 agreement, may become necessary due to evolving circumstances.

Although a single planning application for the mixed use of the site was submitted, the retail and residential elements of the proposal are to be delivered by separate developers. The combining of the two elements in a single planning application has created additional complications for the disposal of the land. In an effort to help overcome these it has been suggested that a separate application for the retail use of the former public offices would allow the investment in this heritage asset to progress without any reliance on the development of the T&L part of the site, and so would help to secure the important planning benefits that this element of the proposal would bring.

The majority of the expected revisions would fall within the scope of the existing delegation, but the intention of this report is to update Members on the latest position and to vary the authority to determine the application that has previously been delegated to the Head of Planning & Housing so that officers can confidently react with appropriate timeliness to these evolving circumstances. The delegation is proposed to be specifically to the Head of Planning and Housing to ensure that the Director of Development Services is removed from that decision due to his role in the disposal and lease of the Public Office site. It is proposed that the authority is to be available within defined parameters, to ensure that the decision remains in accordance with the policies of the Fylde Local Plan to 2032, and be subject to consultation with the Chairman and Vice-Chairman of the Planning Committee to retain a member input into the ultimate decision on the applications.

Members are asked to support the recommendation here to provide the additional flexibility to officers in this matter to aid in bringing forward a suitable development on these important sites.

## **RECOMMENDATIONS**

1. That the authority to negotiate and agree the terms of the s106 agreement to form part of the decision on planning application 20/0316 and listed building consent application 20/0317 associated with the development of the public offices site be delegated to the Head of Planning and Housing in consultation with the Chairman and Vice chairman of the Planning Committee.
2. That the authority to determine any future planning application for the change of use of the public offices part of the site be delegated to the Head of Planning and Housing in consultation with the Chairman and Vice chairman of the Planning Committee.
3. That the authority to negotiate and agree the terms of the s106 agreement to form part of the decision on planning application 20/0587 associated with the development of the former St Annes Railway Platform for a scheme of affordable housing and/or public realm works be delegated to the Head of Planning and Housing in consultation with the Chairman and Vice chairman of the Planning Committee. This authority is also to allow for the approval of the public office application without any affordable housing being provided on the railway platform site in the event that a viability appraisal that demonstrates that the provision of this affordable housing element would make the public offices development unviable, and that this viability appraisal has been verified by valuers appointed by the council who agree with its viability conclusions.
4. That a further report be provided to the Planning Committee as soon as is possible to report on the outcome of the decision on these applications.

## **SUMMARY OF PREVIOUS DECISIONS**

The three applications involved were considered at the Planning Committee on 9 December 2020. In each case the decision was to delegate the decision to grant planning permission / listed building consent to officers following the satisfactory conclusion of a series of matters that are set out in the minutes to that meeting and reported in the body of this report below. Whilst some progress has been made on those matters, they remain to be concluded and so the applications have yet to be determined.

In addition to the planning applications considered by this committee, the following decisions have also been made in regard to the disposal of the site:

On 29 March 2021 Finance and Democracy Committee Resolved:

1. Approve revised terms for a 20-year lease for the Public Offices site, outbuildings and adjacent land to Homebird Interiors Limited with the option to purchase at any time asset out in Table 1 at section 6 of this report;
2. Authorise the Director of Development Services to approve the details within the contracts to be drawn up between the parties, consistent with the principles as described within this report, following consultation with the Chairman and the Vice Chairman of the Finance and Democracy Committee.

On 22 July 2019 Finance and Democracy Committee Resolved:

1. Approve revised terms for a 20 year lease for the Public Offices site, outbuildings and adjacent land to Homebird Interiors Limited with the option to purchase in year 4 as set out in Table 1 at section 15 of this report;
2. Authorise the Director of Development Services to approve the details within the contracts to be drawn up between the parties, consistent with the principles as described within this report, following consultation with the Chairman and the Vice Chairman of the Finance and Democracy Committee.

On 18 February 2019 Finance and Democracy Committee Resolved:

1. Approve a 20 year lease for the Public Offices site and outbuildings to the company as detailed in the report;
2. Approve the disposal of the Council's leasehold interest in the land and property known as the T&L Building at 288-290 Clifton Drive South, Lytham St Annes to the second developer as set out in the report;

3. Authorize the Director of Development Services to approve the details within the various contracts to be drawn up between the parties, consistent with the principles as described within the report, following consultation with the Chairman and the Vice Chairman of the Finance and Democracy Committee.
4. The committee notes the advice from counsel with regards to the enforceability of the covenants by the company holding the freehold interest of the Public Offices site. The committee also notes progress in discussions with the company in respect of the level of the consent fee to develop which would be payable. However members consider the revised consent premium demanded is still unreasonable and instructs officers (1) to continue to negotiate with the company and (2) in the event that the negotiations do not achieve a reduction in the consent fee which officers feel, having regard to the advice received from Counsel, can be properly accepted, that proceedings be commenced with a view to testing the enforceability of the covenants.
5. Provide regular updates to the Chairman and Vice-Chairman of the Finance and Democracy committee on the disposal of the Public Offices site as part of the scheduled briefing sessions.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	
Tourism – To create a great place to live and visit	

## REPORT

### BACKGROUND

1. This report seeks delegated authority to determine three current applications, the details of which are set out below.
2. Application 20/0316 is an application for planning permission at the public offices and former Tourism and Leisure Offices (T & L) site. It relates to the change of use and some minor external alterations to the public offices building to allow its use for retail purposes, and the demolition of the former T & L building and the erection of an apartment building on that site providing 23 units. The application also includes associated alterations to the access point to provide a single central access to the site, the parking arrangements and landscaping around the site.
3. Application 20/0317 is an associated application for listed building consent that relates to the external alterations to the public offices building and a series of internal alterations that are required to facilitate the intended retail use. Principally these involve the removal of the 'council office' elements that had been introduced over the years to enable the building to serve as the principal point of contact for customers to the council, but also the removal of a section of wall to the former council chamber to open it up from the stairs.
4. Application 20/0537 is an application for planning permission on the disused platform at St Annes Railway Station. This proposes the erection of a 3 storey building to provide 7 flats which are to be made available as affordable housing, and are to provide the affordable housing obligation of the residential development on the public offices site. The scheme also includes some enhancements to the remainder of that platform to ensure it provides a pedestrian/cycle route to the flats and also a more visually appealing element of public realm for users of the active platform at the station.
5. The applications were all considered at the 9 December 2020 meeting of Planning Committee, with the resolution of that meeting as recorded in the minutes being as follows:
6. Application 20/0316 – planning application at public offices site

*The decision on the application is delegated to the Head of Planning and Housing, with that decision being to GRANT Planning Permission subject to the completion of the matters below, with the delegated authority also*

*permitting a refusal of the application for reasons which the Head of Planning and Housing considers appropriate in the event that agreement is not reached on the outstanding matters within a reasonable timescale.*

*The outstanding issues are:*

*1. The completion of a s106 agreement to secure:*

*a) The appropriately phased delivery of an affordable housing scheme elsewhere within St Annes that provides a level and quality of affordable housing to accord with the obligations of Policy H4 of the Fylde Local Plan to 2032.*

