

Agenda



Development Management Committee

Date:

Wednesday, 7 January 2015 at 10:00 am

Venue:

Town Hall, St Annes, FY8 1LW

Committee members:

Councillor Ben Aitken (Chairman)
Councillor Kevin Eastham (Vice-Chairman)

Councillors Tim Armit, Maxine Chew, Peter Collins, Fabian Craig-Wilson, Charlie Duffy, Dr Trevor Fiddler, Peter Hardy, Kiran Mulholland, Barbara Nash, Linda Nulty, Albert Pounder, Richard Redcliffe, Heather Speak, Vivienne M Willder

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1	Declarations of Interest: 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
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Contact: Lyndsey Lacey - Telephone: (01253) 658504 - Email: lyndseyl@fylde.gov.uk

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Development Management Committee Schedule 07 January 2015

Item Number: 1 Committee Date: 07 January 2015

Application Reference:	13/0726	Type of Application:	Full Planning Permission
Applicant:	Kensington Developments Ltd	Agent :	
Location:	LAND, LYTHAM ST ANNES WAY, WESTBY WITH PLUMPTONS		
Proposal:	PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 26 DWELLINGS & GARAGES, ASSOCIATED REDESIGN / REPOSITIONING OF EXISTING BALANCING POND AND CREATION OF COMPENSATORY WILDLIFE HABITAT		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	48	Case Officer:	Alan Pinder
Reason for Delay:	To allow extensive negotiations relating to the technical assessment of the proposed works to the balancing pond and viability issues.		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application proposes the construction of 26 dwellings on land at Whitehills between the Hollywood Nurseries site and Blackpool Honda, the relocation of the existing balancing pond within the site, and the creation of a mitigating wildlife area on land to the south of Whitehill Road. The principle of residential development on this land has already been agreed in principle under the previous outline permission, ref. 10/0752, and this newly proposed residential scheme is considered to be an acceptable form of development that accords with the relevant policies of the Fylde Borough Local Plan. As such members are recommended to approve the application.

Reason for Reporting to Committee

The proposal involves major development.

Site Description and Location

The application site is split into 2 areas of land that are separated by Whitehill Road. The first area is a rectangular parcel that is bounded by Lytham St Annes Way to the north, the Honda dealership to the east, Whitehill Road to the south and the Hollywood Nurseries site to the west, although the red edge extends through the Hollywood Nurseries site to provide access to the highway. The site currently contains a balancing pond that is associated with the drainage of the wider Whitehills

Business Park site, and associated landscaping. The main part of this area measures 375m x 100m. The other area is a rectangular parcel of land that is on the opposite side of Whitehill Road and measures 115m x 85m. This area is currently an agricultural field.

Surrounding land uses are mixed with employment uses, some residential properties, former nursery sites, and open countryside on the opposite side of Whitehill Road. The Hollywood Nurseries site now has full planning permission and construction of 67 residential dwellings is well underway. The employment development at Whitehills Business Park is located to the opposite side of Lytham St Annes Way to the north.

Details of Proposal

Full planning permission is sought for the construction of 26No. new dwellings and associated garages, together with the redesign and repositioning of the balancing pond within the site to allow an appropriate residential layout, and the creation of an offsite habitat area on the land to the south of Whitehill Road. The proposed access would be via the adjoining Hollywood Nurseries residential development. The dwellings would be provided as a mix of semi-detached and detached two storey dwellings. These are of a typical style, design and materials to others constructed by this applicant elsewhere in the borough. The scheme includes a central play area. Footpath links through the site to the extended footway/cycleway on Lytham St Annes Way are also included, with the sole vehicular access being from Lytham St Annes Way via the adjoining Hollywood Nurseries development. A small (6 spaces) area of car parking is to be provided to the south east corner of the site, and access from Whitehill Road, for use by the local fishing club. The land located to the southern side of Whitehill Road, and included within the submitted red edge, would provide an element of offsite habitat creation to compensate for losses on the main existing balancing pond site.

The application is supported with a Design & Access Statement, Transport Assessment, Flood Risk Assessment, an Aquatic Habitats and Mitigation Scheme, and a Financial Viability Report.

Relevant Planning History

Application No.	Development	Decision	Date
12/0041	RESERVED MATTERS APPLICATION FOR APPROVAL OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE ASSOCIATED WITH OUTLINE PLANNING PERMISSION 10/0752 FOR THE ERECTION OF 38 DWELLINGS AND RELOCATION OF BALANCING POND	Draft Decision Notice	
10/0752	OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 38 NO. DWELLINGS INCLUDING RELOCATION OF BALANCING POND TO A SITE ON SOUTHERN SIDE OF WHITEHILLS ROAD (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Withdrawn - Appeal against non-determine	06/09/2011
98/0150	CONSTRUCTION OF ECOLOGY AND CONSERVATION AREA INCORPORATING	Granted	17/06/1998

SURFACE WATER BALANCING POND AND
CONSTRUCTION OF FOUL WATER PUMPING
STATION TO FACILITATE DEVELOPMENT AT
DUGDALE FARM.

Relevant Planning Appeals History

Application No.	Development	Decision	Date
10/0752	OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 38 NO. DWELLINGS INCLUDING RELOCATION OF BALANCING POND TO A SITE ON SOUTHERN SIDE OF WHITEHILLS ROAD (ACCESS APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Allowed	06/09/2011

Parish/Town Council Observations

Westby with Plumpton Parish Council notified on 12 February 2014

Summary of Response

No objection raised but comment that there is no indication of affordable houses included in the application and raise concern that another possible access would be created onto Whitehill Road.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

There have been a number of planning application here and the principle of a residential development on this site is accepted.

The development site is to be served off the adjoining site which provides access to Lytham St Anne's Way via the roundabout. No direct motor vehicle access to Lytham St Anne's Way from this site would be acceptable although pedestrian and cycle access is acceptable and should be encouraged as shown on the submitted plans. To further enhance this provision for pedestrians and cyclists needs to be provided along the Lytham St Anne's Way frontage of the development site and up to the roundabout that provides vehicular access to the site.

Whilst the layout of the development meets with the standards expected for the roads and footways to be offered for adoption under a S38 agreement the developer needs to be aware that such an agreement cannot be entered into until the roads and footways from the adjoining development are adopted. Highways cannot be adopted in isolation and must be contiguous with existing adopted highways.

Previous applications here have been required to enter into S106 agreements for sustainable transport improvements. Since that time various contributions have been received and a number of changes to the public transport network taken place. In light

of this I do not consider it necessary to request contributions to sustainable transport measures to be sought. However, I would request that a condition be imposed so the footway / cycleway improvements to the Lytham St Anne's Way frontage are delivered if this development comes forward.

As part of the proposal an access to a small car park off Whitehill Road is proposed. I have no highway issues with this.

If you are minded to approve this application I would ask that the following conditions be imposed.

1. The new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site. Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
2. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas.
3. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.
4. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
5. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 4 has been constructed and completed in accordance with the scheme details. Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

Natural England

Based on the information provided the proposal is unlikely to affect any statutorily protected sites or landscapes. Natural England have not assessed the application for impacts on protected species.

Environmental Protection Team

No objections to the proposal. Suggest that as during the construction of neighbouring dwellings it was observed that there may be gas flow from the peat deposits the

applicant should undertake a contaminated land survey to determine the extent of potential gas movement and apply any necessary protection measures if required.

Strategic Housing

Prefer any affordable provision to be off-site due to difficulties in letting out affordable properties on the adjoining Hollywood Nurseries site.

Lancashire County Ecology Service

The LCC Ecology service has raised some concerns in respect of the proposal and are summarised as follows:

1. The application is unclear as to whether fish are to be permanently excluded from the new small pond to be created as part of the offsite habitat on the southern side of Whitehill Road.
2. Greater terrestrial habitat creation is desirable to the new balancing pond to maintain habitat diversity and suitable hibernation habitat.
3. There is a lack of detail regarding the 'toad tunnels' under the internal roads and Whitehill Road.
4. There is no timetable for the creation of compensatory habitats for translocated toads.
5. No details have been provided of ongoing habitat management and maintenance.

Blackpool Airport

No comments received at the time of writing

Lancashire CC Flood Risk Management Team

No comments received at the time of writing

Environment Agency

Initially raised an objection to the proposal but withdrew that objection following the submission of a revised Flood Risk Assessment and now support the application subject to conditions requiring the development to be carried out in accordance with the amended Flood Risk Assessment and the mitigation measures.

Neighbour Observations

Neighbours notified: 02 September 2014

Amended plans notified: 10 October 2014

No. Of Responses Received: One

A letter has been received from an owner of land at the adjacent business park making the following comments:

Concerned how construction of the revised pond is to be achieved and how flows from a storm are to be accommodated whilst construction is ongoing.

Removal of the EA objection does not give any further assurance that what has been provided is indeed achievable

A discharge rate from the proposed development has been agreed at 8.45 l/s based on greenfield run off rates with any additional water arising being attenuated prior to discharge into the relocated pond. Although evidence contained within the FRA indicates the pond under the proposed scheme will have additional capacity, technical approval will also need to be reached with regards to the proposed volume/ depth of the new feature

from the county engineer.

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
HL02	Development control criteria for new housing proposals
HL05	House extensions
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP14	Landscaping of new developments
EP19	Protected species
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water

Other Relevant Policy:

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

Site Constraints

Within countryside area
Article 4 direction

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Relevant Planning History and Principle of Development

The principle of the development has been accepted with the granting of the outline permission on appeal (permission ref. 10/0752) for 38 dwellings, and the approval of the associated reserved matters in principle (subject to a s106 agreement) under ref. 12/0041. Hence the principle of residential development on this site is well established and it is therefore necessary to assess how the scheme satisfies the normal planning criteria as laid out in Policy HL2 of the Fylde Borough Local Plan and with the council's Interim Housing Policy. These matters are explored in more depth below.

Design and Scale of Dwellings

The site sits between the industrial development on the Honda car sales and repair garage and the residential development at Hollywood Nurseries. The 2 storey dwellings are of a range of styles typical of previous Kensington developments and of other recent residential developments in the area. The neighbouring residential development is largely at 2 storey, but the Honda site contains a large building that is on a higher site. This notwithstanding the proposed two storey dwellings are considered acceptable and in keeping with the now established residential style of the area.

Layout of Dwellings

The proposed layout as originally proposed has been amended with the number of dwellings being reduced from the originally proposed 29No. down to 26No. The new layout largely reflects the layout of the adjoining Hollywood Nurseries site and as such provides some element of visual continuity and inter-connectivity between the two sites.

Affordable Housing

The terms of the Council's adopted Interim Housing Policy (IHP) require new residential schemes of this scale to make either on/off-site provision for affordable housing or to provide a financial contribution towards the provision of affordable housing within the borough. In this instance the applicant has submitted a Financial Viability Appraisal to demonstrate that the cost of the relocation of the balancing pond and the development of the site is such that the provision of affordable housing or the making of a financial contribution in line with the requirements of the IHP would be such that it would not be financially viable for the development to proceed. The submitted assessment has been examined for validity and it is agreed that the scheme does not provide sufficient financial leeway to enable the provision of affordable housing or provide a financial contribution towards its provision elsewhere.

Public Open Space

The proposed play area is located centrally within the proposed development where it would benefit from natural surveillance from surrounding properties and be well segregated from the relocated balancing pond. A small grassed area is also provided to the north of the site which provides footpath access to Lytham St Annes Way and an area for dog walking if required. A condition requiring details for the ongoing maintenance of these areas could be attached to the permission if granted.

Access arrangements

Vehicular access to the site would be provided via the adjoining residential development on the former Hollywood Nurseries site. The use of this access way was approved under the previous permissions and hence is not considered any further here. Within the site all dwellings would be provided with garages and driveway parking. The submitted layout does not include any information about measures that will ensure speeds are maintained at no more than 20mph and now introduced to all urban areas in the county. Such measures and their implementation would be secured by condition.

The layout includes footpath links to the footpath on Lytham St Annes Way that is to be extended across this frontage by the developers of the Hollywood Nurseries site. This will provide appropriate connections to that road and the services that it serves, including the new bus diversion that is secured by other residential developments in the area.

Relationship to Neighbouring Dwellings

The site abuts the residential development on the Hollywood Nurseries site which is under construction by Redrow Homes. The dwellings are either alongside existing properties or face onto blank side elevations at a separation that gives an appropriate relationship between the dwellings and their gardens. As such there are no issues between the application site and the adjoining development.

Amenity of occupiers

The internal relationships between dwellings on the site are acceptable in terms of preventing undue overlooking or massing issues between them.

The proximity of the site to the adjacent employment land means that there is the potential for the

operations on this land to cause disturbance to the residents, who may then in turn look for restrictions to be imposed on the operation of the employment uses. This would clearly be unacceptable, and is a matter that is covered by Policy EMP4 of the Local Plan which requires a minimum separation between dwellings and employment uses of 30m. This separation is achieved in the submitted layout by the relocated balancing pond. The neighbouring employment use contains two large buildings that provides the sales and repair bases for Blackpool Honda, and so will generate some noise particularly as part of the repairs. However, they are not the noisiest form of employment use and it is considered that the 30m separation achieved in the layout is appropriate in this case.

Landscaping Details

The application is submitted with a landscaping scheme that maintains the existing boundary hedge to Whitehill Road whilst providing tree planting and wildflower meadow land to the Lytham St Annes Way. Areas of native planting and wet grassland are shown around the balancing pond with trees positioned in various internal road side locations to soften the development. The landscaping approach taken in the submission is considered appropriate for the site and conditions are appropriate to secure the implementation and future maintenance of this scheme.

Ecological Impacts

The balancing pond provides a UK Biodiversity Action Plan priority habitat as it provides a habitat for the Common Toad which is a priority species. The proposal involves the removal of this pond and its relocation within the site, together with further habitat creation on land to the south of Whitehill Road. An Aquatic Habitat and Mitigation Scheme was submitted with the application to address the impacts of the proposed works and provide suitable and appropriate mitigation measures. The LCC Ecology service raised some concerns in respect of this scheme and the level of detail contained therein (see consultee comments in earlier part of this report) and in response the applicant has provided an amended scheme (version 2, dated January 2014) to address these concerns and shortfalls in detail. Its successful implementation could be secured by condition.

Drainage

The proposal involves significant changes to surface water drainage in the whole area with the relocation of the balancing pond. The Environment Agency initially raised an objection to the proposal but withdrew that objection following the submission of a revised Flood Risk Assessment and now support the application subject to conditions requiring the development to be carried out in accordance with the amended Flood Risk Assessment and the mitigation measures. United Utilities have also raised no objection subject to conditions requiring the approval of both foul and surface water schemes for the development

Other Contributions

Lancashire County Council have requested contributions from the developer towards the provision of three additional secondary school places but no contributions towards primary school places. Their initial assessment was based on the original 29 No. dwellings proposed. The number of dwellings has since been reduced to 26 No. however the size of the dwellings has increased proportionally and hence the original assessment still results in the same contribution required. This is calculated to be £18,126.38 per secondary place which results in total contribution sought of £54,379. However this notwithstanding the accepted Financial Viability Assessment submitted by the applicant indicates that the development would not be viable if subject to financial contributions and hence no contributions will be sought in respect of school provision.

Conclusions

The application proposes the construction of 26 dwellings on land at Whitehill between the

Hollywood Nurseries site and Blackpool Honda, the relocation of the existing balancing pond within the site, and the creation of a mitigating wildlife area on land to the south of Whitehill Road. The principle of residential development on this land has already been agreed in principle under the previous outline permission, ref. 10/0752, and this newly proposed residential scheme is considered to be an acceptable form of development that accords with the relevant policies of the Fylde Borough Local Plan. As such members are recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following revised elevational details, plan views, site layout details and associated reports:

- Location Plan - KD /56/69 Rev A, dated November 2013
- Site Layout - KD 56/70 Rev E, dated January 2014
- Topographic Survey - KD /56/68, dated May 2010
- Grosvenor & Tennessee housetype - KD 56/74, dated November 2013
- Tennessee & Lincoln housetype - KD 56/79, dated December 2013
- Mayfair housetype - KD 56/75, dated November 2013
- Garages - KD 56/76, dated November 2013
- Landscape Proposals - Richard Eaves 3992-01 Rev A, dated August 2014 and received by the Local Planning Authority on 21 October 2014
- Play Area - KD 56/77, dated November 2013
- Flood Risk Assessment - ELLUC Projects Ltd, ref. ELLUC-KD-258-010214-FRA-F2 dated 04 September 2014 and received by the Local Planning Authority on 06 October 2014
- Proposed Balancing Pond Sheet 1 of 2 - ELL-310-KD-001 Rev A
- Proposed Balancing Pond Sheet 2 of 2 - ELL-310-KD-001 Rev A
- Proposed Cross Sections Sheet 1 of 3 - ELL-310-KD-003 Rev A
- Proposed Cross Sections Sheet 2 of 3 - ELL-310-KD-003-2 Rev A
- Proposed Cross Sections Sheet 3 of 3 - ELL-310-KD-003-3 Rev A
- Proposed Pond Construction Details - ELL-310-KD-004
- Proposed Pond Outfall Headwall Details - ELL-310-KD-005
- Proposed Pond Inlet Headwall Details - ELL-310-KD-006
- Proposed Culver Details - ELL-310-KD-007
- Proposed Culvert Headwall Details - ELL-310-KD-008
- Aquatic Habitat and Mitigation Scheme - Doc Ref. 3898.005 Version 2, dated November 2014
- Off-site Habitat Management Scheme - D3898.003, dated 25 November 2013

For the avoidance of doubt and as agreed with the applicant / agent.

3. The whole of the landscape works as indicated on Richard Eaves Landscape Proposals 3992-01 Rev A (dated August 2014 and received by the Local Planning Authority on 21 October 2014) as approved under this planning permission shall be implemented during the first available planting season following the completion of the development, and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current silvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

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

4. That notwithstanding their size on the approved site layout plan, the internal access routes through the areas of open space and connecting to Lytham St Annes Way shall be constructed to a standard for shared pedestrian and cycle use. These routes shall be made available prior to the first occupation of any dwelling on the site, or some other phasing that has been agreed in writing by the Local Planning Authority.

In order to provide appropriate standards of connectivity within and to the site.

5. That prior to the occupation of any dwelling hereby approved, details of the on-going maintenance of the communal areas of the site, the areas of public open space, the balancing pond and associated ditches, and any other areas that are not part of the domestic curtilage to any dwelling shall be submitted to and approved in writing by the Local Planning Authority. These details shall then be implemented and operated thereafter.