*b) a financial contribution of £23,000 (and the phasing of the payment of this contribution) to Fylde Borough Council in lieu of the provision of any on-site public open space in accordance with the requirements of Policies ENV4 and INF2 of the Fylde Local Plan to 2032, with that money to be used by the council to enhance public open space facilities in the vicinity of the application site*

*c) a financial contribution of £25,090.60 (and the phasing of the payment of this contribution) to Lancashire County Council towards the improvement of secondary education capacity in the vicinity of the site in accordance with the requirements of Policies HW2 and INF2 of the Fylde Local Plan to 2032, with that money to be used by the council to enhance public open space facilities in the vicinity of the application site*

*d) a financial contribution of £300 per clause (and the phasing of the payment of this contribution) towards the council's proportionate costs in relation to the monitoring of the obligations of this agreement in accordance with the requirements of Regulation 122 (2A) of the Community Infrastructure Regulations 2010.*

*The agreement will be expected to meet the full amounts quoted above in all cases, unless a viability appraisal has been agreed with the Local Planning Authority. In the event that agreement is not reached on this legal agreement then the application is to be refused for being in conflict with the relevant policies of the Fylde Local Plan to 2032.*

*2. A Schedule of Planning Conditions to ensure that the development is appropriately brought forward and controlled, with these including matters such as (but not limited to):*

*a) The timelimit for the commencement of the development*

*b) The approved plans*

*c) Phasing of development so that the conversion works to the retail building are completed to ensure this is available for use prior to the first occupation of any flat*

*d) Approved materials for the residential element*

*e) Approved materials for the external works to the public offices*

*[other condition topics were suggested but are omitted here as they are not relevant to this report]*

*7. Application 20/0317 – listed building consent application at public offices site*

*The decision on the application be delegated to the Head of Planning and Housing, with that decision being to GRANT Listed Building Consent on the satisfactory resolution of the outstanding matters associated with application 20/0316 to enable planning permission to be granted for the proposals contained in that application.*

*Any grant of listed building consent is to be subject to a list of conditions and reasons which the Head of Planning and Housing is to be given delegated authority to draft and impose with these to address matters including, but not necessarily limited to, the following:*

*1) Time limit*

*2) Plans*

*3) Agree detailed programme of works based on approved plans, including elements of fixtures that are to be retained and how the opened-up sections of original building are to be identified*

*4) Agree materials for internal works to building (walls, ceilings, doorways, other fixtures)*

*5) Agree materials for external works to building (walls, roof covering, windows, doors, decking area)*

*6) Agree materials for external works to site*

*7) Building recording details*

8. Application 20/0537– planning application at railway platform site

*That the decision to GRANT Planning Permission be delegated to the Head of Planning and Housing, with that decision being subject to the completion of the following:*

*1) The Public Realm Element:*

- a) The submission of a scheme of public realm works for that part of the site indicated as 'Area for Community Benefit Scheme' on the submitted site plan*
- b) The undertaking of a consultation exercise on that scheme with St Anne Town Council, local residents, Network Rail, Railway Friends Group, and United Utilities*
- c) The consideration of any comments received and the assessment of the planning merits of the proposal*
- d) The introduction of an appropriate mechanism within the decision to this application to secure the provision of a suitable scheme to deliver the Community Benefit Scheme prior to the first occupation of any residential properties within this application*
- e) The provision of a mechanism which secures the on-going availability of this area for Community Benefit and its future maintenance to a standard which permits that benefit*

*2) The Affordable Housing Element*

- a) The phasing of construction of the residential element of this scheme so that all proposed flats are available for first occupation prior to the first occupation of any of the flats on the Public Offices site which are proposed for development under application 20/0316 (or any alternative scheme that is brought forward for residential development of that site)*
- b) The provision of a mechanism to ensure that all flats within the residential element of this scheme are available for 'First Home' affordable housing including the operational details of that affordable housing, the qualifying criteria for residents including their access to alternative accommodation and their links to Fylde Borough, and to ensure that it is retained as affordable housing thereafter*
- c) The provision of sufficient funding to Fylde Council to support the management and operation of all the 'First Home' tenancies provided within the residential flats for a period of not less than 5 years.*

*3) The Network Rail Element*

- a) Confirmation from Network Rail that their concerns over the legal access to the platform and on-going operational management of the railway are not compromised by the proposed development.*
- b) The drafting of any conditions that are necessary to ensure that their concerns can be adequately mitigated by the management of the development.*

*4) The United Utilities Element*

- a) Confirmation from United Utilities that their concerns over the implications for the layout of the public realm area to impact on their sewer easements, and the construction practicalities of the development, are addressed by the layout of this area when it is available for consultation with them*
- b) The drafting of any conditions that are necessary to ensure that their concerns can be adequately mitigated by the management of the development.*

*5) A Schedule of Planning Conditions to ensure that the development is appropriately brought forward and controlled, with these including matters such as (but not limited to):*

- a) The time limit for the commencement of the development*
- b) The approved plans*
- c) Approved materials for the residential element*
- d) Approved materials for the Community Benefit element*

*[other condition topics were suggested but are omitted here as they are not relevant to this report]*

UPDATED POSITION

9. Since the Planning Committee meeting officers have progressed matters in line with the resolution to the following positions:

#### 10. Public Office / former T&L site

11. The planning conditions have been drafted and shared with the agent and so presumably the prospective developers. Concerns have been expressed by the proposed residential developer regarding the need to link the delivery of the public office development to the delivery of the residential element to ensure that the former is undertaken. This aspect is discussed further in the following section of this report.
12. The s106 agreement has been drafted. With the council being the current landowner there is no reason for the prospective developer to be a signatory to the agreement, but as they are clearly the ones who will be taking on the obligations of the agreement the obligations have been shared with them.

#### 13. Railway Platform Site

14. The planning conditions have been drafted and shared with the agent and so presumably the prospective developer.
15. The s106 has been drafted in part, but the final drafting of this has been delayed as there have been some challenges over the format and delivery partner of the affordable housing as will be described in the next section of this report.
16. The revised plans were received, and consultations undertaken with United Utilities, Network Rail, St Anne's Town Council and local residents. These consultations did not highlight any additional areas of concern that had not been previously addressed in the officer report to Committee, or which could not be dealt with by the imposition of planning conditions to any subsequent decision.