To ensure the on-going maintenance and management of these public areas in the interests of the character of the area, the effective drainage of the area, and the amenity of the occupiers of the development.

6. Notwithstanding the details provided on the layout plan hereby approved, a detailed plan of the access and parking area associated with the balancing pond shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction on any dwelling. This plans shall provide details of an appropriate visibility splay for the use involved at this access, and how no less than 4 cars can be parked clear of the highway in a safe manner that allows each to turn within the site without the need for reversing onto or off the road.

In the interests of highway safety for existing road users and those associated with the use of the balancing pond

7. That the play area as specified in the detail approved under condition 2 to this planning permission shall be constructed and made available for use no later than the occupation of the 10th dwelling on site and shall be maintained in accordance with the approved detail at all times thereafter.

In order to secure the provision and retention of an appropriate level of public open space in accordance with Policy TREC 17 of the Fylde Borough Local Plan.

8. No works shall be undertaken between the months of March and July inclusive until a walkover survey of the site and its boundary hedges has taken place in order to establish the presence of any breeding birds and the results submitted in writing to the local planning authority. Should the presence of any breeding birds be identified a mitigation and phasing scheme for demolition and construction work in the vicinity of their nesting sites shall be submitted to and approved in writing by the local planning authority and implemented throughout demolition and construction of the dwellings.

To ensure that disturbance to any breeding birds within the site is minimised during the construction of the dwelling

9. Prior to any on site construction a Construction Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan is to include method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries. No construction access shall be taken from Whitehill Road. Such a Construction Plan is to be implemented and adhered to during the construction of the development.

To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

10. Prior to the commencement of development, a detailed levels plan indicating the existing and proposed ground levels and proposed finished floor levels throughout the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with this plan, unless variations from it are previously agreed in writing by the Local Planning Authority.

To ensure the site is constructed in a manner that ensure a satisfactory relationship with neighbouring dwellings and the land is appropriately drained as required by Policy HL2 and EP30 of the Fylde Borough Local Plan.

11. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (ELLUC_KD_258-010214_FRA-F2, dated 4 September 2014) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the site to 8.45 l/s as stated in section 4.16 of the FRA so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Provide details of the proposed attenuation pond detailing cross sections and levels of the pond to demonstrate that the new pond will provide adequate additional storage capacity required by the development.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

12. Prior to the commencement of construction on any of the dwelling houses full details of the means of surface water drainage of the site, including the means of on site storage and attenuation rates, shall be submitted to and approved in writing by the Local Planning Authority. This system shall not include any connections to the public foul sewer system and should it involve a Sustainable Urban Drainage System (SUDS) then details of the future management of the SUDS and a management company that will be established to oversee the maintenance of the drainage system shall form part of the submitted scheme. The approved works shall thereafter be implemented and fully commissioned in line with an agreed phasing scheme and shall be maintained thereafter.

To ensure a satisfactory means of drainage is provided and that there is no increase in the volumes of surface water discharged from the site.

13. Prior to the commencement of construction on any of the dwelling houses full details of the means of foul water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented during the development and shall include that the development is drained on a separate system with only foul drainage connected into the foul sewer.

To ensure that appropriate measures are taken to provide suitable drainage from the site as required by Policy EP25 of the Fylde Borough Local Plan.

14. Prior to the commencement of development full details (including sequencing and working methods) for the draining down of the existing balancing pond are to be submitted to and approved in writing by the local planning authority. The submitted details shall also include details of the interim measures proposed for the capture of surface water until such time as the relocated balancing pond is operational.

To ensure that surface water drain off is adequately dealt with during the construction works to relocate the balancing pond.

15. Prior to the commencement of development a detailed timing plan for the implementation of the ecology mitigation measures outlined in the submitted Aquatic Habitat and Mitigation Scheme (the approved scheme) approved under condition 2 of this approval shall be submitted to and approved in writing by the Local Planning Authority. Details regarding the ongoing management of the Aquatic Habitat & Mitigation Scheme, having due regard to part 7 contained therein, shall also be submitted to and approved in writing by the local planning authority prior to the commencement of development.

In order to ensure continuity of habitat during the construction of the development.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/13/0726	Address Land Lytham St Annes Way, Westby	Grid Ref. E.3351 : N.4327	Scale 0 20 40 60 80 m

Item Number: 2 Committee Date: 07 January 2015

Application Reference:	14/0619	Type of Application:	Full Planning Permission
Applicant:	H & C PICKERVANCE	Agent :	ML Planning Consultancy Ltd
Location:	NEW HALL FARM, ROSEACRE ROAD, TREALES ROSEACRE AND WHARLES, PRESTON, PR4 3XE		
Proposal:	PROPOSED EXCAVATIONS AND BUNDING TO FORM EARTH BANKED SLURRY LAGOON		
Parish:	NEWTON WITH TREALES	Area Team:	Area Team 1
Weeks on Hand:	16	Case Officer:	Ruth Thow
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application proposes the formation of an earth banked slurry lagoon to provide storage facilities for two farms. The development is sited in an area that will result in limited views of the development from anyone using the access track, however, improvements to the existing hedge boundaries between the development and neighbours will assist in limiting views

The development is considered to comply with the requirements of Policies SP2, EP23, EP24 and EP26 of the Fylde Borough Local Plan, as altered (October 2005), in respect of the agricultural need for the development. It is considered that the proposal would allow for sustainable growth and expansion of an existing agricultural business and is therefore supported by the aims of the NPPF.

In the absence of any demonstrable harm from this development it is supported and recommended for approval subject to conditions.

Reason for Reporting to Committee

This application is on the agenda as it is a 'Major' application due to the scale of the development. Under the Council's 'Scheme of Delegation' such proposal are to be determined by the Development Management Committee.

Site Description and Location

The application site is land forming part of New Hall Farm/Roseacre Hall Farm, situated off an access track leading from Roseacre Road, Wharles.

New Hall Farm is in Wharles and farmed by the applicant, his parents and Brother operating at Roseacre Hall Farm, Roseacre. The family run a dairy business which is managed as one enterprise.

The development is located in close proximity to the field hedge abutting the access within a relatively flat open landscape.

The site is designated as Countryside on the Fylde Borough Local Plan, as altered (October 2005).

Details of Proposal

This application seeks permission for an open, earth banked slurry lagoon. The store measures 60 metres by 23 metres, to a depth of 3.5 metres with a surrounding earth bund of approximately 10 metres in width and to a height of 1.5 metres.

To the perimeter of the earth bund is a 'stock proof fence' to a height of 1.5 metres.

The lagoon is capable of holding up to 1 million gallons of slurry.

Relevant Planning History

Application No.	Development	Decision	Date
06/1193	CHANGE OF USE OF 5 REDUNDANT AGRICULTURAL BUILDINGS TO B1, B2 AND B8 USES, DEMOLITION OF ONE REDUNDANT AGRICULTURAL BUILDING, CREATION OF CAR PARKING AND LANDSCAPING.	Refused	15/03/2007
05/0587	PROPOSED EXTENSION TO AN EXISTING DOUBLE SPAN SILAGE BARN	Granted	04/08/2005
04/0280	PROPOSED SHEEP BUILDING EXTENSION AND COVERED AREA	Granted	25/06/2004
04/0281	PROPOSED DOUBLE SPAN SILAGE STORAGE BUILDING	Granted	25/06/2004
03/0391	GENERAL PURPOSE AGRICULTURAL BUILDING FOR GRAIN STORAGE	Granted	25/06/2003
02/1026	GENERAL PURPOSE AGRICULTURAL BUILDING.	Granted	22/01/2003
92/0055	OUTLINE APPLICATION TO ERECT TWO DWELLINGS	Refused	20/05/1992
90/0120	1 NUMBERED AGRICULTURAL WORKERS/MANAGERS DWELLING	Refused	23/05/1990
74/0159	8 DETACHED PROPERTIES.	Withdrawn by Applicant	
75/0139	TEMPORARY USE OF AGRICULTURAL ENGINEERING DEPOT AS MOTORWAY SUB-CONTRACTORS DEPOT AND USE OF CARAVAN AS OFFICE.	Granted	07/05/1975

75/0151	3 DETACHED DWELLINGS.	Refused	07/05/1975
77/0425	4 BROILER SHEDS.	Granted	24/08/1977

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Treales, Roseacre & Wharles Parish Council notified on 22 September 2014

Summary of Response

Treales, Roseacre & Wharles Parish Council have questioned whether the proposed development is essentially required for the purposes of agriculture as required by Policy SP2. There has been considerable correspondence between Parish Council and the applicant's agent, the County Land Agent and FBC Planning Officers in order to clarify the figures used in the assessment of the number of months storage capacity that will be provided by the proposed lagoon and whether there is sufficient storage capacity already provided at the farms.

At the time of writing this report the Parish Council remain of the opinion that the applicant has not demonstrated that the proposed lagoon is essentially required. The final position of Treales, Roseacre & Wharles Parish Council will be reported to Committee via the late observations schedule.

Statutory Consultees and Observations of Other Interested Parties

Environment Agency

Advice to LPA/Applicant

The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013 and The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA). If they have not yet spoken with us or we have not been in contact with them directly, the applicant is advised to contact us to discuss the issues likely to be raised.

Any agricultural development that will result in an increase in cattle numbers or water usage may adversely impact the storage of waste waters, slurry and other polluting matter. The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations.

The Environment Agency must be informed of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work.

The applicant will need to complete WQE3: New or improved agricultural structures form to register the completed structure, which is available on the GOV.UK website at <https://www.gov.uk/government/publications/form-wqe3-new-reconstructed-or-enlarged-structures-for-ssafo-notification>

Environmental Protection (Pollution)

There are no objections to the above proposals.

The Ramblers Association

None received.

Lancashire County Council Rights of Way

None received

Principal Land Agent

Introduction

A planning application has been submitted by Mrs M Lawrenson of ML Planning Consultancy Ltd on behalf of Mr Thomas Pickervance. The proposed development is for the construction of an earth banked slurry lagoon.

A site visit was made on 6 November 2014 whilst the applicant was present. The information provided at this meeting, together with the written submissions, forms the basis of this appraisal.

Background Information

I was informed that Thomas Pickervance farms in partnership with his brother, Harrison Pickervance and both of their parents, trading as H and C Pickervance. The family operate a dairy enterprise from Roseacre Hall Farm and New Hall Farm, with these two farms being managed as one enterprise. The applicant explained that Roseacre Hall Farm has been owned by the family for several generations with New Hall Farm being purchased in 2012.

The application for a slurry lagoon arises, as the applicant considers there is a shortage of slurry storage facilities available at the site.

Agricultural Enterprise

H and C Pickervance run a dairy enterprise, the dairy herd comprises 400 pedigree and commercial Holstein cows in milk with an additional 480 head of young stock and followers. The enterprise operates a three times a day milking regime at Roseacre Hall Farm. I was informed that the dairy herd grazes throughout the summer with continued access to out of parlour feeders.

When New Hall Farm was purchased the dairy herd was increased by approximately 100 head and a beef rearing enterprise was introduced.

It is understood that bull calves are retained on the unit and sold as steer stores through local auction marts. Approximately 100 head of store cattle are reared on the unit at any one time.

Approximately 500 sheep are taken in for over winter grazing.

Existing Buildings

The enterprise is run from two sites being Roseacre Hall Farm, Roseacre, and New Hall Farm, Wharles, which comprise one holding. Both farms are located on the C309 Roseacre Road approximately 1 mile apart. All of the land associated with the holding is held in a ring fence.

Roseacre Hall Farm comprises a range of traditional buildings of red brick construction and a number of purpose built, steel portal framed agricultural buildings of concrete block or concrete panel construction with fibre cement sheets over and to the roof.

The buildings at Roseacre Hall Farm are utilised as follows:

- Farmhouse occupied by Mr H Pickervance.
- Farm bungalow occupied by the applicant's parents, Mr and Mrs Pickervance.
- Roofed silage clamp utilised for the storage of preserved cattle feed.
- Traditional cattle cubicle building with central feed passage and slatted floor. Contains 80 mattress cubicles utilised by the milking herd.
- Herringbone milking parlour and collecting yard.
- Traditional cubicle building containing 100 cubicles. The building is currently used to house a group of milking cows, however the applicant intends to house maiden heifers in this building in the near future.
- Young stock building.
- Modern cubicle building with wide feed passage and automatic scrapers. The building houses 200 milking cows on mattresses with silicone sand bedding. Slurry is scraped into the existing lagoon to the South of the building.
- Loose straw building for housing dry cows.
- Loose straw yard with external feed face occupied by newly calved cows.
- At the time of inspection a new cubicle building (application no. 14/0303) was being constructed to the East of the existing cubicle building, this will contain 100 cubicles and the cows will be bedded on deep sand. The applicant intends to utilise this building in the coming winter. Slurry from this building will be scraped directly into the existing slurry lagoon.
- Traditional brick building housing young beef cattle.
- Several traditional brick ancillary buildings occupied by new born heifer calves and beef calves. Heifer calves are moved to New Hall Farm at a couple of days old and fed a milk replacement.
- Slurry lagoon
- Dirty water collection pit located to the South of the existing slurry lagoon.

New Hall Farm is predominantly utilised for rearing young stock and feed storage and comprises a mixture of traditional buildings and newer purpose built, steel portal framed agricultural buildings.

It is understood that the milking feed ration is prepared at New Hall Farm and transported to Roseacre Hall Farm daily.

The buildings at New Hall Farm are utilised as follows:

- Farmhouse occupied by the applicant Mr T Pickervance.
- Two similar adjoining modern agricultural buildings utilised as a feed and grain store.
- Youngstock building, housing young heifer replacements.
- Livestock building housing maiden heifers and in calf heifers.
- Two undercover silage clamps.
- Redundant broiler sheds to be demolished.

Existing slurry storage

I was informed that slurry production at New Hall Farm is minimal as cattle are housed on straw yards. The dairy herd are housed and milked at Roseacre Hall Farm and this is therefore the principle location of slurry production. I understand that the current available storage capacity at Roseacre Hall Farm is 3860m³ comprising; an underbuilding storage tank, concrete storage tank and a slurry lagoon. The figures provided in respect of the storage capacity were queried with the agent and were verified by Mr Pickervance.

Agricultural Land

The total area of land farmed extends to 680 acres (275 ha), of which 530 acres (214 ha) is owned with a further 150 acres (60 ha) of grassland being rented, on a secure Agricultural Holdings Act Tenancy, which adjoins the owned land. Land use comprises predominantly grassland with approximately 200 acres (80 ha) of wheat and 20 acres (8 ha) of fodder beet being produced. It is understood that silage is taken from approximately 1,000 acres over four cuts annually

Proposed Development

It is proposed to construct an earth bunded slurry lagoon on an isolated parcel of land, approximately 860 meters south of Roseacre Hall Farm. Access to the lagoon would be gained from Roseacre Road and travelling west, along the existing farm track. Slurry would be pumped to the lagoon from the existing lagoon at Roseacre Hall Farm, across the fields, via an umbilical pump system. The slurry would then be spread on the land from the lagoon via an umbilical pump system.

The proposed lagoon would measure 60m by 23m with a depth of 3.50m to the freeboard, with a capacity of approximately 4546m³. The lagoon would be clay lined and an earth bund of 10m is proposed. Access to the lagoon would be at the south end of the lagoon, via double access gates and a 1.5m high stock proof fence would be erected around the perimeter.

The applicant explained that the current slurry storage facilities at the site do not presently provide the required capacity and restrict any future expansion of the dairy enterprise. Measures have been taken to reduce the slurry stored on the farm including

the covering of silage clamps and the separation of the dirty water which is collected separately. The applicant also explained that Slurry Bugs were in use on the farm which resulted in better utilisation of the slurry.

The land is not presently in a Nitrate Vulnerable Zone (NVZ) however I understand that the land was previously designated as a NVZ and the family are keen to protect the environment. The applicant also explained about the need to use the slurry produced effectively to utilise the best nutrients at appropriate times.

Assessment

The application site is located in an area designated as Countryside Area which is covered by policy SP2, in the Adopted Fylde Borough Local Plan (As altered: October 2005). With guidance offered by Policy SP2 in mind, I consider the following matters should be considered:

Whether the proposed development is essentially required for the purposes of agriculture

H and C Pickervance run a well-established dairy enterprise. Normally 4 months slurry storage capacity is recommended in accordance with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010.

At present the farm does not have sufficient storage available. This can result in the need to spread slurry on the land at times when it is unsuitable for slurry application, with the risk of rain leaching nutrients into the ground water.

I am informed that the existing slurry storage capacity is 3860m³ which is inadequate to support the current enterprise, as it provides for less than 4 months storage. It is evident therefore that there is a need on the holding for increased slurry storage. I am satisfied that the development is essentially required for the purpose of agriculture.

Whether the design and scale is appropriate for the proposed use

In terms of the design, other types of slurry storage structures are available including concrete tanks and above ground slurry towers however following discussion with the applicant about the bedding materials used at the site and proposed spreading arrangements, I am satisfied that an earth banked lagoon is suitable for the holding.

I am informed that an assessment of the soil permeability has been undertaken and that the lagoon will be clay lined.

It is proposed to construct a rectangular lagoon being 60m in length by 23m in width and 3.5m deep, this could however be altered. For example, the shape and depth of the lagoon could be adjusted. I consider the proposed earth bund of 10m to be excessive.

I have considered the proposed scale of the lagoon and the current storage capacity on the farm. I believe that an additional slurry storage facility is required to meet the present storage requirements of the holding. The proposed scale will provide storage in excess of the minimum statutory requirement, which is good practice and will accommodate proposed future expansion. Taking all matters into account but

notwithstanding my comments above regarding the design, on balance, I consider the proposed volume to be acceptable.

Whether the siting is appropriate

Much discussion was had in relation to the proposed site, particularly since the proposed site is in an isolated position, away from the main farmstead. I was informed that a consideration which has influenced the proposed siting of the slurry lagoon is the desire to reduce the vehicle movements along the highway and to best utilise the umbilical spreading system. This reduces the need for tanker movements along Roseacre Road and for repeated passing over the fields. The position of the lagoon is at the western end of an existing farm track which will be used to access the lagoon for stirring and spreading.

The proposed site is not strictly essential, a new lagoon could be sited at Roseacre Hall Farm, next to the existing facility, however this location may require different application methods for example a longer umbilical system or tanker application.

I consider the reasons put forward by the applicant for the proposed siting to be reasonable and consider the proposed location to be acceptable in terms of the operational requirements of the holding.

National Grid

National Grid has no objection to the above proposal which is in close proximity to a High Pressure Gas Pipeline - Feeder 21 Carnforth to Treales.