#### ISSUES OF CONCERN

17. Issue 1 - The developer of the proposed residential element of the scheme has expressed some reservations over the intention to impose a condition to that decision which prevents the occupation of the flats to the availability of the public offices for retail trading. It is considered to be essential that the council has a link of this nature to ensure that the public offices development is undertaken and so there is an active and viable use for that building. By ensuring such a use is in place there is a greater likelihood that the building will be well maintained and will make apposite contribution to the local economy and the quality of the built environment of the town as a whole and as a designated heritage asset. Without such a link being in place there is the possibility that a seemingly more lucrative residential development of the former T&L site could be brought forward in isolation leaving the public offices building undeveloped. This formed part of the planning balance when the Committee considered the applications.
18. Recent discussions with both parties have indicated that it is more likely that the retail use of the public offices building will be delivered first and so this requirement may not actually be a sticking point, or need to be secured through some alternative measures. The works to the public offices are part of a single application alongside the works to the former T&L site and as the decision can only be made when all matters are resolved there is the potential that a delay over the decision on the former T&L scheme (for reasons set out in the next issue) could cause unnecessary delay to the works to the public offices.
19. Issue 2 – The prospective developer of the residential flats on the site of the former T&L building has expressed reservations over the viability of the delivery of the affordable housing and other elements set out in the Committee resolution. As yet these have not been fully explored, but it would be usual for the council to require that a developer making such claims provide evidence in the form of an 'open book' viability appraisal which would then be assessed by the council's retained assessors to ensure it is robust. This has yet to be received, but if the prospective developer is to present this there will be delay whilst this verification process is undertaken.
20. Issue 3 – The prospective developer of the affordable housing scheme for the railway platform had initially proposed a 'first home tenancy' approach for these units. This had been worked up with support from the council's Housing Manager and an affordable housing consultant acting for the developer, and was designed to provide a specific form of supported accommodation for those in housing need who are moving to their first independent accommodation. The scheme included relatively small units and a support package to help tenants with this move to independent accommodation. The scheme relies on a Registered Provider agreeing



to purchase the units from the developer and to operate them, and as yet this has not been secured. Accordingly there may be a requirement to review the form of this affordable housing.

21. As set out in Issue 2 above the council has yet to receive a full appraisal of the viability of the site, but it should be borne in mind that there is the possibility that the scheme would not viably provide any affordable housing at all. That would address this issue, but is clearly a less beneficial overall outcome for the development package.
22. Issue 4 – The planning applications at both sites are to be the subject of s106 agreements. The scope of these was clearly set out in the resolutions agreed by Committee in December 2020. However, it is possible that this will need to be revised to reflect changes that are required to ensure a policy compliant scheme is delivered with the issues set out above. This may require a greater degree of flexibility than is set out in those resolutions.

#### SCOPE OF REQUEST AND CONTROLS

23. The current resolutions of Committee as set out above do provide a degree of latitude to officers over the decisions. For example, the authority delegated in the decision for 20/0316 allows for the revision to the s106 requests in the event that the developer demonstrates that the scheme is not sufficiently viable to deliver the entire package of requirements listed in the decision. Similarly, the authority granted in application 20/0537 allows for the agreement of the mechanism for delivering the affordable housing support worker. However, at the time that the authority was delegated it was envisaged that the package of measures would be brought forward in the manner set out on the agenda without the need for utilising that authority. It now seems more likely that some variations of this will be required.
24. This delegation is therefore to reinforce the authority previously given so that officers can be comfortable that have Member support on these matters. It will also allow sufficient flexibility to address a number of other issues that have arisen such as the possibility that the developer of the public office building will want to undertake work in advance of the development of the residential flats on the former T&L part of that site.
25. At present the expected range of issues that are to be agreed, and so covered by this delegation are:
  - a. Revision of the obligations of the s106 at the public offices site should a viability appraisal demonstrate that the full package of affordable housing and infrastructure elements listed in the recommendation would render the development unviable
  - b. Agreement of the priority of what obligations should be secured in the event that not all are
  - c. Agreement of a suitable mechanism to provide as much security as is practically possible that the public office building is renovated and brought into an active use as a consequence of this development package
  - d. The format of the affordable housing to be provided on the railway platform site in the event that the public office development is sufficiently viable to deliver affordable housing
  - e. Alternative uses of the platform site (subject to the consideration of any further planning applications that may be necessary) to ensure that the public realm improvements to the platform are delivered
  - f. Determination of any applications that might be submitted for planning permission or listed building consent in respect of the change of use of and/or works to the public offices building that are of the same or of a similar form to that set out in applications 20/0316 and 200317 in order to enable the enhancement and operation of that building to be brought forward in advance of the residential development of the former T&L building

#### IMPLICATIONS OF RECOMMENDATIONS

26. The delegation should be explicitly to the Head of Planning and Housing rather than to the Director of Development Services. This is to ensure there is an officer separation between the responsibility for the determining of the planning decisions (with the Head of Planning and Housing undertaking that role), and the agreement of any lease or sales terms relating to the public office site as a property asset (with the Director of Development Services undertaking that role).
27. In the main part, the delegated authority sought in this report reflects the decision of this Committee from December 2020. It does, however, highlight that ongoing discussions with the developer are pointing to the development not being able to support the level of affordable housing originally considered and seeks greater

flexibility in the determination of the residential aspect of the proposal. In addition, the report seeks delegated authority for the Head of Planning & Housing to determine a separate application for the retail use of the public offices building, should one be submitted.

28. It is proposed that the delegation would be undertaken in consultation with the Chairman and Vice-Chairman of Planning Committee. Whilst this will not extend to all minor elements of the discussions these leading members would be appraised and given the opportunity to feed into the final decision that is made by the Head of Planning and Housing on this subject.

#### NEXT STEPS

29. Officers are in on-going negotiations with the prospective developers of the Public Offices building, the prospective developers of the former T&L site and former railway platform. And other agencies (such as registered providers) regarding the delivery of the scheme. Those discussions will continue to ensure that the scheme is effectively delivered in accordance with the requirements of the Fylde Local Plan to 2032 and the wishes of Committees as previously expressed in their support for the development.
30. On conclusion of the discussions a report will be presented to the Planning Committee to inform committee of the decisions.

IMPLICATIONS	
Finance	There are no direct financial implications arising from the recommendations within this report
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
Andrew Stell	<a href="mailto:andrew.stell@fylde.gov.uk">andrew.stell@fylde.gov.uk</a> Tel: 01253 658473	4 June 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Application file for 20/0316, 20/0317 and 20/0587	March and May 2020	Council's website

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	23 JUNE 2021	8
<b>ECONOMIC DEVELOPMENT TEAM RESOURCING</b>			

### PUBLIC ITEM

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

### SUMMARY

Over recent years the focus of the council's corporate objectives have evolved to place greater emphasis on the delivery of strategic economic development initiatives. In addition, the government is seeking to improve the quality of new development in terms of urban design and sustainable development. In order to ensure the Regeneration Team is best placed to address these evolving ambitions, it is considered that the roles within the team should be reviewed and the structure of the team refreshed.

### RECOMMENDATIONS

1. That Council be requested to approve an unfunded revenue budget increase of £15,657 during the current financial year (2021/22) and £32,176 in 2022/23 and subsequent years, together with inflationary increases in subsequent years.
2. That Council be requested to authorise the proposed expenditure to allow the appointment of a full time (37 hrs per week) Economic Development and Regeneration Manager and to increase the hours of the Technical Support Officer (Regeneration) to 29.5 hours per week.

### SUMMARY OF PREVIOUS DECISIONS

On 23 November 2020 finance and Democracy Committee resolved:

1. Approve a revenue funded budget increase (to be split between the years 2020/21, 2021/22, 2022/23, and 2023/24) in the total sum of £45,000, to be funded from the Funding Volatility Reserve, in order to provide the required level of resource for the appointment of an Enterprise Zone Project Manager;
2. Approve a revenue funded budget increase (to be split between the years 2020/21, 2021/22, 2022/23 and 2023/24) in the total sum of £246,000, to be funded from the Funding Volatility Reserve, in order to provide the required resource for the appointment of a Town Centres Manager and an Economic Development Officer;
3. Approve a revenue funded budget increase of £5,000 for 2020/21 and £25,000 for 2021/22, to be funded from the Funding Volatility Reserve, in order to provide an enhanced financial resource in respect of the existing St Annes town centre maintenance budget;
4. Authorise the proposed expenditure to fund the recruitment of an Enterprise Zone Project Manager for a temporary period of 3 years;
5. Authorise the proposed expenditure to fund the recruitment of a Town Centres Manager and Economic Development Officer, each for a temporary period of 3 years; and

6. Authorise the proposed expenditure in respect of the enhanced St Annes town centre repairs and maintenance budget in the total additional sum of £30,000.

On 11 November 2020, Planning Committee resolved:

1. That the Finance & Democracy Committee be requested to approve a revenue funded budget increase (to be split between the years 2020/21, 2021/22, 2022/23, 2023/24 and 2024/25) in the total sum of £45,000, to be funded from the Funding Volatility Reserve, in order to provide the required level of resource for the appointment of an Enterprise Zone Project Manager;
2. That the Finance & Democracy Committee be requested to approve a revenue funded budget increase (to be split between the years 2020/21, 2021/22, 2022/23 and 2023/24) in the total sum of £246,000, to be funded from the Funding Volatility Reserve, in order to provide the required resource for the appointment of a Town Centres Manager and an Economic Development Officer;
3. That the Finance & Democracy Committee be requested to approve a revenue funded budget increase of £5,000 for 2020/21 and £25,000 for 2021/22, to be funded from the Funding Volatility Reserve, in order to provide an enhanced financial resource in respect of the existing St Annes town centre maintenance budget
4. To authorise the proposed expenditure to fund the recruitment of an Enterprise Zone Project Manager for a temporary period of 3 years;
5. To authorise the proposed expenditure to fund the recruitment of a Town Centres Manager and Economic Development Officer, each for a temporary period of 3 years; and
6. To authorise the proposed expenditure in respect of the enhanced St Annes town centre repairs and maintenance budget in the total additional sum of £30,000. 7. That the Town Centres Working Group be requested to review of the maintenance provisions and budgets for Lytham and Kirkham Town Centres.

#### CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

## REPORT

### BACKGROUND

1. Over recent years the Council, through its Corporate Plan, has placed increased emphasis on the economic development of the borough. Over the coming years, the Regeneration Team will be responsible for delivering the Heritage Action Zone and Future High Street Fund programmes in Kirkham, delivering major improvement works in the Lytham and St Annes Town Centres in addition to other initiatives across the borough including the promotion of the two Enterprise Zones.
2. In addition, the Planning for the Future White Paper issued in August 2020 sets out the UK Government's proposals to improve the design and sustainability of new developments. This sits alongside the Government's existing 25 year action plan to improve the environment which includes a commitment to significantly boost tree planting and protect the natural environment.
3. The recovery of the local economy from the impacts of the pandemic is also a priority for the council and the work of the Regeneration Team is key to developing and delivering initiatives to assist in this.
4. A number of recent appointments and successful bids for Government funding have seen the size of The Regeneration Team and the projects they will be delivering over the next few years grow. It is already apparent that additional resources will be required within the team to deliver the objectives set out in the Corporate Plan and the governments emerging design and natural environment agenda.

5. The current Regeneration Manager has announced that he wishes to retire from his current role, with an anticipated date to be towards the end of September. However, he is willing to be flexible to allow an unbroken handover to a successor. Given the above evolving agenda and circumstances it is timely to undertake a review of the structure of the Regeneration Team.

#### PROPOSED STRUCTURE

6. Although the Regeneration Team has been involved with a wide range of projects since it was originally created over 20 years ago, there has been a clear focus on delivering physical regeneration projects in the borough's towns and villages. Whilst this aspect will remain an important part of the work of the team, there is an ambition to move the focus of the work of the team to other strategic projects that will support the wider economy of the borough. In addition, it should be noted that the Regeneration Manager role is currently filled on a part time basis. It is considered that, in order to manage the work of the expanded team, this role should be filled on a full-time basis. To address this change in emphasis, a revised job description has been produced and evaluated.
7. As set out above, the government is placing a greater emphasis on the quality design and sustainability of new development. Much of this design input, both in regard to the design of the council's own schemes and to assist the Development Management Team in the determination of planning applications is currently provided by the Regeneration Manager. If this role is to be refocused toward strategic economic development initiatives, it will be necessary to ensure that urban design skills are retained elsewhere within the team. The current Principal Economic Development Officer post remains vacant with the most recent advertising of this role not drawing any suitable candidates to fill the role. It is proposed to redesignate this role as a Principal Urban Design and Heritage Officer who would oversee the delivery of the work of the team that relates to the built and natural environment.
8. In addition to the management of the team, a requirement for additional administration and technical support has been identified. The current role that provides this support is a part time post (18.5 hrs per week) and it is proposed to increase this role to 29.5 hrs per week (i.e. 4 days per week). This additional support will increase the productivity of the individual officers within the team.
9. In addition to the core Regeneration Team, it will be necessary to ensure that the Kirkham Futures programme is adequately resourced. The FHSF grant award has only recently been confirmed and the details of this role still need to be developed and evaluated. Accordingly, this role will be the subject of a further report and is set out here to ensure members are aware of the comprehensive proposals. It is intended that this new Kirkham Futures Programme Manager post would oversee the delivery of both the Future High Street Fund and Heritage Action Zone projects and would work alongside the existing HAZ Programme Manager to ensure the two projects are delivered in a unified manner. These roles would be supported by a part time Technical Support Officer. It is proposed that the funding of these posts, which would only be required for the remaining 3 year duration of the Kirkham Futures programme, would be via the Future High Streets Fund that has been secured and so would have no direct cost implications to the council.
10. The existing team and proposed team structures are attached as appendix A.

#### FINANCIAL IMPLICATIONS

11. The staffing proposals set out in this report would require additional resource with the hours of the service manager increasing from 29.5 to 37 per week at the same grade and the technical support officer increasing from 18.5 to 29.5 hrs per week also at the same grade. Based on current salary scales this, including salary on costs, would require an additional £12,154 for the remainder of the current financial year and £24,973 for the first full year of the posts in 2022/23 as set out in the table below.