HSE

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Neighbour Observations

Neighbours notified: 22 September 2014

Amended plans notified:

No. Of Responses Received: 4 letters received

Nature of comments made:

- fail to see why located so close to properties in Wharles and public bridleway
- proposal fails to take into account risks to wildlife
- fencing inadequate
- should be closer to farmstead
- should purchase additional pumps
- unnecessary risks to public and wildlife through drowning, pollution and visual amenity
- slurry accounts for 30% of child deaths on farms 2000-2010
- risks include gas poisoning
- leakage of pathogens
- proximity to footpath risk of housefly, bluebottles etc
- out of view and remote from farm
- ponds support Great Crested Newt, toads and water voles
- leakage and spillage into water bodies,
- draining into Wyre SSSI part of Morecambe SPA inappropriately located

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
EP23	Pollution of surface water
EP24	Pollution of ground water
EP26	Air pollution

Other Relevant Policy:

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

Site Constraints

Within countryside area
Pipelines

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Policies

This application seeks permission for a open, earth banked slurry lagoon, the proposal raises issues for which Policies SP2, EP23, EP24 and EP26 of the Fylde Borough Local Plan, as altered (October 2005) are relevant together with the aims of the National Planning Policy Framework being a material consideration.

The application

This application seeks permission for the storage of slurry produced on New Hall and Roseacre Hall Farms which are operated by the applicant and his family as a dairy enterprise operated as one unit. The farm also keeps over wintering sheep.

The site

The application site is within a relatively flat, open field accessed from a track leading off Roseacre Road, Wharles. The field is located between both New Hall Farm and Roseacre Hall Farm.

The need and principle of development

The site is located within the countryside as allocated on the Fylde Borough Local Plan, as altered (October 2005). As such, Policy SP2 is relevant to this application. This is a generally restrictive policy that looks to preserve the rural nature of the borough. One of the exceptions to this restriction is development that is justified on agricultural need, providing that it is associated with the continuation of an existing operation and does not harm the character of the surrounding countryside.

The NPPF at Chapter 3 requires that planning policies should support economic growth in rural areas and to promote the development and diversification of agriculture and other land based rural businesses.

The applicant advises that the proposed earth banked lagoon is required for a number of reasons including the need to meet storage requirements under Government guidelines, to provide a greater degree of storage to cope with the existing herd, for a future expansion and to facilitate a longer storage period for slurry, thereby allowing the applicant to spread manure at a more effective time of year and reducing the costs of alternative fertilisers.

The applicants have stated that they have taken steps to reduce the slurry stored on the farm and have employed alternative methods for its use. Notwithstanding this, the applicant advises that the current capacity is insufficient.

For a development of this nature the Local Planning Authority employs the services of Lancashire County Council Land Agents to assess the agricultural need for the development. The comments of the Land Agent are provided in full above.

The Land Agent has assessed this proposal and advised that "the development is essentially required for the purposes of agriculture".

The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 acknowledge that an agricultural unit will normally require 4 months slurry storage. The Regulations set the minimum legal standard to be met, but they do not set out how these requirements should be met. Clearly the ability of a store to provide 4 months capacity will depend on a number of variable factors including the number of cattle present and other factors such as local rainfall conditions. The Regulations acknowledge that a 4 month capacity is "normal" and that on some occasions it will be appropriate to provide more or less storage capacity. The County Land Agent's assessment of the scheme includes: a contingency for potential increases in stock, provision for 'yard washings', the likely quantities of rainwater falling directly into the store and onto areas which drain into the store. As the proposal is for earth banked store additional capacity to prevent overflow has also been accommodated.

In view of the above it is considered that the proposal is justified and complies with the requirements of Policy SP2 of the local plan in regards to need.

Impact on visual amenity

The proposed site has been chosen as the most appropriate due to the position of the store in relation to the two farms and is well sited to be able to spread slurry over the fields located more remote from the existing slurry store within the farmstead, thereby reducing vehicular movements and the associated costs.

Whilst the lagoon will be situated in flat, open farmland it will be screened from the track and anyone using this, by the existing mature hedge. Some views of the development may be obtained from the field gate however, the lagoon itself is sunken and it will be the change in the landform, as a result of the bund, which will be most apparent.

The Land Agent has commented that she considers the scale of the lagoon acceptable but that the width of the earth bund at 10 metres to be excessive.

It is considered that if this was to be reduced in width around the lagoon, the resultant spoil from the excavation would have to be removed from site or spread elsewhere, or the height of the bund increased. Should the bund height be raised to reduce the width this would introduce a more incongruous feature particularly given the flatness of the area. A 10 metre width bund can allow for the formation of a more graduated bund which will assist with the screening of the open top of the store and be less of an obtrusive feature in the landscape as the gradient will reflect the gently sloping contours found in the Fylde. Accordingly, the proposal is considered to be acceptable with regard to its impact on the visual amenity and character of the countryside.

Impact on neighbours

The proposed slurry store is remote from the farmstead, the nearest neighbours being those to the north at 'Old Orchard Farm' and 'Smithy House' at approximately 360 metres - 400 metres respectively.

In terms of the scale of the development and the views obtained by these neighbours it is considered that the development will be partially screened by intervening landscaping limiting its impact, any potential views will be of the bund, which is not considered to be incongruous in the landscape. A condition requiring additional planting along the hedge boundaries within the site will assist in screening and assimilating the development into the landscape and this will be imposed as part of any permission. As a result it is considered the visual aspect and scale of the development is acceptable with regard to nearby neighbours.

In regards to odour, to some degree of smell is an inevitable consequence of living in the countryside however, the applicants are required to manage the store in accordance with DEFRA guidance. The Council's Environmental Protection Team have raised no objection to the proposal.

An increase in the number of flies and other insects as a result of the storage facility has also been raised by neighbours. Given the distances between neighbouring properties and the store this is considered unlikely to impact on the occupiers of those properties. Should any issues arise this can be controlled using the statutory nuisance provisions of the Environmental Protection Act 1990.

Air pollution and ground and surface water pollution

The applicants are required to comply with the Environment Agency regulations with regard to the construction and maintenance of the store. These regulations relate to the siting, soil permeability, proximity to inland freshwaters or coastal waters (inland waters include any stream, ditch or land drain).

The applicant will be required to submit their proposal to the Environment Agency who make the final assessment on the scheme. The applicant is liable for preventing pollution.

The important factors in minimising odour emissions from slurry lagoons relate to the formation of a natural 'crust' on the surface of the lagoon, ensuring that the crust is not disturbed until the store is emptied and that the lagoon is managed in accordance with DEFRA guidance.

As the proposal is covered by other legislation and no objections have been received from the council's Environmental Protection Officers it is considered that the proposal is acceptable with regards to the requirements of Policies EP23, EP24 and EP26 of the Fylde Borough Local Plan, as altered (October 2005) and Paragraph 122 which requires "*local planning authorities to focus on*

whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities".

Access and highway issues

Transportation of the slurry from the farms to the lagoon is proposed to be via the umbilical system and pumped over land or moved via tanker. The slurry is then more conveniently located for spreading over the fields and reducing vehicular movements from the farm. Notwithstanding this, the proposed siting of the store is in close proximity to an existing track providing good access from the farms to the store and there is no requirement for this to be improved in any way to serve this development.

The proposal is considered to comply with Policy SP2 of the Fylde Borough Local Plan, as altered (October 2005) in this respect.

Ecology

The site of the lagoon is managed grassland that will have a low ecological value. In addition the slurry store is a self-contained facility constructed to comply with strict Environment Agency Regulations to prevent water leakage, possible contamination and potential impact on protected species. The proposal can improve bio diversity and habitat in the area by supplementary planting around the site which will have wider environmental benefits.

Safety

Comments have also been received in regards to safety and possible drowning. The Health and Safety Executive produce guidance for farmers to help to ensure that they meet the general duties under the Health and Safety at Works Acts. This guidance advises that perimeter fencing should be erected to a minimum height of 1.3 metres and should be constructed with suitable material such as mesh. In this regard the proposal complies with the standards for the height of fencing, in this case proposed at 1.5 metres, but not in regards to material which is referred to as "stock proof" fencing. A condition to ensure that the fencing surrounding the lagoon is of adequate standard will be a requirement of this decision should permission be granted.

Other matters

The access track which runs alongside the field where the lagoon is to be sited, this is also a public right of way. However, this right of way does not extend into the field the subject of this application, but continues on. Anyone entering the site of the lagoon would need pass through two gates, the field gate and the gate forming part of the security fence around the perimeter of the lagoon. It is considered that the gates are adequate security measures to prevent any accidental trespass.

Conclusions

Taking the above matters into account it is considered that the proposal represents sustainable growth and expansion of an existing agricultural business and is therefore supported by the aims of the NPPF.

The development is sited in an area that will result in limited views of the development from anyone using the access track however, improvements to the existing hedge boundaries between the development and neighbours will assist in limiting views for occupiers of neighbouring properties.

The development is considered to comply with the requirements of Policies SP2, EP23, EP24 and EP26 of the Fylde Borough Local Plan, as altered (October 2005), in respect of the agricultural need for the development and is supported by the aims of the NPPF which supports the growth and expansion of rural business.

In the absence of any demonstrable harm from this development it is supported and recommended for approval subject to conditions.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following plans and / or reports:

- 'Stanfords' Location Plan
- Site plan drawing no. LG/TP/2929 - dated 29.09.14
- Proposed plans and Elevations - LG/TP/2929 dated 29/08/2014
- Design and Access statement

Reason: For the avoidance of doubt and as agreed with the applicant / agent.

3. Prior to the commencement of development a scheme and programme for landscaping, shall be submitted to and approved in writing by the Local Planning Authority. Specific details shall include finished levels, means of enclosures, hard surfacing materials (as applicable) soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be carried out in accordance with the approved programme and varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

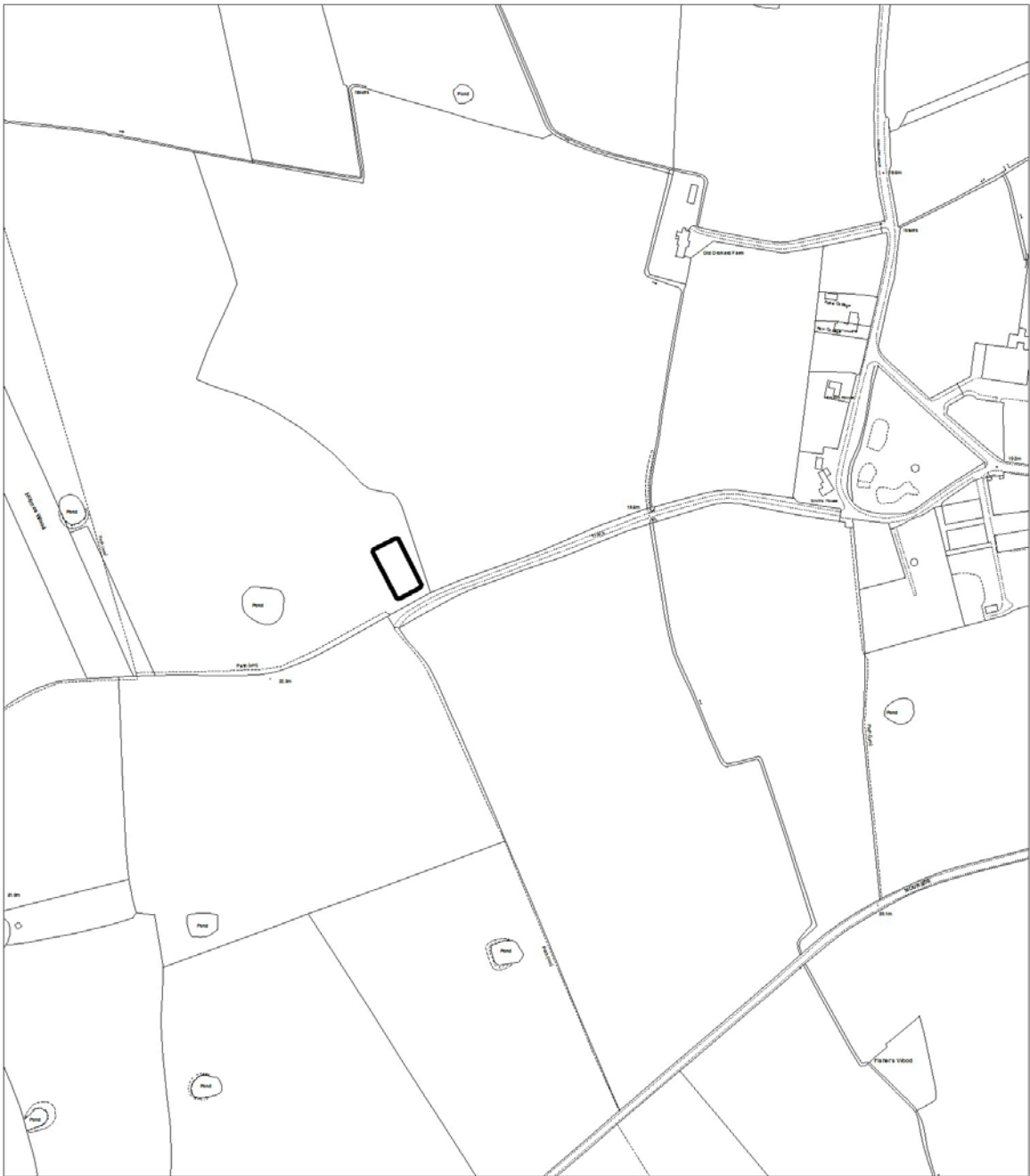
Reason : To enhance the quality of the development in the interests of the amenities of the locality and bio diversity.

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

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

5. Before the lagoon is filled the fencing shown in the position as shown on drawing reference LG/TP/2929 dated 29/08/2014 shall be erected and shall be maintained at all times thereafter. The fencing shall be erected in accordance with Figure 1 of the ' Health and Safety Executive Information sheet' 'Preventing access to effluent storage and similar areas on farms'.

Reason: To ensure safety and prevent unauthorised access to the lagoon and in accordance with the National Planning Policy Framework.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0619	Address New Hall Farm, Roseacre Road, Roseacre	Grid Ref. E.3439 : N.4358	Scale 0 25 50 75 100 m

Item Number: 3 Committee Date: 07 January 2015

Application Reference:	14/0715	Type of Application:	Change of Use
Applicant:	Mr Peters	Agent :	Architectural Design Consultants
Location:	35 DERBE ROAD, LYTHAM ST ANNES, FY8 1NJ		
Proposal:	PROPOSED CONVERSION INTO FIVE FLATS		
Parish:	FAIRHAVEN	Area Team:	Area Team 2
Weeks on Hand:	11	Case Officer:	Alan Pinder
Reason for Delay:	Awaiting consultation replies		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

Planning permission is sought for the change of use of the property, 35 Derbe Road, to five residential flats. Whilst there is some dispute by neighbours regarding the lawful existing use of the property this does not affect the overall assessment of the merits of the application. The application site is in a sustainable location with good access to essential services and public transport. Hence the proposed change of use is considered to accord with policy HL2 of the Fylde Borough Local Plan and members are recommended to approve the application.

Reason for Reporting to Committee

The Town Council's objection to the proposal is at odds with the officer's recommendation of approval.

Site Description and Location

The application site is a three storey property located within a secondary holiday area as designated in the local plan. The area is a mix of residential properties and holiday accommodation.

Details of Proposal

Planning permission is sought for the change of use of the property from a single dwelling to five residential flats. Proposed external alterations to facilitate the conversion are limited to the enlargement of an existing first floor window to the rear of the property, and a new door and window to the single storey 'outrigger' to the rear of the property.

Internal alteration works for the proposed conversion have already commenced at the time of

writing however as the internal conversion works do not in themselves require planning permission they do not form a material consideration for the purposes of determining this application.

Relevant Planning History

Application No.	Development	Decision	Date
76/0927	REAR EXTENSION TO FORM PRIVATE LIVING ACCOMMODATION.	Refused	01/12/1976
78/9272	REAR EXTENSION (BATHROOM AND BEDROOM).	Granted	26/04/1978

Relevant Planning Appeals History

None.

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 21 October 2014

Summary of Response

The town council objects for the following reasons:

- The Town Council notes work has already started, then stopped after a visit from a planning enforcement officer and has now restarted with no planning permission in place
- The Town Council also notes that the statement in the application of the building being a care home is inaccurate. It was a family home.
- Car Parking – not enough spaces for car parking for five flats. Parking is already an issue as there is a number of accommodation provides & businesses in the vicinity.
- Over development of the property
- More acceptable would be three flats – one on each floor.
- It is felt that size or rooms in the application are too small. They should adhere to social housing minimum
- Refuse bin space? Potential for an extra 20 bins – where will these go?

Statutory Consultees and Observations of Other Interested Parties

Strategic Housing

I have looked at this application and can confirm that the room sizes as indicated on the plan are adequate. I would have some concerns about means of escape in case of fire but this should be picked up at the building control stage. I would also have some concerns about noise between flats, particularly where a living room and bedroom of different flats are adjacent to each other either horizontally or vertically-perhaps env health colleagues can offer some advice.

Waste Management Team

The maximum number of bins would be 15 (5 grey bins, 5 blue bins and 5 brown bins), we don't usually offer green bins to blocks of flats as they either don't have green space or the gardens are maintained by a professional gardener. Usually blocks of flats will opt for individual grey bins and would consider sharing blue and brown bins due to

household sizes.

Neighbour Observations

Neighbours notified: 21 October 2014

No. Of Responses Received: Nine letters of objection

Nature of comments made:

- The existing use of the property is as a single dwelling and not a care home
- Work has already started on the conversion without planning permission
- There is insufficient parking available for five flats
- Local businesses will be prejudiced by the lack of parking as increased on street parking caused by the flats would reduce the availability of parking for the guests of nearby hotels and guest houses
- St Annes does not need any more flat accommodation of this type
- It will attract single persons to the area and lead to an increase in anti-social behaviour, crime, etc.
- 1/2 bedroomed flats will change the local demographic
- Insufficient space available for the storage of the increased number of wheelie bins.
- Would have an adverse impact on the local tourism economy by reducing the attractiveness of the area
- Possible noise issues for occupier of neighbouring property.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL02	Development control criteria for new housing proposals

Other Relevant Policy:

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

Site Constraints

Within settlement boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

Internal alteration works for the proposed conversion have already commenced at the time of writing however as the internal conversion works do not in themselves require planning permission they do not form a material consideration for the purposes of determining this application.