## Economic Development and Regeneration Manager

	2021/22*	2022/23	2023/24	2024/25
Existing Annual Salary incl on-costs (Total)	17,754	36,519	37,557	38,623
Proposed Salary incl on-costs (Total)	29,126	59,888	62,884	64,646
Additional Cost	11,372	23,369	25,327	26,023

## Technical Support Officer

	2021/22*	2022/23	2023/24	2024/25
Existing Annual Salary incl on-costs (Total)	6,600	13,598	14,323	14,751
Proposed Salary incl on-costs (Total)	10,885	22,404	23,560	24,242
Additional Cost	4,285	8,806	9,237	9,491

<b>Total Additional Cost</b>	<b>15,657</b>	<b>32,176</b>	<b>34,565</b>	<b>35,514</b>
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\*assuming remaining 6 months of the current financial year

## CONCLUSIONS

12. It is considered that the revised staffing structure set out in appendix A will allow the Regeneration Team to deliver both the council's and the government's emerging economic development and sustainable development objectives and members are asked to support the proposals set out in this report.
13. If the proposals are supported the Economic Development and Regeneration Manager post will be advertised at the earliest opportunity incorporating external recruitment to ensure the widest reach of applicants for this key post and the hours of the existing Technical Support Officer will be increased with immediate effect.

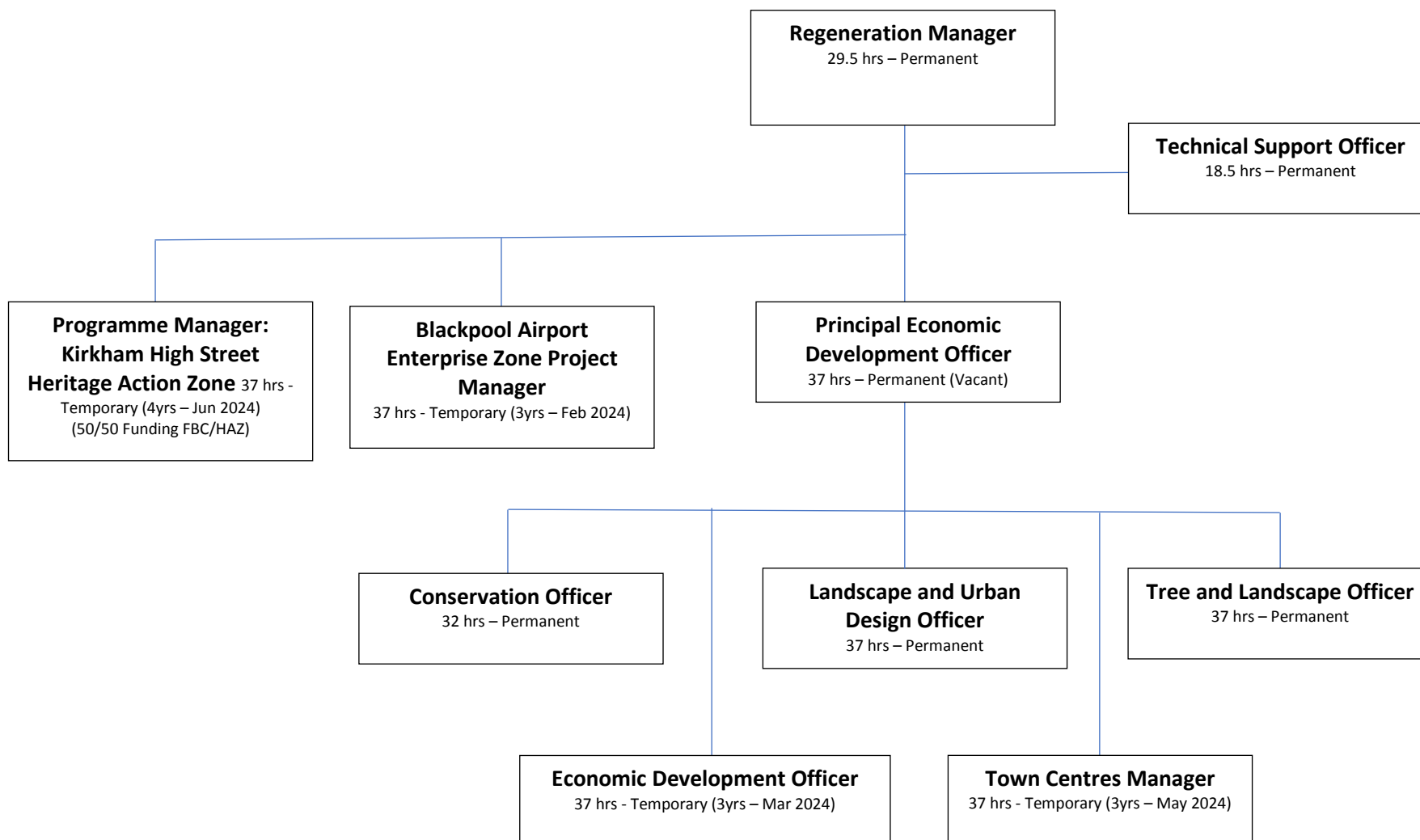
IMPLICATIONS	
Finance	The report seeks approval of an unfunded revenue budget increase of £15,657 for the current financial year (2021/22) and £32,176 in 2022/23 and subsequent years, together with inflationary increases in subsequent years. The next update of the council's Medium Term Financial Strategy will be updated to reflect these additional costs.
Legal	There are no implications
Community Safety	There are no implications
Human Rights and Equalities	There are no implications
Sustainability and Environmental Impact	There are no implications
Health & Safety and Risk Management	There are no implications

LEAD AUTHOR	CONTACT DETAILS	DATE
Mark Evans	mark.evans@fylde.gov.uk & Tel 01253 658460	June 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Document name		Council office or web address