Principle

The property is a former dwelling located within a mixed residential/holiday area, with other similar properties already converted to residential flats. The property is located close to the Alexandria Drive Local Shopping Centre and is approximately 800 metres walking distance to St Annes Town Centre. Access to public transport is also readily available with a main bus route on Clifton Drive

South and St Annes railway station in the nearby town centre. Hence the principle of the conversion to domestic residential use at this location is considered acceptable.

Car Parking

The front garden to this property consists of hardstanding that provides off street parking for up to two vehicles. Local residents have expressed their concern that this level of parking is insufficient to serve the needs of 5 flats. The Council acknowledges that both on and off street parking opportunities are limited and restricted at this location, however given the sustainable location in terms of ready access to community facilities and public transport it is not considered that this lack of parking would justify a refusal of planning permission.

Other matters

- Concerns have been raised regarding the number of wheelie bins required for 5 flats and the lack of storage for them. The Council's Waste Management Team have advised that for 5 flats they would expect a maximum of 15 bins, but that the actual need would likely be less as the recycling bins for glass and paper are likely to be shared. Notwithstanding any likely reduction from there is sufficient area to the rear of the property for 15 bins whilst still retaining a sufficient external yard to serve the reasonable needs of the occupiers.
- Concerns have been raised by neighbours of potential noise disturbance from the flats. It is accepted that noise levels may increase however there is no reason to believe that these would be any greater than is acceptable for this residential use. Should residential noise nuisance become an issue in the future then this would be dealt with under separate environmental protection legislation.
- Neighbours have pointed out that the former use of the property was not as a care home as stated on the application form but rather it was used as a single dwelling. Whilst this may be the case it is not a material consideration for the purposes of determining the application.
- Concerns have been raised that the proposed flats would result in an increase in anti-social behaviour, crime, etc. There is no good reason to believe this would be the case and hence the weight that can be applied to this issue is limited.

The outside of the property has been rendered and alterations have been made to a window. Until the use as flats is commenced, such alterations can be carried out as permitted development and hence have not be considered as part of this application.

Conclusions

The proposed change of use of this property to five residential flats accords with the relevant policies of the Fylde Borough Local Plan and members are recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following plans and / or reports:

- Location Plan - Dwg no. 2014/FY/PL/PE/001
- Existing Ground Floor Layout - Dwg no. 2014/FY/PL/PE/002
- Existing First Floor Layout - Dwg no. 2014/FY/PL/PE/003
- Existing Second Floor Layout - Dwg no. 2014/FY/PL/PE/004
- Proposed Ground Floor Layout - Dwg no. 2014/FY/PL/PE/005
- Proposed First Floor Layout - Dwg no. 2014/FY/PL/PE/006
- Proposed Second Floor Layout - Dwg no. 2014/FY/PL/PE/007
- Existing and Proposed Rear Side Elevation - Dwg no. 2014/FY/PL/PE/008

Reason: For the avoidance of doubt and as agreed with the applicant / agent.

3. Prior to the implementation of the change of use hereby approved, details of a scheme of bin storage, to provide adequate capacity for waste and recycling, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the approved scheme and, thereafter, retained unless alternative facilities have been approved by the local planning authority.

In order to ensure adequate refuse and recycling storage in the interests of residential amenity.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0715	Address 35 Derbe Road, Lytham St Annes	Grid Ref. E.3325 : N.4280	Scale 0 6 12 18 24 m

Item Number: 4 Committee Date: 07 January 2015

Application Reference:	14/0735	Type of Application:	Outline Planning Permission
Applicant:	Story Homes Limited	Agent :	Barton Willmore
Location:	LAND OFF WILLOW DRIVE, RIBBY ROAD, RIBBY WITH WREA		
Proposal:	OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 49 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE		
Parish:	RIBBY WITH WREA	Area Team:	Area Team 1
Weeks on Hand:	11	Case Officer:	Kieran Birch
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Approve Subject to Section 106 Agreement

Summary of Officer Recommendation

This proposal is an outline application for the erection of up to 49 dwellings on a 3.95 hectare site that lies on the edge of Wrea Green and so is allocated as Countryside in the Fylde Borough Local Plan. The application also seeks approval of the access arrangements which will be formed by demolishing 15 Willow Drive.

The site was refused planning permission for 100 dwellings over a larger site area through planning application 14/0302 for a number of reasons, primarily because it was not considered to form sustainable development primarily due to issues of scale and landscape impact. The residential development of Countryside land is contrary to Policy SP2 of the Fylde Borough Local Plan. However, a key material consideration in the determination of residential planning applications is the need for the council to deliver a supply of housing land equivalent to 5 years of its agreed annual target. The council's latest published information (from December 2013) is that it is unable to deliver the necessary housing supply and so a proposal that delivers sustainable development must be supported unless it will cause significant and demonstrable harm.

Having assessed the relevant considerations that are raised by this proposal it is officer opinion that the development is now of an acceptable scale, is in an acceptable location and with contributions can deliver appropriate accessibility to the services that are necessary to support residential development. As a result of reducing the site area, the visual impact is also now considered to be acceptable. As such it is considered that that the proposal does now deliver sustainable development and so it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF.

Reason for Reporting to Committee

The application is a Major proposal and therefore under the Council's scheme of delegation has to be considered by the Development Management Committee.

Site Description and Location

The application site is a roughly rectangular area of land extending to 3.95 hectares and is located within the Parish of Ribby-with-Wrea but almost entirely outside of the defined settlement boundary to Wrea Green village. It is located to the east of Willow Drive and parts of Ash Grove and the south of Ribby Road and properties accessed off that road.

The site contains an existing residential dwelling (15 Willow Drive) which was occupied at the time of officer site visit and land that is greenfield and available for agricultural use. This land is divided into fields with "gappy" hedgerows and has hedges around its perimeter. There are also two ponds within the site, which is generally level but undulating in places although it rises gently to the south away from Ribby Road.

The land to the west is in residential use with the existing dwellings on Ash Grove and Willow Drive and the dwellings under construction by Wainhomes off Richmond Avenue. To the north there are residential properties off Ribby Road which back onto the site. To the east and south is further land in agricultural use, with a line of trees providing a screen to the west.

Details of Proposal

The application covers part of the site considered by application 14/0302 which was for up to 100 dwellings and covered 5.8 hectares. This proposal removes the southern element of that application thus reducing the site area to 3.95 hectares and the number of dwellings proposed is no more than 49 units. The application has been submitted in outline with access applied for but all other matters reserved.

The access point to the site is indicated as being from Willow Drive and involves the demolition of the existing dwelling at 15 Willow Drive. This would then allow an access to be provided through the area currently occupied by that property which would join Willow Drive with a simple priority junction and then the general highway network through the existing mini-roundabout at its junction with Ribby Road.

The illustrative concept plan indicates a spine road running north-south along the length of the site with a series of cul-de-sacs from it. The layout is generalised given the outline nature of the application, but gives details about areas where densities could be changed and the outlook of dwellings in certain parts such as around the pond and the site boundaries. Public open space is shown to the south of Langtons Farm and around the ponds on the site, with a new tree lined boundary to be formed at the southern boundary.

Supporting Information

The application is supported with the usual suite of information comprising:

Constraints and Opportunities Plan

Initial Concept Block Plan

A design and access statement

A supporting planning statement
 Statement of Community Involvement
 An Agricultural Land Classification Report
 A Transport Statement and residential travel plan
 An Ecological Survey and Assessment
 Landscape and Visual Assessment
 A Flood Risk Assessment
 A tree survey
 Draft Heads of Terms for an s106 agreement

The Supporting Planning Statement summarises the local and national policy designations and guidance that relate to an application of this nature, describes the application proposals and their formulation, and then promotes the planning merits of the scheme with particular reference to the findings of the Inspector determining the recent appeals. This assessment concludes that the borough is unable to demonstrate that it has the 5 year supply of housing required by NPPF and so new residential development should be supported that is appropriate and in a sustainable location. It argues that this site is located on the edge of one of the larger settlements in the borough where there is a good level of access to a range of social, economic, education, recreational and transport services. They also refer to a lack of technical impediments (highways, ecology, flooding, drainage and landscape) to the development proceeding, and that it will deliver 30% affordable housing. The report concludes that the application is a sustainable form of development which is consistent with the planning principles of the NPPF.

Relevant Planning History

Application No.	Development	Decision	Date
14/0302	OUTLINE APPLICATION FOR UP TO 100 DWELLINGS INCLUDING THE PROVISION OF ACCESS FOLLOWING THE DEMOLITION OF 15 WILLOW DRIVE	Refused	05/09/2014

Application 14/0302 was recommended for refusal by Officers and subsequently refused by Members at committee on 3 September 2014. The application was for a larger site area of 5.8 hectares and for up to 100 dwellings. The refusal reasons were as follows:

1. The extent of the application site and particularly its projection beyond the established southern development boundary of the village will result in the proposed development causing harm to the character and setting of Wrea Green as a rural village when viewed from critical points on the approaches to the settlement. As such the application is contrary to criteria 2 of Policy HL2 of the Fylde Borough Local Plan and paragraphs 17 and 58 of the National Planning Policy Framework. Accordingly, the proposal does not represent sustainable development and there is, therefore, no presumption in favour of the proposed development, notwithstanding the current lack of a 5 year supply of housing land.
2. The scale of the development combined with the proximity of the access to the neighbouring residential dwellings will result in an unacceptable increase in traffic in close proximity to the dwellings and the private amenity space associated with the adjacent dwellings. Accordingly, due to the level of vehicle movements utilising that access which will cause noise and other disturbance to neighbouring residents, the proposal will result in an

unacceptable reduction in residential amenity enjoyed by the occupiers of those properties. As such the proposed access location to the development will conflict with criteria 4 of Policy HL2 of the Fylde Borough Local Plan and paragraph 17 and 53 of the National Planning Policy Framework.

3. The scale of development proposed, in conjunction with recently approved residential developments around the village, is excessive for the village of Wrea Green and the services that are available in the village to support an expanded population. As such there is a significant likelihood that the available services will be unable to meet the needs of this population and so residents will travel out of the village for their day-to-day requirements. Accordingly the proposal will not represent sustainable development and so not benefit from the support offered by para 14 of NPPF, notwithstanding the council's current housing land supply position. In such circumstances the application should be determined in line with the development plan, and is contrary to Policy SP2 and to criteria 2 & 7 of Policy HL2 of the Fylde Borough Local Plan and to guidance in para 17 & 58 of NPPF with which these policies are consistent.
4. The development has the potential to impact on protected species and/or habitats of ecological importance to those and other species. In the absence of sufficient survey work having been undertaken to establish the scale of the potential harm to these, and so investigate the need for and extent of mitigation for the impact of the development on them, the council is unable to establish whether the development will involve an adverse impact on any species or their habitat in and around the site. As such the proposal conflicts with Policy EP18 and Policy EP19 of the Fylde Borough Local Plan and paragraph 118 of the National Planning Policy Framework.
5. To enable certainty that an appropriate standard of public transport provision will be maintained to meet the needs of the occupiers of the proposed development to have access to a reasonable range of services by means other than the private car, there is a need to contribute towards the future provision of public transport services serving the site. In the absence of any mechanism to guarantee the on-going subsidy of that service there can be no certainty that an appropriate public transport service will be available to meet the needs of the occupiers of the dwellings proposed. If that were to occur the likely reliance on private car journeys to access those services would conflict with criteria 7 of Policy HL2 of the Fylde Local Plan and so prevent the scheme delivering sustainable development.
6. The proposed development fails to deliver any certainty over the provision of affordable housing as part of the development. In the absence of any on-site provision or of any legal agreement or other such mechanism being in place to secure the provision of an alternative form of affordable housing contribution there can be no certainty that the requirements of Fylde Borough Council's Interim Housing Policy will be provided. Accordingly the scheme is contrary to the provisions of the Interim Housing Policy in that regard and to guidance in paragraph 50 of National Planning Policy Framework.
7. The proposal will generate an additional number of primary and secondary school aged children in the village at a time when there is anticipated to be a shortfall in capacity within local schools for their education needs to be accommodated. This is as a consequence of a combination of: the number of school places that will be available, the existing population making demands on those school places, and the granting of other planning permissions in the area that will also contribute children that will make demands on the available school places. Policy CF2 of the Fylde Borough Local Plan enables a developer to make

contributions to enhance education capacity to meet the requirements of their development, but in the absence of any such agreement being in place the shortfall of school places and lack of any mechanism to increase their supply means that the application is contrary to Policy CF2, which is consistent with para 72 of the NPPF which refers to the need for a sufficient choice of school places to be available meet the needs of existing and new communities.

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Ribby with Wrea Parish Council notified on 22 October 2014

Summary of Response: The COUNCIL STRONGLY OBJECT to the proposal for the following reasons:-

In view of the increase in housing created by the recently approved residential proposals in Wrea Green it is felt that the village has already been allocated more than its' share of the Fylde Borough housing need. The fact that Story Homes has submitted a further application so soon after the last refusal is considered cynical and without any empathy for the residents of this village. This application, to provide an additional 49 dwellings, albeit an improvement on the previous application for 100 houses, is still not sustainable and still considered excessive in scale for Wrea Green, a rural village not town as indicated in the documentation. It will detract from the character of the area in question which is mainly within the evolving Local Plan's "area of separation." The proposed development is in countryside outside the village settlement area and is considered contrary to the extant Fylde Local Plan, the National Planning Policy Framework (NPPF), and the emerging Fylde Local Plan. As the latter is progressing through the consultation period it should, in line with ministerial views and, despite the applicant's comments, add weight to any planning decision. The recent Planning Inspectorate comments within the four appeals indicated that that the village could sustain an additional 100 houses to include the 74 which were agreed at that time. There are, of course, also several small additional new proposals currently being considered.

Despite the apparent lack of a Fylde Borough 5 year housing supply, this application is not considered sustainable as it does not address any of the three dimensions of the NPPF. It is contrary to SP2 and HL2 of the Fylde Local plan, and the NPPF which seeks to promote sustainability. In addition a realistic accessibility calculation indicates a very low total score. Also LCC, Environment Directorate, was not happy with the road safety aspects at the time of the last proposal and this Council considers that there is no reason for this view to be any different this time. Credence also has to be given to the projected increased traffic which will be generated along Ribby Road not only from the newly approved Wrea Green housing developments but also from those at Warton. Although Story Homes did initially have representation meetings both with the Parish Council and residents, the company took absolutely no notice of any views expressed. The proposed development would create a further imbalance to the village and would be contrary to the evolving Neighbourhood Plan which, although still to go to the official referendum, has already been accepted and resoundingly approved by the village's residents. Also needed housing in the village calls for quality bungalows for the ageing population not more large 4/5 bedroom houses which will no doubt be evident if this proposal

progressed. The development would also create a harder urban edge to what is a rural view of a rural village when approaching from the A583 along Ribby Road. This application would also represent the further irreversible loss of Best Versatile Land (good quality agricultural land) outside the village settlement area. The local farmers are in need of such land and this Council refutes the developer's assessment of the land quality. As you are aware, the Parish Council has in recent years developed a thriving allotment area on similar land in the parish. This has been achieved by introducing satisfactory drainage on land that previously regularly had surface flooding and was in an extremely wet condition. Once again developers are trying to downgrade land quality because of poor previous husbandry not on a realistic land assessment basis. Therefore, Policy EC3 of the Emerging Plan would not be complied with. The continued loss of BVL around Wrea Green is also destroying what has historically been an agricultural based village.

The village's sewerage system will put under further pressure by this proposed development as it is considered locally to be already over loaded, particularly if looked at in conjunction with the other recently approved developments and not solely as a stand-alone arrangement. As you will be aware 75% of the sewage from the Richmond Avenue extension site is to be linked to the Ribby Road system, which is already under severe pressure, and surface water from the Richmond Avenue extension is also to be directed to Wrea Brook, when previously it went to a different location. The village pumping station at The Brooklands is already often under so much pressure that at times effluent overflow has to be directed to Wrea Brook, apparently quite acceptable to United Utilities but not the local residents who suffer the consequences. Residents lower down Wrea Brook are also alarmed at the potential additional water that would be directed to this water course as localised flooding is already in evidence from time to time, and it is also evident at the Ribby Road/Willow Drive roundabout which would be in close proximity to the entrance to this site. This situation is exacerbated by the fact that United Utilities does not appear to be fully au fait with the sewage/waste water systems that are extant within the parish. Whilst it may be claimed that there can be no planning issue relating to the proposed Willow Drive entry to the site, it is hard to understand how at peak "trip times" the Willow Drive/Ribby Road Roundabout will be suitable on a road safety basis. A recent traffic police review has already indicated that on the existing traffic flow the roundabout it is "not fit for purpose" and dangerous. This roundabout was originally installed to service 34 houses. The proposed development would materially increase the traffic flow which would most likely also develop Ribby Avenue into a "rat run" so that queueing traffic could leave the site from Manor Road, another entry to Ribby Road. In short, with the additional housing already approved in Wrea Green, this development is not sustainable on an economic, environment or social basis. It would also merely add to the permanent destruction of the character of this rural village surrounded by an historic agricultural backcloth, which has already been eroded by the recent planning approvals.

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

I refer to the above planning application and would make the following comments. This is an outline application with only means of access being a detailed matter. The description of the application indicates that up to 49 dwellings are proposed, although scale is a reserved matter. This application is on the site of a previous application 14/0302 which was for up to 100 dwelling. On that application no highway objections were raised although a number of conditions were requested along with a S106

contribution.

A Transport Assessment (TA) has been provided in support of this application. The TA is based on the quantum of the development being 49 dwelling and my response will be based on this constraint. I would ask that you consider the following points when determining this application. The TA for this application is based on the TA that was submitted for the previous application and takes into account the highway comments that were made on that application and contains the basic information necessary for me to assess the application. The access to this development is the same as that for the previous application. Subject to the introduction of speed reducing measure this access in highway terms was acceptable. The developer is proposing a number of measures to mitigate against the impact of the development:

- A raised table will be provided at the site access junction as well as at the Willow Drive / Ribby Avenue
- Zebra Crossing on Ribby Road in the vicinity of St Nicholas Church.
- Upgrade the 2 bus stops on Ribby Road at the junction with Willow Drive

The above measures are considered necessary and appropriate to make the development acceptable and should be construction under a S278 agreement with the highway authority. The development is below the threshold whereby a Travel Plan is required.

I would request that the developer make the following S106 contribution. A contribution of £150,000 for public transport. To be used to supplement the County Councils subsidy of rural transport provision in the Wrea Green area. This payment can be split over 5 years with the first payment being made on the occupation of the 25th dwelling and the remainder annually thereafter.