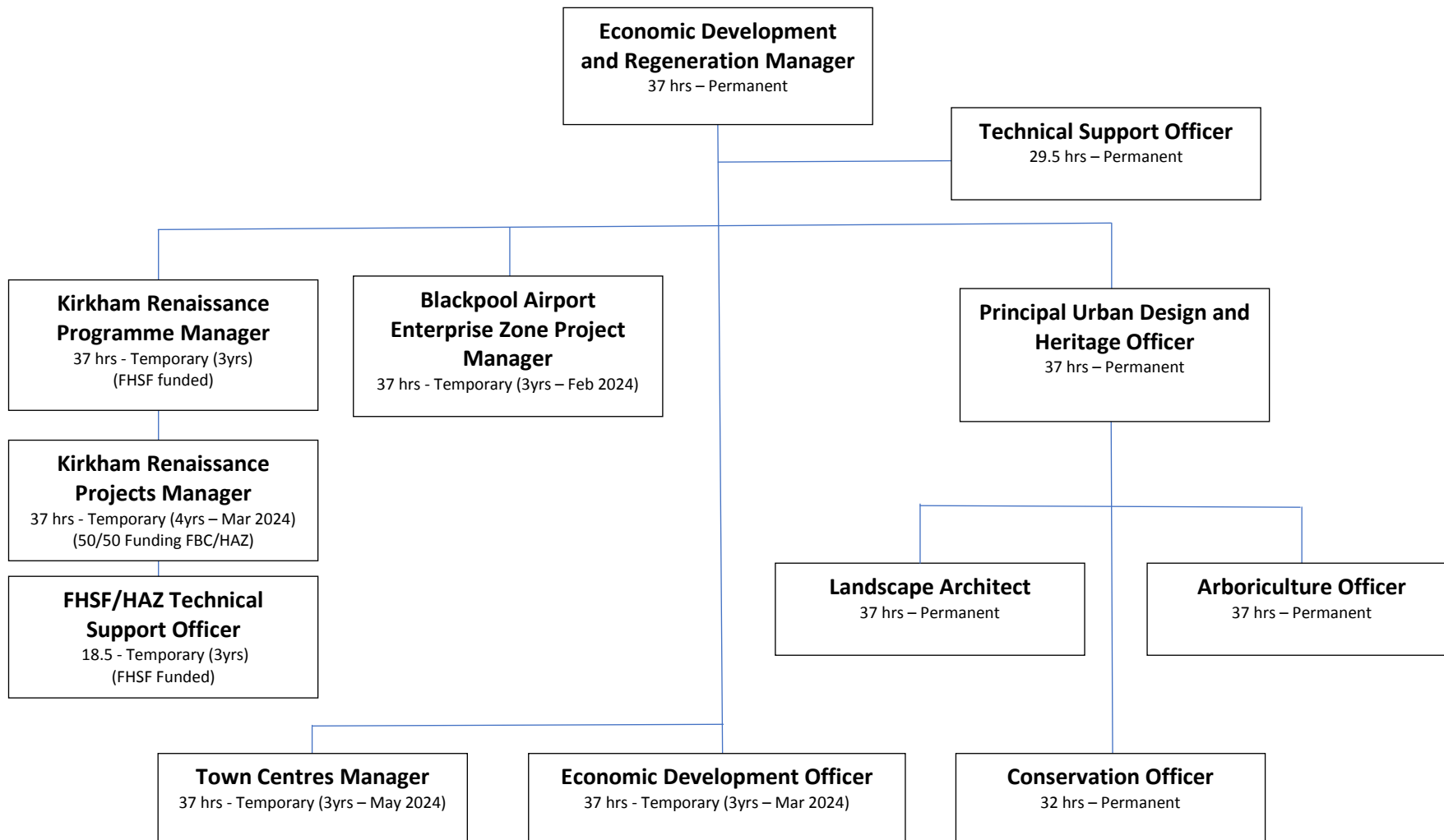
Appendix A – Existing and proposed Regeneration Team Structures

## Existing Regeneration Team Structure





## Proposed Regeneration Team Structure



## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	23 JUNE 2021	9
<b>CONFIRMATION OF WORKING GROUPS</b>			

### PUBLIC ITEM

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

### SUMMARY

Following changes to committee membership at Council, on 19th April 2021 for the municipal year 2021/22, it is timely for the programme committees to review the current appointments to any working groups that are currently established and relate to the terms of reference of the Planning Committee. The establishment of working groups is within the responsibility of the individual programme committees and does not need the approval of Council.

### RECOMMENDATION

The committee is invited:

1. To confirm the membership to any working groups that relate to the terms of reference of the committee.

### SUMMARY OF PREVIOUS DECISIONS

20 July 2020 – Council noted and endorsed the list of current working groups.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

### REPORT

1. it is timely for the programme committees to review the current appointments to any working groups following changes to committee memberships, for the municipal year 2021/22, that were made at Council on 19 April 2021.
2. Programme committees can establish their own subject specific working groups to be set up when required in order to advise the parent programme committee on a particular topic/issue.
3. The table below lists those working groups that relate to the terms of reference of the Planning Committee that are currently established.

4. The establishment of working groups is within the responsibility of the individual programme committees and does not need the approval of Council.
5. It is important that the members nominated to working groups have an appropriate interest in the subject, can commit to positively represent the Council and be available to commit the time to attend the majority of the meetings involved.
6. The members nominated should ideally be a member of the programme committee to which the matter relates to.
7. The conclusion of any working group would be brought to committee in a formal report.

Planning Committee– Working groups			
Working group	Role/purpose	Notes	Current representation
Local Listings Project Board	To establish a process and protocol, to be applied to compiling a local list of heritage assets including buildings. To undertake research in this regard and to make recommendations to Planning Committee in respect of the potential for local listing and related conservation issues.	When required	Councillors Richard Redcliffe, Julie Brickles, Heather Speak & Ray Thomas.
Arboriculture & Landscape Strategy working group	Steer the formation of an Arboriculture & Landscape Strategy for the borough.	Formed 13/9/17	Councillors Chris Dixon, Jayne Nixon & Ray Thomas  (plus 3 reps from EH&H)
Town Centres Working Group	To examine all opportunities to secure funding to assist in the future development of the borough's town centres, including, but not limited to any future rounds of the Future High Street Fund.	At least monthly	Councillors Richard Redcliffe, Liz Oades, David O'Rourke, Stan Trudgill, Michael Sayward, Roger Small, Michael Withers.
Carbon Neutral Working Group (Lead committee EH&H)	To investigate and consider the options to minimize the reliance on single use plastic items across the borough to become a 'plastics conscious' borough. To develop a Carbon Reduction Action Plan with a view to the Council becoming net-zero carbon by 2050.	Current	Councillors Tim Armit & Michael Sayward.  (plus 2 reps from Op Mgmt and 3 reps from EH&H)

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

LEAD AUTHOR	CONTACT DETAILS	DATE
Democratic Services	democracy@fylde.gov.uk	25/5/21

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

## INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	PLANNING COMMITTEE	23 JUNE 2021	10

### LIST OF APPEALS DECIDED

#### PUBLIC ITEM

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

#### SUMMARY OF INFORMATION

The council received the following appeal decisions between 8/5/21 and 11/6/21.

#### SOURCE OF INFORMATION

Development Services

#### INFORMATION

List of appeals decided attached.

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

To inform members of the appeals that have been decided during the period.

#### FURTHER INFORMATION

Contact Andrew Stell, Development Manager, 01253 658473

## Appeal Decisions

The council received decisions on the following appeal between the period 8 May 2021 – 11 June 2021. The decision notice and costs decision are attached to this agenda as an appendix.

Rec No: 1

08 March 2021

20/0440

BARNFIELD FARM, BACK LANE, WEETON WITH PREESE,  
PRESTON, PR4 3HS  
CHANGE OF USE OF LAND FOR THE SITING OF SIX  
HOLIDAY LODGES, ONE WARDEN'S LODGE AND SIX  
TOURING PITCHES TOGETHER WITH CREATION OF  
NEW FISHING LAKE AND LANDSCAPING

Written  
Representations  
Case Officer: RT

Fylde Dec. Level DEL

Appeal Decision: Dismiss: 07 June 2021

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## Appeal Decision

Site Visit made on 4 May 2021

**by Sarah Manchester BSc MSc PhD MEnvSc**

**an Inspector appointed by the Secretary of State**

**Decision date: 7<sup>th</sup> June 2021**

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**Appeal Ref: APP/M2325/W/21/3266902**

**Barnfield Farm, Back Lane, Weeton with Preese, Preston, Lancashire  
PR4 3HS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms K Ixler against the decision of Fylde Borough Council.
  - The application Ref 20/0440, dated 29 June 2020, was refused by notice dated 21 September 2020.
  - The development proposed is change of use of land for the siting of six holiday lodges, one warden's lodge and six touring pitches together with creation of new fishing lake and landscaping.
- 

### Decision

1. The appeal is dismissed.

### Applications for costs

2. An application for costs was made by Ms K Ixler against Fylde Borough Council. This application is the subject of a separate Decision.