Recommendation; Subject to the developer agreeing to enter into a Section 106 with a contribution toward public transport I can confirm that there are no highway objections to this proposal and would ask that the following conditions be imposed should you be mindful to grant planning permission.

Lancashire County Ecology Service

They note that the application now covers a smaller area than previously and that the Ecological and Assessment report has been updated and now includes details of additional Great Crested Newt terrestrial surveys. They state that Lancashire County Council does not support or object to planning applications when providing advice on ecological matters. The comments are intended solely to inform decision-making, having regard to the requirements of relevant biodiversity legislation, planning policy and guidance.

The main ecological issues arising from the proposal include potential impacts on:

- Amphibians, including Common Toad (Species of Principal Importance)
- Bats (European Protected Species)
- Hedgerows and ponds (Habitats of Principal Importance)

They state that the terrestrial surveys to establish presence or absence of Great Crested Newts did not follow standard advice so they recommend that Fylde Council seek advice from Natural England regarding the level of survey effort prior to any approval and that Fylde should be satisfied that an adequate mitigation strategy for amphibians including Common Toad can be delivered at the site. They recommend if minded to approve that a

series of matters are dealt with at Reserved Matters stage or through planning conditions. These being:

The layout will need to be designed to avoid/minimise losses of hedgerows/trees and ponds; to ensure retained and replaced habitats are protected from the operational phase of the development; to demonstrate that habitat connectivity through the site to the wider area and between retained/replaced habitat will be retained (including for amphibians and bats), and to demonstrate that there would be adequate compensation for unavoidable losses and indirect impacts associated with integration of habitat into a residential development. They recommend that habitat gains and losses are quantified. At the reserved matters/full application stage the layout will need to be designed to ensure all trees with bat roost potential are retained and would not be directly or indirectly affected.

The layout and any proposed lighting scheme will need to be designed to demonstrate that suitable bat roosting features and ponds would not receive additional light spill and that unlit bat commuting/foraging corridors will be retained.

No external lighting shall be installed until details of the lighting scheme have been submitted and approved in writing by Fylde Borough Council. The principles of relevant guidance shall be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

The Development shall not proceed without the prior acquisition of a licence from Natural England for the derogation of the protection of bats under the Habitats Directive.

Prior to commencement of works a fully detailed method statement to demonstrate that impacts on amphibians (including Common Toad) will be avoided both during the site clearance and development works and during the operational phase shall be submitted for approval in writing by Fylde Borough Council. Any approved details shall be implemented in full. If the presence of Great Crested Newt is detected at any point then all works shall cease until advice has been sought from an appropriately qualified person including regarding the need for a Natural England licence.

Prior to the commencement of works there shall be a further precautionary inspection/survey of ditches to inform any change in the habitat quality for and use by water voles. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Fylde Borough Council for approval in consultation with specialist advisors. Any necessary and approved measures for the protection of Water Vole will be implemented in full.

All trees, hedgerows and ponds being retained in or adjacent to the application area will be adequately demarcated and protected during construction, in accordance with No works shall commence until details of bird nesting opportunities to be installed with the re-developed site have been submitted and approved in writing by Fylde Borough Council. The details shall include provision for Song Thrush, Dunnock and House Sparrow (Species of Principal Importance). Consideration should also be given to provision of opportunities for other declining species of bird such as House Martin and Swift. The approved details shall be implemented in full.

No works shall commence until full details of bat roosting opportunities to be installed within the re-developed site (in addition to that required by NE licence) have been submitted and approved in writing by Fylde Borough Council. Approved details shall be implemented in full. Please see the Bat Conservation Trust website Bat Product Listv5 (642 KB) on www.bats.org.uk/pages/new_build

No tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless

surveys by a competent ecologist show that nesting birds would not be affected. No site clearance, site preparation or development work shall take place until a fully detailed landscaping/habitat creation and management plan has been submitted and approved in writing by Fylde Borough Council. The scheme shall demonstrate (1) adequate planting of native species appropriate to the locality to compensate for direct and indirect impacts, (2) that habitat connectivity through the site and to the wider area will be retained as a minimum, including for amphibians (3) that any planting along site boundaries will comprise appropriate native species, (4) provide details of habitat creation for amphibians and (5) maintenance and enhancement of the biodiversity value of retained and established habitats and the site as a whole. The approved details shall be implemented in full.

Amphibians

Great Crested Newt surveys of the 2 ponds on site have been carried out and these revealed no presence of Great Crested Newt. There are however additional ponds within 250m of the site for which access permission was not granted and presence/absence surveys of these ponds have therefore not been carried out. Terrestrial surveys of the site were therefore required to establish the presence/absence of Great Crested Newt. Details of terrestrial surveys carried out in September 2014 have now been submitted (Ecological Survey and Assessment, ERAP Ltd, October 2014, ref: 2014_012d). Whilst these surveys do not follow standard procedure, given the quality and location of habitats to be affected, in my view the surveys give a reasonable indication that Great Crested Newt are not using the site. Given the access refusal to nearby ponds the applicant, in my opinion, has made reasonable efforts to establish the presence/absence of Great Crested Newt. Due to survey constraints I recommend that a precautionary method statement be required to demonstrate avoidance of impacts to include adequate replacement habitat (as is required for other amphibian species (see below)). As the terrestrial surveys did not follow standard guidance I recommend that Fylde Borough Council seek advice from Natural England regarding the adequacy of the survey effort prior to approval. I also recommend that the applicant discuss this matter with Natural England prior to commencement of works.

Other amphibians, including Common Toad (Species of Principal Importance) Surveys have revealed that both ponds on site are used by breeding toads and smooth newt. Common frogs also breeds in pond 6. The Ecological Survey & Assessment states that the ponds support a low population of Common Toad, however this is based on a survey technique used to establish presence/absence of Great Crested Newt and which cannot be used to establish the population of Common Toad (Common Toad breed early in the year and to assess the population size class of Common Toad night time toad counts in waterbodies carried out during the period February to late April, with at least 4 visits needed over a 14 day period from the first paired toads in the pond, are needed). Common Toad is a Species of Principal Importance. DEFRA Circular 01/2005 states that UK Biodiversity Action Plan Priority Species (Species of Principal Importance, NERC Act 2006) are capable of being a material consideration in the making of planning decisions. Natural England standing advice (a material consideration) recommends that where one or more Species of Principal Importance could be affected by a planning proposal mitigation for any impacts are secured from the applicant prior to a decision being made. The site supports a population of Common Toad and it needs to be ensured that adverse impacts on the Common Toad population are avoided (in accordance with the NERC Act 2006, DEFRA Circular, NE standing advice and the NPPF). It would also be appropriate to ensure that impacts on other amphibians using the site are avoided.

Some brief mitigation measures to avoid impacts on Common Toad have been submitted, which includes maintaining grassland as short grazed/mown, storing materials off the ground/on pallets and covering/placing ramps in trenches/holes (etc). As stated in my comments on the previous application for the site, this would not be adequate to ensure that impacts on Common Toad are avoided, particularly given the nature, scale and likely duration of the works. In my opinion a mitigation strategy for common toads would also need to address (but not be restricted to) the following matters:

Although at this stage the proposals indicate that ponds would be retained, the site supports suitable terrestrial habitat for Common Toad, including suitable places of shelter that would be affected (such as hedgerows). The method statement would need to include works to any suitable hibernation sites outside the hibernation season only and measures to ensure that Common Toad are removed from the works area prior to commencement of works.

Given the nature, scale and likely duration of the proposed works, Common Toad could enter the site at any point during the works, the works are likely to span the amphibian active season and hibernation period, and the works are likely to result in suitable habitat for amphibians being created that cannot be stored off the ground/on pallets (such as piles of spoil) with resulting adverse impacts when subsequently moved. The methods statement does not adequately address these matters. In order to avoid such impacts in my opinion it is likely that a temporary amphibian fencing (TAF) would be required.

- The method statement would need to address retention of habitat connectivity during the works (i.e. suitable habitat for toad movement from the ponds to the wider area).
- The layout design and method statement would also need to address how impacts on Common Toad would be avoided during the operational phase. For example:
 - the method statement would need to show how adverse impacts would be avoided during the operational phase, (such as avoidance of killing/injury caused by introduction of pets, people and cars on to the site and installation of drainage systems, protection of the breeding ponds from disturbance and degradation etc).
 - the ponds are situated on the west side of the site (adjacent to existing housing) and development of the site for housing would potentially isolate the breeding ponds from the wider area. The layout and landscaping would need to be designed to ensure that habitat connectivity between the ponds and wider area would be retained.

The current application covers a smaller area of land than the previous application, and therefore the southern boundary of the site is closer to the ponds than previously. It does appear possible that suitable replacement habitat and habitat connectivity for amphibians could be provided between the ponds on site, along the eastern boundary and southern boundary to connect with the wider area. The layout and landscaping will need to be designed to ensure that an adequate width of suitable habitat for amphibians can be created along the eastern boundary of the site. The buffer strip of proposed planting along the southern boundary appears adequate and would be appropriate. It would also seem appropriate for amphibian hibernacula to be created within this buffer strip to compensate for any losses and potentially provide enhancement. It does appear that other measures could be adopted to ensure that impacts are avoided (as detailed above) as these are standard amphibian mitigation methods.

As previously stated, replacement planting and any habitat creation along the boundaries of the site will need to comprise appropriate native species to the locality. It is worth noting that the planting mix proposed in the submitted Landscape Mitigation Plan contains inappropriate species, such as *Castanea sativa* (Sweet Chestnut) and *Fagus*

sylvatica (Beech), and these should be replaced with an appropriate species.

Environment Agency

They have no objection in principle to the proposed development. They comment that the development will only meet the requirements of the NPPF if the measures detailed in the submitted Flood Risk Assessment are implemented and secured by way of planning condition. They therefore request a condition that prevents development until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted. And that it should demonstrate that surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run off from the undeveloped site following the same rainfall event. They also state that to comply with SUDS guidance the first 5mm of rainfall must infiltrate and to achieve this the applicant should consider using pervious paving.

Planning Policy Team

I have assessed the application against the adopted Fylde Borough Local Plan (As Altered: October 2005), the emerging Local Plan to 2030 and the National Planning Policy Framework (NPPF).

Fylde Borough Local Plan (As Altered: October 2005)

The proposed development site is located outside the existing settlement, immediately adjacent to the eastern settlement boundary of Wrea Green as defined by FBLP policy SP1. The site is located within the countryside, as designated within the adopted Fylde Borough Local Plan (FBLP). Policy SP2 resists development proposals in this area, except where it fully falls within one of the exception categories. The application does not meet any of the exception categories. The application is therefore considered contrary to the FBLP policy SP2.

The protection of agricultural land as required by FBLP policy EP22 is also a material consideration. It operates to protect the Best and Most Versatile Land (BMV) and proposals that involve the permanent loss of (BMV) (1, 2 and 3A) will not be permitted where there are alternative sites. In the agricultural assessment provided by the applicant, on page 5 it states that part of the site (22.6%) is classified as 3a (good) with the vast majority of the remaining land of moderate quality (3b). (Grade 1 being excellent and 5 very poor). However since the assessment was carried out, the site boundaries have been amended and consequently it is not clear the area covered by each grade in the current application.

I have some reservations about the satisfactory site access, of which FBLP policy HL2 is of relevance.

Five Year Housing Supply

In considering whether there are any other material considerations which are of sufficient importance to outweigh the policy position established in the adopted Local Plan, you should note the borough's deliverable housing land supply position. Paragraph 47 of the NPPF requires local planning authorities to identify a five year supply of deliverable housing land. The Council's latest published Five-Year Housing Supply Statement shows that the borough had a 4.5 year supply of deliverable housing land at

31st December 2013. This calculation is based upon an adjustment of the RSS housing requirement, taking account of a 20% buffer and the share of housing shortfall since the start of the RSS period in 2003.

The Planning Policy team are currently reviewing the Five Year Housing Supply methodology in light of the publication of the National Planning Policy Guidance (NPPG). The revised methodology will be used to provide an updated position at a base date of 31st March 2014.

Emerging Fylde Local Plan to 2030

The Fylde Local Plan to 2030 is being produced in two parts. The Part 1 document will contain strategic allocations and development management policies, the Part 2 Site Allocation will contain non-strategic allocations. The Council published its Part 1 Preferred Options document in June 2013 and it identified four strategic locations for housing, employment and mixed use development which focused on the higher tier settlements of Lytham and St Annes; Blackpool Periphery; Kirkham and Wesham; and Warton. The Part 1 document sets out an annual nonstrategic sites allocation of 60 dwellings per annum starting in 2017. The non-strategic sites will be allocated in the Local Plan Part 2, with work expected to commence in 2015 for adoption in 2017.

It is important to note that the proposed non-strategic sites allocations are not a rural allocation and non-strategic housing site may also be found within the four proposed strategic development locations. Wrea Green is not proposed as a strategic development location and housing allocations in and around Wrea Green would be considered during production of the Part 2 document.

Area of Separation

Policy GD2 in the emerging Local Plan Part 1 proposed an Area of Separation between the settlements of Wrea Green and Kirkham. The proposed development is located within this area. The policy operates in order to maintain the openness of this area and protect the identity and distinctiveness of these two settlements which are at risk from merging due to development pressure. The policy is intended to apply to all forms of development, including development that is considered appropriate in the Green Belt. The Area of Separation is intended to be a focus for green infrastructure and improved public access and recreation, so far as it is consistent with maintaining the openness and undeveloped character.

Paragraph 216 of the NPPF refers to the weight that can be given to relevant policies in emerging plans which vary according to:

- the stage of preparation of the emerging plan: with greater weight given to more advanced preparation;
- the extent to which there are unresolved objections to relevant policies: the less significant the unresolved objections, the greater the weight that may be given;
- the degree of consistency of the relevant policies in the emerging plan to policies in the NPPF: the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given.

The Council undertook a public consultation on the Preferred Options version of the emerging Local Plan Part 1 between June and August 2013. Policy GD2 received 171

representations, of which 159 were objections. A majority of these objections supported the concept of the Area of Separation but raised an objection as the policy should be expanded to include additional locations. One objection was received specifically in respect of the area of separation proposed and identified in Policy GD2 by Story Homes who suggested the policy to be unsound and not satisfactory justified. They considered that the same approach to establishing new Green Belt should be applied to the Area of Separation, given that it is essentially the same policy approach being applied. A copy of the Preferred Option representation submitted by Story Homes is attached for information.

Although not supported by government policy in the same way as Green Belt, Areas of Separation can serve to identify smaller areas of separation between settlements and an Inspector has given this concept weight in a recent dismissed appeal at Land North of the Hills, Grimsargh (Appeal reference number: APP/N2345/A/13/2201821). A copy of the Inspectors report is attached for information.

The proposed development site is located outside the existing settlement, immediately adjacent to the eastern settlement boundary of Wrea Green, as defined by FBLP policy SP1. The site is therefore not in the open countryside. When exiting Wrea Green eastwards along Ribby Road, the built form on the southern edge extends to 93 Ribby Road and the entrance to Blackburn Farm. The proposed development site is located to the south of this existing development. It could therefore be argued that this proposed development site may be considered to not reduce the separation distance of Wrea Green to Kirkham. Landscape impact should be considered and it is understood that comments have been sought from the Councils Regeneration team in this respect.

Level of development in Wrea Green

Paragraph 7 of the NPPF refers to three dimensions to sustainable development: economic, social and environmental.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.

The Council has acknowledged that some development outside settlement boundary will be required to meet its housing requirement. The settlement hierarchy, population and accessibility scores undertaken for the emerging Local Plan has identified Wrea Green as one of the more sustainable rural villages in Fylde, with some basic services and facilities. Access to a greater range of services and facilities are available in the neighbouring settlement of Kirkham and Wesham. By virtue of its location in relation to the existing settlement, residents from this development would undoubtedly help support existing services and facilities in Wrea Green. As stated above, the proposed development site is located within the countryside area, however it is immediately adjacent to the eastern settlement boundary of Wrea Green, as defined by FBLP policy SP1.

The plan period for the emerging Local Plan commenced in April 2011, of which there has been 142 commitments for Wrea Green (Table 1) up to May 2014, representing a 22% increase over 651 dwellings in the village in 2011. Approval of this current scheme, include existing commitments and completion would represent a 37% increase over the number of dwellings in 2011.

Table 1: Net housing commitments (10 + dwellings) in and adjacent to Wrea Green since April 2011 to May 2014				
Site	Planning Application Number	Commitments	Completions	Under Construction / Not Started
Former Wareings, Ribby Road	10/0709 FULL	14	13	1
Land Adj Richmond Avenue	12/0408 OL 13/0097 RM	54		54
North View Farm, Ribby Road	13/0507 OL	49		49
Rear of 54 Bryning Lane	12/0456 OL	25		25
Total		142	132	129

The level of development for rural villages will be determined as part of the Local Plan Part 2.

Draft Infrastructure Delivery Plan

The draft Infrastructure Delivery Plan (IDP) dated June 2013 sets out the necessary infrastructure to deliver the emerging Local Plan Part 1, with a focus on the four strategic locations. The draft IDP at this stage, does not set out specific infrastructure for the nonstrategic locations, including development within the rural villages. However, the draft IDP provides the following comments in relation to the rural areas of Fylde:

- United Utilities have advised that development over 500 dwellings would require upsizing of local infrastructure. United Utilities have advised that water pressure is unlikely to be a major concern as they will be able to specify points of connection to the network in order that water is supplied at the adequate pressure;
- Smaller treatment facilities and sewer network serve some of the more inland villages and there is a greater risk of more of these assets reaching over capacity with increase development in these locations. There has not been significant investment in assets in these areas;
- Mobile telecommunication are limited in some rural areas due to lower population density and challenging topography. Mobile telecommunication have been highlighted as an issue as part of the emerging Neighbourhood Development Plan;
- Rural bus services in Fylde are vulnerable due to the current economic climate and cost of providing the service. Bus services are often infrequent.

Summary

The proposed development is contrary to policy SP2 and EP22 of the adopted Fylde Borough Local Plan (As Altered: October 2005).

The proposed development is located in an Area of Separation as proposed in the emerging Local Plan Part 1 Policy GD2. It could be argued that this proposed development site may be considered to not reduce the separation distance of Wrea Green to Kirkham.

Residential development within the countryside will be required to meet the borough's housing requirement for the emerging Local Plan to 2030. The NPPF has a presumption in favour of sustainable development and the Council cannot currently demonstrate a five year supply of deliverable housing sites. The provision of up to 49 dwellings on this site would contribute towards achievement of such a supply.

If you consider there to be material considerations which are of sufficient importance to outweigh the policy position established in the adopted Local Plan and that proposed in the emerging Local plan Part 1, you should note that paragraph 12.1 of the Interim Housing Policy refers to development outside settlement boundaries.

Strategic Housing

The application contains an affordable housing statement which accepts the principle of 30% affordable housing provision. The draft s106 needs some improvement, for example, qualifying persons needs to be expanded to enable non Wrea green residents to occupy if no local occupants can be found, the affordable mix by type and tenure needs to be agreed (normally 80% social rent and 20% tenure to be agreed), the numbers on site and off site (or cash) need to be agreed. I think that the near future (c5yrs) affordable housing needs of Wrea Green are likely to be met by current and already approved developments so it might be acceptable to consider a 100% commuted sum. The calculation of the commuted sum will need to be agreed and the type and tenure of what would/should have been provided will be relevant to this.

Regeneration Team (Tree Officer)

Comments based on drawing number 503 dated October 2014 and the tree survey accompanying the application.

- Suggested layout indicates all trees and intact hedges will be retained.
- This will only leave future matters such as distancing of units from retained trees and the proximity of primary access routes to retained trees to be clarified.
- The site features a number of category B trees that will require protection before any development commences, but valuable shelter belt exists to the east boundary that will provide inherent screening and structure to the proposed development. This isn't at threat from the proposal but nonetheless requires protective fencing and, since its importance post-development would increase, will warrant protection by tree preservation order along with those trees internal to the development platform. The shelterbelt will deprive the gardens of the proposed units of morning sun and therefore may come under "people pressure."
- In summary – no objections. Tree-related planning conditions can be deployed at the reserved matters stage assuming no development activity is intended until then. The Council will issue a TPO in respect of trees in the site and the shelterbelt planting offsite.

Regeneration Team (Landscape and Urban Design)

Following the review of the Landscape Proposals, their plans show limited impact to the trees and hedgerows. The recommendation are to retain and improve the hedgerows, thus maintaining the landscape character limiting the visual impact of the development. The plan shows the retention of the existing pond. Further information is required with regards to the management and maintenance, and who will be responsible for this. Recommendation the provision of pedestrian/cycle links to the adjacent new development, to improve the site connectivity.

The visual impact of the development will be concentrated to the south. Further details required with regards to the species, stock size, densities and depth of planting, to

ensure that views of the site are mitigated.

Environmental Protection (Pollution)

With reference to your memorandum dated 22nd October 2014, there are no objections to the above proposals in principle, however I would add the following conditions:

There is a potential for nuisance from noise and dust during the construction phase of the development therefore the applicant shall:

1. Hours of operation shall be limited to 08.00 -18.00 Mondays to Friday; 08.00-13.00 Saturdays and no activity on site on Sundays or Bank Holidays
2. The applicant shall submit a scheme that will limit dust dispersal and detail measures to be implemented that will mitigate against dust if dust is likely to be produced on site.

Electricity North West

We have considered the above planning application submitted on 22/10/14 and find it could have an impact on our infrastructure. The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH. The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity. There is an LV service cable crossing the site east – west from the dwellings on Ash Grove. The applicant should be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant

Crime Prevention Officer

No comment received at time of writing report.

United Utilities - Water

No objections to the proposed development provided that a condition relating to the submission for the disposal of foul and surface waters prior to the commencement of development is included in any permission granted.

Natural England

Natural England comment that they have no objections to statutory nature conservation sites and that based upon the information provided the development is unlikely to affect any statutorily protected sites or landscapes. With regard to protected species they have not assessed the application and refer the Council to its published standing advice on protected species which includes a decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of species being present as well as flow charts to enable assessments to be made of protected species surveys and mitigation strategies. They state that the application may provide opportunities to incorporate features into the design which are beneficial to wildlife and that the authority should consider securing measures to enhance biodiversity. The application may also provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring

benefits to the local community, for example through green space provision and access to and contact with nature.

Lancashire County Education

They have assessed the application for whether there is likely to be sufficient capacity in local primary and secondary schools at a time when the houses are likely to be constructed. To do this they look at the scale of the development proposed, the primary schools within a 2 mile radius of the site, secondary schools within a 3 mile radius, and the other developments with planning permission within those catchment distances from the schools.

With regard to primary education they have looked at the capacity in the 9 schools within 2 miles of the site, the planning permissions around them, and the yield of children from this scheme which is anticipated to be 19 children (although this is based on all the houses having 4 beds as the scheme is in outline and so is likely to be higher than reality). The outcome of this is that there is anticipated to be a shortage of 62 places without this development, rising to 81 places if it is included. On that basis they make a request for an education contribution from the development to meet the whole anticipated yield of primary age pupils which is £228,563

They have undertaken the same exercise with regard to secondary education and looked at the capacity available at Kirkham Carr Hill High School and St Bede's Catholic High in Lytham as the two secondary schools within 3 miles of the site, along with the committed developments that would feed into them. This site is projected to yield 7 children of secondary school age, which will increase the anticipated shortage of secondary school places from 18 to 33. On that basis they make a request for an education contribution from the development to meet the whole anticipated yield of secondary age pupils which is £126,885.

CPRE

The CPRE have written to express objection to the proposal with a detailed letter, that highlights their view that the council is able to demonstrate a 5 year housing supply and so there is no need for the grant of planning permission for out of settlement sites without them being tested through the plan-led system. Their comments are summarised as follows:

- **Planning Balance** – They highlight the need to balance the merits of housing supply against the loss of agricultural land which is allocated as Countryside and in a defined Area of Separation when the council's Emerging Local Plan has not been completed and the borough has an adequate housing supply. They argue that this scheme fails to satisfy the requirements of sustainable development and so the balance is for refusal of the application irrespective of the housing supply position.
- **Protection of Countryside** – they refer to the allocation of the site as Countryside in the FBLP and the support in the NPPF for the protection of the intrinsic character and beauty of the countryside.
- **Area of Separation** – The site is in an Area of Separation that is allocated by Policy GD2 of the Fylde Local Plan to 2030. They support this Policy and would like to see further areas of separation defined to protect the countryside, the rural settlements and farming activity.
- **Unsound Land Use Proposals in Preferred Option** – They argue that these are unsound as it is driven by housing requirements that they believe are flawed.

- **Obsolete Housing Requirement** – As the RSS has been abolished they argue that it is illogical for the council to rely on its housing requirements in their housing projections. They also highlight a perceived under –allowance for the contribution that could be made by the Whyndyke Farm site in that document.
- **Prematurity** – They refer to the importance placed on the plan-led system in the NPPF. This site is not allocated in the emerging Local Plan and a grant of planning permission at this time would pre-empt the preparation of the Part 2 Plan in the coming years.
- **Five Year Supply** – They make a detailed critique of the council’s methodology for calculating its five year supply figure, and so the results that this produces. The council’s latest position (of 31 December 2013) is that it has a 4.5 year supply of housing against the RSS housing target. The CPRE have undertaken their own analysis of housing supply and the methodology of its calculation and argue that the council has a supply equivalent to 6.3 years when requiring 265 units a year. The Whyndyke farm application is supported by CPRE as the most appropriate location for making a major contribution to Fylde’s housing supply.
- **Existing Planning Permissions** – They believe that the council has 4,075 houses with planning permission.
- **Agricultural Land** –They refer to the general high quality of farm land around Wrea Green. The applicant’s assessment of land quality claims that the wetness of the ground prevents much of the site from being of a best and most versatile grade. The CPRE argue that this wetness is a result of blocked dykes and pump issues at Liggard Brook and could be addressed. They argue that the land is capable of producing arable crops and that such land should be preserved for the foodchain and biomass energy uses. They highlight the NPPF protection given to Best and Most Versatile Land.
- **Cumulative Scale of Housing in Wrea Green** – they highlight the limited range of services and infrastructure in the village, with a full school and limited employment. They also highlight the recent planning permissions in the village and argue that the cumulative impact of further development will conflict with the scale, character and sustainability of the village.

Community Association for the Protection of Wrea Green

Comments have been received from Community Association for the Protection of Wrea Green (CAPOW) which are summarised as:

- **Sustainability** – Argue that the accessibility score for the site is such that it has a ‘low accessibility’ to services and too many dwellings.
- **Accessibility and access** - The roundabout at Ribby Road / Willow Drive is frequently ignored by drivers resulting in regular ‘near misses’ and more vehicles on Willow Drive would exacerbate that. The proximity of the access to the neighbours on Willow Drive will harm their residential amenity during construction and beyond. The village is subject to speeding traffic.
- **Infrastructure and cumulative flood risk** – the sewerage system in Willow Drive could not accommodate the additional foul sewerage loadings from this development and that at Richmond Avenue without being upgraded. There are also known surface water flooding issues at Ribby Road which this development will exacerbate.
- **Prematurity to the Local Plan, including the Area of Separation** – the site is in agricultural use and is largely designated as an ‘area of separation’ in the FBC draft Local Plan
- **Need for housing** – if empty houses are added to the council’s published housing supply figure they will meet the required rate and so there is no need for additional

development.

Noise and pollution in Willow Drive.

- Change of Character of the Village – the scale of development in recent years in the village is a 20% growth without any additional infrastructure investment. This scheme increases that to 36% and is unacceptable. Use of greenfield site for housing, not in accordance with housing needs survey.
- Loss of Agricultural Land – will cause harm to this important part of the local economy and mean that local farmers are unable to lease the land they need for their effective operation
- Public Consultation – Express the view that the public consultation undertaken by the applicant explained that the community did not require additional housing, yet they have still made the application.
- Errors in application – express the view that the application contains errors and misleading and inconsistent information.

Neighbour Observations

Neighbours notified: 22 October 2014

No. Of Responses Received: 34 letters.

Nature of comments made: All the letters received are opposed to the development, with the points raised summarised as:

- The reduction in numbers has no material change to the initial submission.
- Developers are treating residents with contempt by submitting this application.
- Other housing approvals in the village, don't need this one.
- Application is a waste of tax payer's money and officer time.
- The reasons for refusal of the previous application still stand.
- Loss of greenfield agricultural land that is a valuable resource for food production and supporting the rural economy
- The services available in Wrea Green are limited and unable to support additional residents which will mean that they use services out of the village and travel to them by car
- The Local Plan process should be used to determine where development takes place in the borough
- The roundabout access to Ribby Road from Willow Drive is poorly designed and unable to accommodate additional vehicles.
- Willow Drive is not built to a standard that would allow it to handle the additional construction and resident vehicles
- The development is likely to add to the flooding concerns in the village
- The borough does not have a housing shortage and so there is no need for the development that is proposed
- The development will damage the character of Wrea Green as a rural village
- The public consultation event proved that the village is opposed to the development and the council should listen to those views
- The application contains inadequate or inaccurate information.
- The development will cause an enormous increase in traffic on Ribby Road and through the village which is already congested to gridlock at peak times
- The local school is unable to accept any new children and other village services are inadequate
- Then village has seen a large number of applications in recent years as it is profitable for developers and not because they are needed. The council should resist this to protect the wishes of its residents

- The environmental impact on the neighbouring dwellings to the access on Willow Drive will be excessive and seriously detrimental to their amenity for 5 years of construction
- The recent appeal Inspector imposed a limit on the number of dwellings to be built in the village and this far exceeds that.
- The village Housing Needs Survey and Neighbourhood Plan are opposed to additional development of this scale and in this area.
- The application site is in an area that the Fylde Local Plan to 2030 sees as an Area of Separation
- Telecommunications and other utility services in the village are poor and would be worsened for existing residents if stretched to serve these additional properties
- Willow Drive was designed to accommodate 14 dwellings, and has since been extended considerably with the Becketts Forge scheme, but cannot cope with any further extensions.
- The development will have a very harmful impact on the living conditions for the properties at each side of the access
- The development will lead to the village almost merging with Ribby Hall and so with Kirkham
- The development will have a very harmful impact on the residential amenity of the occupiers of Langton's Farm as it will dominate views from that property and cause disturbance to the occupiers of this property from the inevitable activity associated with development and occupation of this number of properties. The development will also disturb the horses owned by that property which are important given the intention of their daughter to compete at a high standard of equestrianism. The scheme is insular and isolated from the rest of the village.
- There can be no justification for the demolition of the perfectly sound property at No 15 simply to provide access to this site.
- There is a widespread public opposition to the proposed development
- Loss of view, increase in noise, overlooking and loss of light.

The number of dwellings available on the market in Wrea Green is evidence that there is no local need for additional housing development, and certainly not of this scale.

- The site is allocated as Countryside in the Fylde Borough Local Plan and should therefore be protected as such
- The occupiers of Langtons Farm have submitted a detailed objection. They refer to the considerable investment made in enhancing the appearance of the Langtons Farm site being undermined by the development taking place in this scheme. Other personal issues raised include the loss of views, loss of pasture land, disturbance to their horses and loss of their grazing land. They also refer to community issues such as the impact on highway safety from traffic using Willow Drive junction with Ribby Road, the oversupply of development in the village in recent years, the lack of infrastructure to support the new dwellings the pre-empting of preparation of the local plan, and the implications for the Area of Separation designation. Finally they refer to the implications of construction disturbance on the village community with reference to an appeal decision in Clitheroe. A design impact statement written on behalf of the occupants has also been submitted which reiterates these views and expands on the negative impact the development will have on their amenity by virtue of the overbearing and overly dominant impact will have on the existing farmhouse. A letter has also been supplied from a veterinary centre outlining the detrimental impact the development will have on horses at Langtons Farm. They also supply a letter from a security consultant outlining that the development will create issues relating to stress, theft and damage to property. They also supply a letter from an estate agent stating that their property would be de-valued if planning permission were granted. This is not a material planning consideration.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
SP02	Development in countryside areas
EP01	Environmental Improvement Schemes
EP10	Protection of important landscape and habitat features
EP11	Building design & landscape character
EP13	Planting of trees, hedgerows and woodland
EP14	Landscaping of new developments
EP17	Development in or near Biological & Geological Heritage Sites
EP18	Natural features
EP19	Protected species
EP21	Archaeology
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP30	Development within floodplains
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
TR05	Public transport provision for large developments
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments
CF01	Provision of community facilities
CF02	Provision of new primary schools

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) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The principle of the development

The application site has been previously considered by members as part of a larger site with an application for up to 100 dwellings. This application was refused for a number of reasons as outlined above. Refusal reason 1 outlined that the proposal would create harm to the character and setting of Wrea Green and stated that the development therefore did not represent sustainable development and that as such there was no presumption in favour of sustainable development, notwithstanding the lack of a 5 year supply of housing land. The third refusal reason stated that the scale of the proposal in conjunction with recently approved residential developments around the village, was excessive for the village of Wrea Green and the services that are available in the village

to support an expanded population. And that there was a significant likelihood that the available services would be unable to meet the needs of this population and so residents will travel out of the village for their day-to-day requirements. Accordingly the proposal was found to not represent sustainable development and so not benefit from the support offered by para 14 of NPPF, notwithstanding the council's current housing land supply position. This application is for a smaller site and 49 dwellings as opposed to 100, and therefore it needs to be considered as to whether this development would have a similar impact or whether the principle with regard to sustainability can be found to be acceptable.

Policy Background

Planning legislation requires that planning applications are determined in line with the development plan unless there are material considerations that dictate otherwise. This has been reinforced by the National Planning Policy Framework (NPPF) which refers, at paragraph 14, to the need for applications that accord with the development plan to be approved without delay.

Under the Fylde Borough Local Plan the whole of this application site is outside of the settlement boundary of Wrea Green other than the dwelling and curtilage of 15 Willow Drive which are to provide the access to the site. The land is allocated as Countryside under Policy SP2. This Policy restricts the majority of development to preserve its rural character, with the exceptions generally limited to agricultural or other such uses. New residential development is clearly contrary to this Policy and so it is important to assess whether there are any material considerations that would justify overruling this Policy objection. If there are not then a reason for refusal on the conflict with the Local Plan allocation would be appropriate.

The Fylde Borough Local Plan is dated, and work is advancing on its replacement which will look at the period to 2030. A consultation exercise has been completed on the 'Preferred Option' of the Part 1 to this Plan which included strategic locations for development but did not look at smaller development sites of less than 100 units and did not include any allocations in or around Wrea Green and the other rural villages of the borough. This replacement Local Plan document is at such an early stage that it can have only limited weight in the determination of this application. However, as the Council, through the Planning Portfolio Holder, has issued its views on the consultation responses received, the weight to be attached to the Plan is increased although still limited.

The Fylde Borough Local Plan remains a relevant policy document where it is consistent with the NPPF, with 'due weight' being given to relevant policies within the Local Plan, and the weight given to these policies depending upon the degree of consistency with the NPPF and remains the starting point for determining planning applications. Residential development proposals are assessed against Policy HL2 of the Fylde Borough Local Plan with this introducing a series of criteria. However when there is a conflict between the saved policies and the NPPF, the NPPF takes precedence, however it should be read as a whole and in context. On the face of it, the development is contrary to Local Plan policy SP2, however as stated above local plan policies should only be given 'due weight' and the weight given to them will depend on the consistency with the NPPF.

The NPPF states that there is a need for the planning system to perform an economic, social and environmental role. In a social role, it is necessary that the planning system supports strong, vibrant healthy communities by providing the supply of housing required to meet the needs of present and future generations that reflects the community's needs. Local circumstances need to be taken into account. There is a presumption in favour of sustainable development and local planning authorities are urged to approve, without delay, development proposals that accord with the development plan. It advises that decision takers at every level should seek to approve applications for sustainable

development where possible.

In section 6 'Delivering a wide choice of high quality homes' of the NPPF it requires the significant boosting of housing and local authorities should use their evidence base to meet the full objectively assessed needs for market and affordable housing in the housing market area. For market and affordable housing a five year supply should be maintained. Housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 44). Applying this policy context to the development requires considering the NPPF as a whole and assessing the weight which should be applied to SP2 and also considering the sustainability of the development and the balance of any positive or adverse impacts, within the NPPF context of seeking to boost housing supply and economic growth.

Need for residential development/5 year housing supply

The NPPF requires that local planning authorities provide for housing land equivalent to at least a 5 year supply of the council's housing target. The Council's annual housing requirement is based on the figure expressed in the RSS as the most recent figure that is objectively based and has been tested through consultation and examination. This figure is 306 dwellings per annum.