### Main Issues

3. The main issues are:
  - i) Whether the proposal would be small-scale tourist accommodation in the countryside;
  - ii) Whether the location is suitable for new residential development; and
  - iii) The effect of the proposal on the character and appearance of the area.

### Reasons

#### *Development in the countryside*

4. The appeal site is an irregular shaped parcel of land adjacent to and accessed from Back Lane. It is in the countryside to the north of the M55 motorway. The proposal would comprise 7 lodges around a fishing lake, 6 caravan pitches, car parking, conversion of a stable building to WC facilities, and landscaping.
5. The Council's locational development strategy seeks to focus the majority of new development in accordance with the settlement hierarchy and in strategic locations that provide essential services and facilities, sustainable transport and employment opportunities. In the countryside, development is limited to specific purposes and uses appropriate to rural areas, including those which would help diversify the rural economy. This includes small-scale tourist accommodation and holiday caravan sites.

6. I have not been provided with a definition of what would constitute small-scale tourism sites. In this regard, 6 holiday lodges and 6 touring pitches would be a relatively limited number of units of tourist accommodation. However, the appeal site extends to approximately 2.3ha, which is a large area of land.
7. The built development would occupy a relatively small proportion of the site. I note the Council's concerns that the site could therefore accommodate a greater quantum of development in future, although this is a matter that could be controlled by planning condition. Irrespective of the number of units, their dispersed nature and spread across the site would result in the appearance of a disproportionately large footprint of development. Therefore, taking account of the size of the site and the design of the development, the proposal would not appear to be a small-scale tourism site. Moreover, it would not be the sustainable growth and expansion or diversification of an agricultural or other land-based rural business, such as is promoted by the National Planning Policy Framework (the Framework).
8. My attention has been drawn to 2 studies in Wales which categorised caravan and chalet sites according to the number of units and the size of the site. According to these, and if the proposal had been in Wales, then it would either be categorized as a small to medium site or as a medium sized site. Even if these methodologies were adopted Council guidance, they do not demonstrate that the proposal would be small-scale development in this area.
9. Therefore, the proposal would not be a small-scale tourism development which would help to diversify the rural economy. It would conflict with the rural tourism aims of Policies GD4, EC6 and EC7 of the Fylde Local Plan to 2032 Adopted October 2018 (the LP). These promote, among other things, small-scale rural tourism through rural diversification and limited increases in static and touring caravan pitches within existing site boundaries. The proposal would conflict with the aims of the Framework in relation to sustainable growth and diversification of rural businesses and rural tourism developments which respect the character of the countryside.

*Residential development in the countryside*

10. The proposed warden's lodge would apparently be an identical static caravan to those proposed as tourism accommodation. On this basis, it would have a living area, bedrooms to sleep several persons, a kitchen and bathroom facilities. It would have the characteristics of a dwellinghouse in that it would afford those who used it the facilities required for day-to-day private domestic existence. It would function as a reception and administrative hub for the site and it would be available for staff to use during evenings and overnight if a need arose, such as for security purposes or if guests arrived late.
11. Policy S1 of the LP sets out that the Council's locational development strategy seeks to focus development in accordance with the hierarchy of settlements. In the countryside outside of the settlements, isolated new homes are not permitted unless required to meet the essential needs of a rural worker. In this case, there is no requirement for a rural worker to live permanently at the site. While guests might arrive late on occasion, it has not been demonstrated that staff would need to stay overnight. There is little to suggest that concerns about future security could not be addressed by alternate means. It has not been demonstrated that residential accommodation is justified by the needs of



the business. Therefore, the warden's lodge does not meet the exceptions for new homes in the countryside.

12. A map has been provided to illustrate the relationship of the site to its surroundings. The site is not in or near a settlement and the distances involved are greater than could be considered a short or convenient walk. The intervening roads are rural in character with no footways or lighting and they are not conducive to walking as an alternative to car journeys. The site is not conveniently located or accessible by public forms of transport, including buses and trains. Therefore, future occupiers of the site, be it staff or visitors, would be heavily dependent on private car journeys.
13. There are existing dwellings in the area, including the nearby Hollybush Farm, Kinton Lodge and The Barns. However, the warden's lodge would not be physically, visually or functionally related to these dwellings. It would be isolated and remote by virtue of distance from settlements, services and facilities and its reliance on private car journeys. There is little to demonstrate that a new dwelling in this location would contribute to the type of sustainable development in rural areas promoted by the Framework.
14. I accept that the warden's lodge is not proposed for permanent residential use. However, while the appellant considers its occupancy could be controlled by condition, no suitable form of wording of condition has been proposed. In any case, given that the need for a residential dwelling, albeit occupied occasionally, has not been demonstrated, I am not satisfied that is a matter that could be satisfactorily addressed by condition.
15. Therefore, the location is not suitable for new residential development. The proposal would conflict with Policies S1, DLF1, GD4 and H6 of the LP. These require, among other things, that proposals contribute to sustainable patterns of development, focussing on locations with accessible services, facilities and sustainable transport networks and avoiding the creation of new homes in the countryside without specific justification.

#### *Character and appearance*

16. The appeal site comprises a field of grazing land, with earth embankments, that rises away from the road towards the shelterbelt woodland to its rear. It is in an area of flat to gently undulating countryside characterised by predominantly large open fields with scattered ponds and patches of woodland. Field boundaries are formed by low hedgerows or fences. The area is sparsely developed with dwellings and building groups, including farmsteads. Consequently, although not far from the M6 motorway, the area and the appeal site have a traditional rural character and appearance.
17. Although located to the north of a cluster of residential buildings, the timber lodges and touring caravans would not be in keeping with the traditional brick and slate former farmstead buildings. The dispersed layout and arrangement of lodges around the sweeping internal access would be incongruous and discordant and it would erode the traditional rural pattern of development in the area. The proposal would not be read as part of or as an extension to the nearby cluster of buildings.
18. Landscape planting has been proposed to screen the development from views. The bulk of the tree planting would be along the northern boundary and in

either corner of the site abutting the existing shelterbelt to the west. These areas of planting would not screen the caravans or the lodges from views from the south and east, including along the road.

19. The caravan pitches would be on the lower-lying part of the site, but they would be close to the southern boundary where they would be poorly screened by the boundary hedgerow. Their proposed regular arrangement on 2 sides of a square car park would render them conspicuous. Moreover, even if the side boundary hedge could be enhanced to provide greater screening benefits, the roadside hedgerow would need to be kept short to enable visibility at the site entrance. The small area of tree planting proposed along the road frontage would provide only limited screening of the proposal. Therefore, I find that that the touring caravans would be readily visible, even once the planting matures.
20. By virtue of their elevated and open siting in the low-lying landscape, the lodges would be prominent in views. They would be modest single storey buildings, but the visual impact would be exacerbated by their elevation on raised platforms and the external decking areas. The proposal would be increasingly visible during the times of year when trees are not in leaf and overnight, when the internal and external lighting of lodges and caravans and the bollard lighting of the internal access would be conspicuous. I accept that the nearby traditional building group is likely to result in some light pollution overnight. However, the light spill from the dwellinghouses would not assimilate or mitigate the adverse lighting effects of the proposal. There would be cumulative visual impacts arising from the movement of vehicles and the elevated and prominent parking of cars adjacent to the lodges.
21. In the absence of effective screening, the proposal would be visually obtrusive and it would not make a positive contribution to sense of place or to the rural character of the area. The introduction of uncharacteristic new built form and the loss of openness of the landscape would result in adverse visual impacts to the detriment of local residents as well as users of the highway and footpaths.
22. The proposal would be heavily reliant on the retention of the existing woodland to the west and the landscape planting to mitigate adverse visual impacts. However, while viewpoint photographs have been provided to demonstrate the existing situation, there are no photomontages to illustrate the effectiveness of the screen planting. In this regard, if the adjacent shelterbelt is in separate ownership then there would be no guarantee that it would be retained or managed over the lifetime of the proposal. Moreover, even if the new planting could be relied upon to assimilate the proposal into the landscape, no details of landscape management have been provided to demonstrate that the planting would be appropriately managed and retained.
23. Therefore, the proposal would harm the rural character and appearance of the countryside. It would conflict with LP Policies GD4, EC6, EC7, GD7 and ENV1. These require, among other things, that development avoids harm to the character of the countryside, that it respects and responds to its surroundings, and contributes positively to local character and distinctiveness, and measures should be in place for the management and maintenance of landscaping. It would also conflict with the policies in the Framework that require development to respect and be sympathetic to its surroundings, including the character of the countryside and landscape setting.

### **Other Considerations**

24. The presence of far larger tourism sites elsewhere does not demonstrate that the proposal is small-scale in this location. My attention has been drawn to the nearby Sharrocks Barn and Little Orchard Caravan Park, and Whitmore Caravan Park. The appellant suggests that the scale and arrangement of the proposal would be characteristic of these sites, including their woodland setting. However, I am not aware that those caravan parks are similarly elevated and prominent in the landscape. Moreover, the limited detail provided do not demonstrate that they are directly comparable to the proposal or that they were considered in the same policy context. The presence of ostensibly similar development elsewhere does not provide a justification for the scheme.
25. The proposal would not result in adverse impacts on protected species. Highway matters could be addressed by planning condition. There would be visual and noise disturbance but, taking into account the distance from dwellings and the proposed planting, the proposal would not significantly harm the living conditions of nearby residential occupiers. These matters weigh neither for nor against the scheme.
26. The proposal could result in biodiversity enhancement, subject to detailed design and appropriate long-term management. In this regard, and in the absence of details of landscape and biodiversity management that demonstrate net gains, this matter carries limited weight in favour of the scheme.
27. The proposal would not be the diversification of an existing rural business. It would be a private benefit to the appellant. The tourism accommodation would result in limited wider economic benefits, including during construction. There would be limited support for local shops and services. The application form indicates that there would be no new employment opportunities, although the warden's lodge is proposed to be used by staff.
28. The appeal site is within the Impact Risk Zone for Morecambe Bay and Duddon Estuary and Ribble and Alt Estuaries habitats sites. The Council's ecological advisor has screened the proposal and concluded that it would not result in likely significant effects on the habitats sites. I have a duty to carry out a Habitats Regulations Assessment for the purposes of the Conservation of Habitats and Species Regulations 2017, but as I am dismissing the appeal for other reasons it is not necessary for me to consider this matter further.

### **Conclusion**

29. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations, including the limited benefits, that would outweigh that conflict.
30. Therefore, the appeal should be dismissed.

*Sarah Manchester*

INSPECTOR

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## Costs Decision

Site visit made on 4 May 2021

**by Sarah Manchester BSc MSc PhD MEnvSc**

**An Inspector appointed by the Secretary of State**

**Decision date: 7<sup>th</sup> June 2021**

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### **Costs application in relation to Appeal Ref: APP/M2325/W/21/3266902 Barnfield Farm, Back Lane, Weeton with Preese, Preston, Lancashire PR4 3HS**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The application is made by Ms K Ixler for a full award of costs against Fylde Borough Council.
  - The appeal was against the refusal of planning permission for change of use of land for the siting of six holiday lodges, one warden's lodge and six touring pitches together with creation of new fishing lake and landscaping.
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### **Decision**

1. The application for a partial award of costs is refused.

### **Reasons**

2. The Planning Practice Guidance advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and the unreasonable behaviour has caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The applicant is seeking to recover costs incurred in the appeal. This is based on alleged unreasonable behaviour by the Council including: vague, generalised or inaccurate assertions about the proposed warden's lodge, which are unsupported or refused on a ground capable of being dealt with by condition; and the failure to provide the landscape consultee comments during the processing of the application meant that the applicant was unable to address the concerns prior to determination or to narrow down the issues in the appeal.
4. The warden's lodge would provide for the main activities of daily domestic existence and it could therefore function as a dwelling. Although it would be used as a reception and administrative hub, it would be occupied for an unspecified number of nights. Given its size and design, and the uncertainty surrounding the range of specific circumstances and the frequency of its overnight occupation, it was not unreasonable of the Council to assess it against policies relating to residential development in the countryside.
5. Taking account of the inherent uncertainties, the Council was not satisfied that this was a matter that could be adequately controlled by condition. While the appellant disputes this, no form of wording of a condition that would pass the relevant tests set out in Paragraph 55 of the Framework was proposed. On this basis, there is little substantive evidence that the Council refused the application on grounds that could have been dealt with by condition.

6. The Council did not provide the applicant with the comments of the Landscape and Urban Design Team on the planning application. However, substantially the same comments had been provided at the pre-application stage and the subsequent comments were in any case reported in the officer's report. Therefore, even if it was unreasonable of the Council not to publish the Landscape Team comments during the processing of the application, the applicant was aware of the specific issues and concerns both when the application was submitted and when the appeal was made. On this basis, I am not convinced that the appeal could have been avoided or that the issues to be considered in the appeal would have been narrowed any further.
7. The parties are expected to meet their own costs in the appeal process. While the decision of the Council will undoubtedly have been a disappointment to the applicant, the appeal provided the opportunity to test the reasons for refusal. The Council has substantiated its reasons for refusal on appeal, with reference to the development plan policies. As can be seen from my appeal decision, I also found harm and conflict with the development plan and I dismissed the appeal accordingly. It therefore follows that permission was not unjustifiably withheld and the Council's decision did not prevent or delay development that should clearly have been permitted.

### **Conclusion**

8. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated and a partial award of costs is not justified.

*Sarah Manchester*

INSPECTOR