The council's Local Plan Team produce regular position papers regarding the borough's housing supply. The latest of these concludes that at 31 December 2013 the council was able to present a supply equivalent to 4.5 years against the adjusted RSS 5 year housing requirement (including historic backlog and NPPF buffer of 20% due to that under provision). As such the council is unable to demonstrate the required 5 year supply of housing. The guidance in para 14 of NPPF is therefore relevant and this is a strong factor to be weighed in favour of residential development proposals. If a scheme is considered to deliver sustainable development and not have any adverse impacts that would significantly and demonstrably outweigh the benefit in housing supply, that guidance is clear that planning permission should be granted. There is, therefore, a need to assess whether this particular proposal delivers housing at a scale and location that is sustainable, and if there are any other relevant factors to outweigh its development.

An updated housing land supply statement was prepared for the planning inquiry relating to land at Blackfield End Farm, Warton which analysed housing supply in terms of both the RSS figure and an emerging local housing supply figure. Neither of these approaches was able to confirm that the Council has a 5 year housing land supply. The CPRE and others have consistently raised doubts over the methodology used by the council to calculate its 5 year housing supply, and have claimed that the use of an alternative methodology allows the council to achieve a 5 year housing supply. This matter has been discussed in various Inspector's decision letters and council officers remain satisfied that the approach taken is the most correct and robust one for assessing its 5 year supply.

Recent planning history

Asides the recent refusal for a larger scheme on the application site there have been a number of major residential housing developments in recent years which are listed in the following table:

Application	Site	Decision	Dwellings
10/0709	Former Wareings site	Granted by FBC	15
12/0408	Richmond Avenue	Granted by FBC	54
12/0456	54 Bryning Lane	Refused by FBC and allowed at appeal	25
12/0720	Moss Side Lane	Refused by FBC and dismissed at appeal	50
13/0137	Adj. 53 Bryning Lane	Refused by FBC and dismissed at appeal	32

13/0507	North View Farm, Ribby Rd	Refused by FBC and allowed at appeal	49
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The final four applications were determined by the same Inspector at appeal at the same time with decisions issued in April 2014. This is an important element of the planning history to the area and is a material consideration in the determination of this application. The key points from the Inspector's decisions were:

- He accepted that the council's methodology for calculating its 5 year housing supply was appropriate and that the appeals should be determined in line with guidance in paras 14 & 47 of the NPPF
- He acknowledged that there was scope for some sustainable residential development in and around the village
- He stated that the Richmond Avenue scheme "will provide early support for village services and contribute significantly towards and local needs for housing arising in the village."
- With reference to the scale of development that could be accommodated he opined that "I do not consider that a development or developments for up to 100 dwellings in total (in addition to those already permitted at Richmond Avenue), would put undue pressure on existing infrastructure."
- He refers to a distance of 1000m from dwellings to services or transport connections as being a suitable guidance distance that people are likely to walk to access those services and connections
- He made reference to the need for development to not compromise the character and appearance of the settlement, with this being the key determining factor in the dismissal of two of the appeals
- He agreed that a residential scheme should provide affordable housing at 30% of the total scale of the site, but accepted that this could be split between on and off site provision with the payment of a sum of £50,000 in lieu of each on-site dwelling not provided being a suitable approach.
- He accepted that the payment of contributions to offset a shortfall of school places was an appropriate mechanism for addressing that shortfall that complied with policy and guidance
- He did not accept that the council could reasonably require public realm contributions from developments as the absence of an actual scheme meant that this would not comply with the CIL regulations

Does the proposal deliver sustainable development?

Application 14/0302 was not considered to deliver sustainable development, refusal reason three related to the scale of the development being in excess for the village of Wrea Green and its services, thus meaning the residents of the new dwellings would travel out of the village for their requirements and thus the development would not be sustainable. It is your officer's opinion that the impact of 49 dwellings as opposed to 100 dwellings previously is considerably less and that with the impact on infrastructure addressed through conditions and legal agreements the proposal can be considered to constitute sustainable development.

Accessibility of Site

The Inspector agreed that there was scope for some development in Wrea Green but expressed a view on the scale of the extension that would be appropriate without any enhancement of the services in the area. The services that exist cover the basic day-to-day needs that would be expected in a rural village with a shop, primary school, regular bus service through the day, employment area, church, pub, day nursery, community hall, cycle route, play area and village green. This site is located outside of the settlement boundary, but is immediately adjacent to it and in the area of the village that is closest to Kirkham (where higher level services are available) and is conveniently located to the bus services on Ribby Road and the existing village play area off Wray Crescent. The majority of the services are clustered in the centre of the village which is less than 800m from the centre of the

site, and so within walking distance. It is considered that the site has a reasonable accessibility to these services by virtue of this proximity, and over the access arrangements to them. County Highways consider the mitigation proposed by the applicant;

- A raised table will be provided at the site access junction as well as at the Willow Drive / Ribby Avenue
- Zebra Crossing on Ribby Road in the vicinity of St Nicholas Church.
- Upgrade the 2 bus stops on Ribby Road at the junction with Willow Drive

together with a contribution of £150,000 towards public transport to be appropriate. These are considered to be reasonable and proportionate for a development of this nature and so could be imposed by condition and legal agreement should the development be acceptable.

Scale of development

The council refused application 14/0302 and the four schemes that were considered at appeal partly due to concerns over the scale of growth that they would bring to the village. The Inspector's decision letters refer to this and suggest that a growth of 100 dwellings could be accommodated above those that had been previously approved, which includes the Richmond Avenue scheme currently under construction. He then proceeded to allow two of the appeals with a combined 74 dwellings. The North View farm schemes has since had reserved matters approved but with a reduction of 7 dwellings to that approved at outline. This application for up to 49 dwellings would be in excess of the capacity that the Inspector considered could be accommodated. The applicant expresses the view that they do not consider that a development or developments for up to 49 dwellings in total would put undue pressure on existing infrastructure, and that the Inspector is not ruling out the acceptability of a higher number of dwellings. Your officers accept that this is not an unreasonable interpretation of the Inspector's wording, however, as the appeals were dealt with via written representations it is not clear how the figure of 100 dwellings was arrived at. The Inspector in those appeals states that 'there is no compelling evidence that granting permission for any one of the four proposals under consideration would be likely to overwhelm the current services available within the village. I acknowledge that the nature of the settlement is such that residents of the development would still be substantially reliant on car travel to higher order settlements for many services'. As stated above he also mentioned that up to 100 dwellings would not put undue pressure on existing infrastructure. None of the dismissed appeals were dismissed for reasons of sustainability or pressure on existing infrastructure and the Planning Inspector had no evidence before him to demonstrate that more than 100 dwellings in total would have an unacceptable impact on the village.

The applicants submission in relation to addressing the third reason for refusal states that 'there remains a lack of compelling evidence to substantiate the claim that there is a "significant likelihood" that services will be unable to meet the needs of this additional population. As the Inspector states in paragraph 32 of the appeal decision at North View Farm, Wrea Green (App Ref. APP/M2325/A/13/2209839), surely businesses within the village would welcome the additional custom from further residential development, which will help to support and maintain the viability of the village. Wrea Green is one of the larger villages in Fylde with a range of existing facilities, including relatively good public transport links and the Council acknowledges that it cannot meet projected housing requirements without some release of greenfield land in the countryside adjoining villages. Notwithstanding this, the Inspector in the four Wrea Green appeals concluded that a development or developments for up to 100 dwellings in total (in addition to those permitted at Richmond Avenue), would not put undue pressure on existing infrastructure. However, the Inspector had no evidence before him to demonstrate that more than 100 dwellings in total would

have an unacceptable impact on the village and does not seek to identify evidence to support this comment. Allied to this the Inspector does not dismiss the two appeals at Land south of Moss Side Road (APP/M2325/A/12/2200856) and Land adjacent to 53 Bryning Lane (APP/M2325/A/13/2200215) on the basis of any undue pressure on existing infrastructure that would ensue. Therefore, it is difficult to assess the weight which should be attributed to this comment. When all elements of infrastructure in Wrea Green are addressed, as they are within the planning application, no harm can be identified arising from this development proposal.

Your officers would agree with this statement. The reduction from 100 to 49 dwellings at this site is significant, and whilst Wrea Green's capacity to expand its non-residential infrastructure is constrained by the road network, Conservation Area and railway line, the occupants of these dwellings would be in the same situation as existing residents of the village. The NPPF encourages development in rural areas to promote the retention and development of local services and facilities in villages (para 28), with the council recognising this in its support for the development of the former Wareings site and the land off Richmond Avenue. This development would provide further custom to existing businesses. It is important that the development in an area is not excessive so that the available services are able to meet the needs of the population without those residents having to leave the village for their needs which would reduce the sustainability of the development. In addition, a significant increase in the number of dwellings in a village may lead to a change on the character of the village itself with increased traffic and urban expansion impacting upon the setting of the village. This was the case with the previous application, however a reduction to 49 dwellings with the mitigation proposed for the highways impact and the reduction in size of the site in terms of the setting of the village makes this application on balance a more sustainable development.

Policy HL2 of the Fylde Borough Local Plan lists a series of criteria that a development needs to comply with to be acceptable, with many of these consistent with the core planning principles in para 17 of NPPF and with other sections of that guidance. Criteria 2 requires that development should be of a scale that is in keeping with the character of the locality. For the reasons explained in this section it is contended that the scale of development proposed in this scheme is acceptable and would not be of a scale that would warrant refusal of the application. Paragraph 55 of NPPF relates to development in rural areas and is supportive of it where it will enhance or maintain the vitality of rural communities. Whilst with the recent developments in the village there can be no argument that this scheme is required to support the vitality of Wrea Green it is not considered that this in itself is enough to warrant refusal of the application. In the four recent appeal decisions in Wrea Green the Inspector concluded "There is no compelling evidence that granting permission for any one of the four proposals under consideration would be likely to overwhelm the current services available within the village. I acknowledge that the nature of the settlement is such that residents of the development would still be substantially reliant on car travel to higher order settlements for many services". This nature would continue albeit with an increase in the number of dwellings using existing services in the village.

Principle of the development – conclusions

The site is located directly adjacent to the rural settlement of Wrea Green. It is adjacent to existing housing to the north and west. The site is located south of Ribby Road, a main road that runs through Wrea Green and its associated bus routes and is within reasonable distance of local and community services in Wrea Green which include a primary school, pre-school, a public house, shop, dental practice, garage, café and tea rooms, restaurant, hair salon, sporting clubs and facilities and two places of worship. Wrea Green does lack retail facilities, this is due to the size of the settlement and its constraints. The lack of shops means that existing residents must travel or have their shopping delivered and it would be the same for the residents of the proposed site. The proposed

development is located directly adjacent to the existing settlement, and it is considered that the sites is sustainable in relation to the settlement and would not be an unacceptable growth to the settlement in terms of scale and would therefore comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development and that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural areas and that Local Planning Authorities should avoid new isolated homes in the countryside (paragraph 55). Furthermore when considering the housing objective of the NPPF the most up to date evidence of housing need in Fylde is the Strategic Housing Market Assessment which has been recently updated and again through an analysis of housing need in light of the 2002 sub-national population projections (May 2014) and finds that in order to meet the authorities housing needs approximately 300-420 dwellings per annum will need to be provided. The 2013 SHMA is part of the evidence base for the local plan, and is a material consideration in the determining of planning applications. The proposal would therefore contribute to meeting this identified need for dwellings in the emerging Local Plan and the housing supply for the Borough as a whole. Providing that the suitable accessibility enhancements discussed in this report are delivered, this site is considered to be a suitable location for development, and the scheme of a scale that can be accommodated without causing evidenced harm to the settlement of Wrea Green. On this basis the proposal is considered to be sustainable in relation to the settlement and would therefore comply with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development..

Visual impact of development on character

Application 14/0302 refusal reason one stated;

“The extent of the application site and particularly its projection beyond the established southern development boundary of the village will result in the proposed development causing harm to the character and setting of Wrea Green as a rural village when viewed from critical points on the approaches to the settlement. As such the application is contrary to criteria 2 of Policy HL2 of the Fylde Borough Local Plan and paragraphs 17 and 58 of the National Planning Policy Framework. Accordingly, the proposal does not represent sustainable development and there is, therefore, no presumption in favour of the proposed development, notwithstanding the current lack of a 5 year supply of housing land.”

The application site is open countryside that lies beyond the settlement boundary and is currently greenfield land that remains in agricultural use. It is lain to grass and so forms a typical part of the countryside in Fylde borough. The issues to be considered under this heading are the visual impact of the development on its immediate surroundings and how the application site fits in with the established urban form of the village. The application has been submitted with a landscape and visual impact assessment and has been considered by the Councils Landscape and Urban Design Officer who raises no objections to the proposal stating that the development will have limited impact to trees and hedgerows thus maintaining the landscape character and limiting the visual impact of the development. They state that the visual impact will be concentrated to the south and that further details will be required to the type of planting to ensure that views of the site are mitigated.

With regard to direct visual impact, these will be significant to properties that bound to the site on Willow Drive, Ash Grove, the recently re-built dwelling at Langtons Farm, and to those under construction by Wainhomes of Richmond Avenue. There will also be some visual impact to dwellings off Ribby Road that back onto the site across intervening land and to others on Bryning Lane that will

see it in a similar relationship. The development is not likely to be directly visible approaching the village from Kirkham as the land levels and a row of trees outside the site will largely obscure these views. This application has reduced the size of the application site and number of dwellings so that the developments southern boundary is now approximately 160m further north than the refused application. The application also proposes a robust southern development boundary to appear as a new settlement boundary including a new tree belt. The application site also does not extend as far south as the housing site located to the west. The site as existing is an undeveloped agricultural field containing ponds and hedgerows. Beyond the southern and eastern boundary are fields and to the north and west residential development. Beyond the red edge boundary to the south is a farm and there is sporadic development to the west on the south side of Preston Road It is located in the open countryside directly adjacent to the settlement of Wrea Green. Clearly the development of an undeveloped field will have an impact upon this character. The proposal is for a residential development which is the same as the adjacent land to the north and west and with the reduction in site area the impact on the character and setting of the village are significantly reduced. The significant existing woodland to the east of the application site provides a natural boundary and backdrop to the development. When viewed from the south this development will appear further set into the village than the adjoining residential development with this development screening views from the west. The landscape features – the ponds, and tree/hedgerow boundaries are to be retained. The additional planting within the site on the existing grassed field will result in an increase in vegetation features within the site. The dwellings immediately adjacent to the site would experience a change in outlook to the rear of their properties but this change in outlook is not something that would warrant refusal of this application. Para 58 of NPPF refers to the quality of developments and includes a requirement for planning decisions to respond to the local character of an area. This is a similar requirement to criteria 2 of Policy HL2 which requires that a development is in keeping with the character of the locality. It is considered that the development site area proposed, bounded by existing development to the north and west, with a considerable woodland area to the east would not have an unacceptable impact on the character of the settlement and would not create an unacceptable visual impact that would warrant refusal of the application.

Area of Separation

The Fylde Local Plan to 2030 is being prepared and will become the successor to the current Fylde Borough Local Plan. With this having been the subject of public consultation, and the comments raised in that consultation have been formally considered by the council's Portfolio Holder for Planning and Regeneration, the weight that can be attached to the policies of the Plan is growing. Policy GD2 is entitled Area of Separation and covers an area between the existing eastern edge of the Wrea Green settlement and the edge of Ribby Hall Leisure Village and crosses both sides of Ribby Road. The Policy is intended to maintain the character and distinctiveness of this area between Wrea Green and Kirkham, and does this by stating: "Appropriate development within the Area of Separation will be permitted provided it does not contribute to the coalescence of the two settlements or diminish the open character of the land between them." With the exception of the northern part of the application site to the rear of Willow Drive, the majority of the site is within the area covered by this Policy. This Policy was the subject of comments at the consultation stage, both in favour and against. The Portfolio Holder's report on this Policy documents the comments received and concludes that there is a need to retain a Policy to protect the separation between Wrea Green and Kirkham so that it does not reduce below the narrowest point which is currently 1,024m. A report has also been prepared to consider the merits of establishing Areas of Separation that were suggested at other critical parts of the borough. The application acknowledges the presence of this Policy, but discounts the weight that can be attributed to it as they say there is no evidence base to justify it is needed, and that there is no landscaping assessment presented to justify the boundary of the area that has been designated or that development within it would harm the character of either Wrea Green or Kirkham. They also make a general point about the early

stage of preparation of the Fylde Local Plan to 2030 means that it carries very little weight overall as a policy document. In the assessment of this application Policy GD2 is a material consideration in its determination, but its weight must be tempered by the early stage of the Plan's preparation, the objections received to it, and the lack of any testing of the Policy at examination. Taking these issues into account it is not considered that the conflict with Policy GD2 in the Fylde Local Plan to 2030 can support a refusal of this application.

Loss of Agricultural Land

The application site is entirely greenfield land that is in agricultural use. The applicant has provided a survey of the site which confirms that it is a mixture of Grade 3a and Grade 3b land, with the northern part from the boundary with Langtons Farm extending approximately 60m into the site being Grade 3a and so a grade that is regarded as Best and Most Versatile Land that is protected from development by Policy EP22 of the Fylde Borough Local Plan and by paragraph 112 in the NPPF. The loss of Best and Most Versatile Agricultural land is a factor that must count against a development and raises conflict with Policy EP22 of the Fylde Borough Local Plan and para 112 of the NPPF as quoted in NPPF. However, the area of BMV is limited and it is not considered to constitute a "significant development of agricultural land" as is required by the more recent NPPF guidance. There have also been a series of appeal decisions nationally where agricultural land protection has been seen as being of secondary importance to delivering residential development where those are the only competing factors to be weighed in a decision. Accordingly the loss of this area of Best and Most Versatile Agricultural Land is not an issue that is considered to justify a reason for refusal of the application.

Highways Issues

Application 14/0302 refusal reason five stated; "To enable certainty that an appropriate standard of public transport provision will be maintained to meet the needs of the occupiers of the proposed development to have access to a reasonable range of services by means other than the private car, there is a need to contribute towards the future provision of public transport services serving the site. In the absence of any mechanism to guarantee the on-going subsidy of that service there can be no certainty that an appropriate public transport service will be available to meet the needs of the occupiers of the dwellings proposed. If that were to occur the likely reliance on private car journeys to access those services would conflict with criteria 7 of Policy HL2 of the Fylde Local Plan and so prevent the scheme delivering sustainable development."

The application proposes a single vehicular access which is to be achieved by the demolition of the dwelling at 15 Willow Drive which allows a 5.5m wide access and a 1.8m wide footways on the south side to connect to the existing highway on Willow Drive via a simple priority junction. Willow Drive is built to a similar standard and connects to the general highway network via a mini-roundabout at Ribby Road. The County Highway Authority have been consulted on the application and raise no objections to the proposal. The application has been submitted with a Transport Assessment which they have considered and commented on. The application is outline with all matters reserved asides access. The County Highway Authority have stated that the application is on the site of previous application 14/0302 for 100 dwellings to which they raised no objections, although there were a number of conditions and s106 contribution required. His response to this application is on the basis of it being for only up to 49 dwellings. They state that subject to speed reducing measures the access to the development is acceptable in highway terms. The applicant is proposing the following mitigation measures to make the development acceptable;

- A raised table will be provided at the site access junction as well as at the Willow Drive / Ribby Avenue
- Zebra Crossing on Ribby Road in the vicinity of St Nicholas Church.
- Upgrade the 2 bus stops on Ribby Road at the junction with Willow Drive

The County Highway Authority state that the above measures are necessary and appropriate to make the development acceptable and should be construction under a S278 agreement with the highway authority. They also state that the development is below the threshold where a Travel Plan is required and request a contribution of £150,000 for public transport to be used to supplement the County Councils subsidy of rural transport serving Wrea Green. This payment can be split over 5 years with the first payment being made on the occupation of the 25th dwelling and the remainder annually thereafter. Thus this addresses the highways related reason for refusal of the previous application.

With regard to network capacity Willow Drive and Ribby Road are subject to a 20mph limit with Ribby Road serving as one of the main arterial roads into Wrea Green and links the village with Ribby Hall, Kirkham, Wesham and the M55 as well as serving many of the residential areas of the village. The Transport Assessment includes an assessment of the accident record and road capacity issues in the area and uses the standard TRICS methodology to anticipate the vehicle movements associated with the development. This gives an additional 33 vehicle movements in the morning peak and 38 in the afternoon peak periods. LCC Highways raise no objections to the proposal in terms of network capacity. There are therefore no highway issues with the proposal.

Drainage Matters

The application site is almost entirely a greenfield site that falls gently down towards the north. The site contains two ponds that are connected by land drains to the wider surface water drainage system in the area which connects through to Wrea Brook across Ribby Road. The application is supported with a Flood Risk Assessment and a Drainage Management Strategy which have been assessed by the Environment Agency and United Utilities as the two key consultees on such matters.

As with much of the land around Wrea Green the site is located in Flood Zone 1 which is the least likely to suffer tidal or fluvial flooding. In the determination of the application it is important to establish, in principle, how the surface and foul water drainage works are to be designed and implemented to ensure that they offer a practical solution for site drainage without causing any flooding issues.

Surface Water

The development of the site from its current largely greenfield state will increase surface water runoff rates and so require that these are attenuated to prevent overloading of the networks downstream. The Drainage Management Strategy assesses the options for drainage and concludes that a connection to the surface water sewer which exists in Willow Drive is the most suitable solution for the draining of the site. This solution has been reached following discussions with United Utilities who raise no objection to the application in their consultation reply. The discharge rate will need to be restricted to ensure that the Willow Drive sewer and the drainage system it flows into is able to handle the additional run off from the site, but this is a usual position with outline planning applications on greenfield sites such as this. A condition can be imposed on any planning permission to secure appropriate details of the drainage arrangements. The Environment Agency also raise no objection to the proposal subject to satisfactory details of the surface water drainage of the site being secured by condition.

With this being an outline planning application it is necessary for it to simply provide sufficient comfort that a site can be drained effectively, without providing the full details of that drainage solution. In this case the application proposes a viable solution of draining the site to the existing surface water system serving neighbouring dwellings at a controlled rate. This is considered to be a viable solution that does not raise any objections from the drainage consultee and so is considered

to allow the scheme to accord with Policy EP30 and criteria 10 of Policy HL2 of the Fylde Borough Local Plan and para 100 and 103 of the NPPF.

Foul Water

The undeveloped nature of the site at present means that there are no foul drainage flows at present. The Drainage Management Strategy provides an estimation of the level of foul water that is likely to be produced by the 49 dwellings proposed. There is an existing foul water sewer in Willow Drive that they propose to connect into. Concern has been expressed locally about the capacity of the system and the pumping station in the village that is an essential element of the drainage system. The site drainage is likely to be largely gravity fed, with pumping likely to be required to drain properties at the northern part of the site closest to Ribby Road.

United Utilities are the statutory drainage body and so have been consulted on this element of the application. They do not raise any objection to the scheme, although correspondence from them in the Flood Risk Assessment acknowledges the local concerns over flooding incidences. Accordingly, no reason for refusal relating to the foul drainage controls in Policy EP25 and criteria 10 of Policy HL2 of the Fylde Borough Local Plan and para 120 of NPPF can be justified.

Ecology and trees

The fourth reason for refusal of planning application 14/0302 related to Ecology;

“The development has the potential to impact on protected species and/or habitats of ecological importance to those and other species. In the absence of sufficient survey work having been undertaken to establish the scale of the potential harm to these, and so investigate the need for and extent of mitigation for the impact of the development on them, the council is unable to establish whether the development will involve an adverse impact on any species or their habitat in and around the site. As such the proposal conflicts with Policy EP18 and Policy EP19 of the Fylde Borough Local Plan and paragraph 118 of the National Planning Policy Framework.”

The site does not contain any ecological or biodiversity designations, and there are none within the vicinity of the site. However, the site contains two ponds and hedges, and has hedge boundaries and there are other hedges, ponds and open agricultural land around it. As such there is a reasonable likelihood that the site will provide habitat for protected or priority species. The application has been submitted with an ecological assessment which has been considered by both Natural England and LCC Ecology. As a consequence of the above reason for refusal the applicants undertook further terrestrial searches in September 2014 order to satisfy the Council that Great Crested Newts were not present within the site. These searches involved the placing of artificial refuges across the site.

The responses of Natural England and LCC Ecology are outlined in full in the above consultation responses section. Natural England raise no objections in relation to statutory nature conservation sites and refer officers to standing advice in relation to protected species. LCC Ecology's response is much more extensive. They state the main issues arising from the proposal are the potential impacts on amphibians, bats and habitats.

Habitat

There are no national or locally designated sites within the application site or in any vicinity to it. The site generally comprises semi-improved grassland used for grazing so does not provide a good habitat for wildlife. The site does contain a number of trees, ditches and ponds and is bounded by hedges that provide better habitat, but it seems that the development can be designed to maintain them and so subject to conditions to ensure that it is unlikely that there will be any conflict with

habitat protection legislation from the development of the site. The maintenance of these can be secured by a condition on any approval of planning permission and will deliver a biodiversity benefit from the development of the site.

Amphibians

Surveys of the ponds within and around the site have been undertaken to establish the presence or absence of Great Crested Newts or other species. These surveys found no Great Crested Newts, but Common Toad, Common Frog and Smooth Newts were identified at the ponds in the site. These ponds are to be retained in the development and the submission proposes mitigation to maintain these species in a favourable conservation status. Further survey work was carried out following refusal of the last application with LCC stating that whilst these do not follow standard procedure given the quality and location of habitats to be affected in their view the surveys give a reasonable indication that Great Crested Newt are not using the site. Given the access refusal to nearby ponds, the applicant in LCC Ecology Officers opinion has made reasonable efforts to establish the presence/absence of Great Crested Newts. Due to the survey restraints they recommend a precautionary method statement be required which can be secured by permission. They state that as the surveys did not follow standard guidance they recommend Natural England's advice is sought. Natural England did not comment on protected species, and given LCC Ecology's view that the surveys are acceptable it is considered that the methods used are adequate subject to the mitigation advised by LCC being a requirement of any approval. They also recommend a mitigation strategy and method statement for common toads, with details of the requirements of this strategy outlined above.

Bats

A survey of the site has revealed that the dwelling to be demolished to provide the access is in use as a day roost by a single Common Pipistrelle bat, and that there are trees on the site that have roosting potential. The Ecology report argues that the benefits and practicalities of the development are such that it would pass the three tests required to allow Natural England to issue the appropriate licence for the loss of the roost in the dwelling, and suggest a series of works as mitigation including the siting of bat boxes in the development site. The trees are to be retained with roosting options enhanced in the development with bat boxes and tiles. The County Council ecologist believes that the suggested mitigation is adequate to form the basis of a licence application.

Other species

The development has the potential to remove nesting and / or feeding opportunities for birds, including 5 UK BAP Priority Species that were identified in the site assessment. The application proposes mitigation for this development, which is considered to be appropriate to comply with the legislation and guidance on such matters. The Survey included searches for other species that could be found in a site of this nature, including reptiles and water voles, but no evidence of other protected species was identified.

The application presents an examination of the potential ecological impacts from the residential development of the site and concludes that there would be no significant impacts that cannot be mitigated. With appropriate conditions in place as suggested by LCC Ecology it is considered that there will not be any unacceptable impact on protected species or priority habitat. The scheme results in a loss of biodiversity, as does any scheme in an undeveloped site such as this, however this proposal retains the biodiversity of greatest value and a landscaping condition will be put on any permission to mitigate the loss of biodiversity to a degree. It is considered that whilst there will be some loss of biodiversity that with mitigation the development of the site is acceptable and that the loss does not warrant justification for refusal of the application.

Affordable Housing Provision

The sixth reason for refusal of application 14/0302 related to affordable housing provision and stated; "The proposed development fails to deliver any certainty over the provision of affordable housing as part of the development. In the absence of any on-site provision or of any legal agreement or other such mechanism being in place to secure the provision of an alternative form of affordable housing contribution there can be no certainty that the requirements of Fylde Borough Council's Interim Housing Policy will be provided. Accordingly the scheme is contrary to the provisions of the Interim Housing Policy in that regard and to guidance in paragraph 50 of National Planning Policy Framework."

The application proposes that the proposed development will meet the requirement to provide 30% affordable housing, providing a mix of 50% on site and 50% as a commuted sum in lieu. This will help contribute towards meeting the Council's affordable housing needs. The Applicant has drawn up a draft S106 Agreement which secures this contribution. The Council's affordable housing officer states that the draft s106 needs some improvement, for example, qualifying persons needs to be expanded to enable non Wrea green residents to occupy if no local occupants can be found, and the affordable mix by type and tenure needs to be agreed (normally 80% social rent and 20% tenure to be agreed), the numbers on site and off site (or cash) need to be agreed. I think that the near future (c5yrs) affordable housing needs of Wrea Green are likely to be met by current and already approved developments so it might be acceptable to consider a 100% commuted sum. The calculation of the commuted sum will need to be agreed and the type and tenure of what would/should have been provided will be relevant to this.

The council has recently undertaken a survey of the specific needs and demands for affordable housing in Wrea Green with the Parish Council. This has found that the stable and elderly nature of the local population reduces the demand for affordable housing in the village. As a consequence it is likely that a lower percentage of dwellings on new developments will be required to be delivered as affordable units, with the balance of the provision provided elsewhere, or a financial contribution made to assist in the delivery of affordable units elsewhere in the borough such as Lytham or Kirkham where the Housing Needs Study confirms that there is a significant shortfall in the supply of affordable properties. This approach was taken in the schemes recently considered at appeal and was supported by the Inspector as a suitable mechanism for delivering affordable housing.

It is considered that the submitted section 106 allows for a mix of on-site and off-site and is appropriate. An element of affordable housing on-site is considered necessary as it is important to maintain the housing mix in Wrea Green. It is considered that subject to this section 106 that the development with regard to affordable housing is acceptable.

Public Open Space

The Local Plan requires that open space be provided on site in residential developments of this scale in line with the amount per plot detailed in Policy TREC17, with appropriate provision made for the on-going maintenance of this. The outline nature of the application means that there can be no clarity on this matter, and whilst the illustrative layout does not indicate any facility being included, the density is such that there would easily be space within the site to provide one should it be required, As an alternative, the site is close to the existing play area off Wray Crescent, albeit that this would require crossing of Ribby Road, and shares a boundary with the Wainhomes development that will include a play area. These give reasonable access to play facilities and so it may be that actual on site provision is not required. Whichever delivery mechanism is taken up it is considered that the proposal could comply with Policy TREC17 and the Interim Housing Policy and so no reason for refusal on this matter is justified.

Public Realm

The council's Interim Housing Policy seeks contributions from developments to assist in the delivery of public realm improvements as are identified in the council's Regeneration Framework 2010. This document identifies the conservation area in Wrea Green as an area where improvements could be undertaken, but does not identify a specific project as the funding for its implementation was unknown at the time of drafting of the Framework. The council has secured funding from the Richmond Avenue development towards implementing this project of £30,000 and sought funding from the other residential development schemes around the village on a similar cost per dwelling basis. This was reliant on Policy EP1 of the Fylde Borough Local Plan which relates to improvements to conservation areas being implemented. In considering the appeals the Inspector concluded that the sites were located too far from the village conservation area for the funding to meet the requirements of the CIL regulations to be necessary to make the development acceptable. Against that background it is not considered that the council can reasonably request contributions from this development for public realm improvements without those improvements being necessary for the development.

Education

The seventh and final reason for refusal related to Education and stated; "The proposal will generate an additional number of primary and secondary school aged children in the village at a time when there is anticipated to be a shortfall in capacity within local schools for their education needs to be accommodated. This is as a consequence of a combination of: the number of school places that will be available, the existing population making demands on those school places, and the granting of other planning permissions in the area that will also contribute children that will make demands on the available school places. Policy CF2 of the Fylde Borough Local Plan enables a developer to make contributions to enhance education capacity to meet the requirements of their development, but in the absence of any such agreement being in place the shortfall of school places and lack of any mechanism to increase their supply means that the application is contrary to Policy CF2, which is consistent with para 72 of the NPPF which refers to the need for a sufficient choice of school places to be available meet the needs of existing and new communities."

The draft section 106 submitted with the application seeks to address this by securing a contribution to enhance education capacity to meet the requirements of the proposed development. LCC Education have assessed the application and found that the development will create a requirement for 19 primary places requiring a contribution of £228,563 and 7 secondary school places requiring a contribution of £126,885.

The capacity of the village primary school to accommodate the children from this site, along with others from schemes recently approved in the village, has been raised as a concern by the Parish Council and many residents. Lancashire County Council has provided a consultation response on this matter. This confirms that Ribby with Wrea Primary is currently at capacity and is anticipated to be at least 10% above capacity in 2019. However, their assessment of education capacity does not look just at the capacity in the nearest school, but at the capacity of all local education authority controlled schools within 2 miles of the site for primary education, and 3 miles for secondary. Where there is a shortage of places Policy CF2 of the Fylde Borough Local Plan allows for the council to secure financial contributions from developments to assist in increasing education provision in an area. This is consistent with para 72 of the NPPF which confirms the government's commitment to education and encourages local planning authority's to work with developers to meet the education needs of the area. That situation exists with respect to both primary and secondary education, with the contribution request amounting to a combined sum of £355,448. This will be reassessed when accurate bedroom information becomes available. With this contribution secured through the section 106 there will not be an unacceptable impact on educational establishment's capacity.

Neighbouring amenity

The second refusal reason of application 14/0302 stated; “The scale of the development combined with the proximity of the access to the neighbouring residential dwellings will result in an unacceptable increase in traffic in close proximity to the dwellings and the private amenity space associated with the adjacent dwellings. Accordingly, due to the level of vehicle movements utilising that access which will cause noise and other disturbance to neighbouring residents, the proposal will result in an unacceptable reduction in residential amenity enjoyed by the occupiers of those properties. As such the proposed access location to the development will conflict with criteria 4 of Policy HL2 of the Fylde Borough Local Plan and paragraph 17 and 53 of the National Planning Policy Framework.”

As outlined above the scale of the development has considerably reduced with a reduction of 51 dwellings. As such the amount of traffic using that access will be half of that previously considered. The trips per hour in the morning and afternoon peaks reduced from 68 and 76 trips to 33 and 38 trips as stated in the applicants Transport Assessment. The proposed access passes between 11 and 17 Willow Drive which are both detached two storey houses that back onto the main part of the application site and side-on to the access; with No. 11 having its lounge and a bedroom separated by 2m from the access point and No. 17 having its garage and utility room separated by 2.5m from the access point and its kitchen and bedroom in the main body of the house 7m away. Both have gardens of a 12-14m depth that will border the application site on two sides. Clearly there will be some additional traffic passing 11 and 17 Willow Drive but with acoustic fencing and landscaping adjacent to the access road it is considered that the disturbance to these properties is not unacceptable to the point that could justify refusal of this application. Traffic calming measures will also reduce the speed and therefore noise of vehicles using the access road.

The application site has a generally rectangular form with properties on Willow Drive, Ash Drive and the Wainhomes development adjacent to its western boundary and so having the potential to be affected by it in terms of the loss of view, loss of aspect, overlooking, massing and increased disturbance during construction and occupation. Such relationships are inevitable with any settlement extension type application and cannot justify the refusal of this outline application. The scale of the site and number of dwellings proposed ensures that these relationships can be satisfactorily addressed as part of the consideration of any reserved matters application. This application raises two more site specific areas that need consideration. The first is that the very northern part of the site features a finger of land that is 30m wide between the rear of Willow Drive properties, the rear of the barn conversion at 81 Ribby Road and the side of the dwellings at Langtons Farm. Related to this is the relationship with Langtons Farm which is a particularly large property with a limited extent of rear garden and stables to the side which are to support the occupier’s equestrian hobby. The illustrative layout with the application recognises that this is a narrow area that will need special treatment in the design of the development and suggests that a single detached dwelling may be an appropriate way to deal with the finger of site, and that a small number of carefully located dwellings would be used to relate to the Langtons Farm property. Many of these neighbours have raised objection to the proposal and it is understood why they would be particularly concerned over the implications for their residential amenity. However, as an outline application there is no certainty over the layout of the site and so the relationship to these properties are not capable of any realistic assessment at this stage.

Criteria 4 of Policy HL2 of the Fylde Borough Local Plan requires that new residential development proposals do not adversely affect the amenity and privacy of neighbouring properties. In respect of the access arrangements for the scale of development proposed in this application it is considered that there would not be an impact that would justify refusal of this.

Conclusions

This proposal is an outline application for the development of up to 49 dwellings on a greenfield site designated as Countryside in the Fylde Borough Local Plan. With the exception of a property that is to be demolished to provide the access to the site, the whole area is adjacent to, but outside of, the village boundary of Wrea Green. Residential development of such areas is contrary to Policy SP2 and so this would require a refusal of the application unless there were material considerations that outweighed the determination of the application in accordance with the development plan.

As members are aware, the NPPF requires that the council is able to deliver at least a 5 year supply of housing land, and is supportive of sustainable development which is described as a 'golden thread' to the document. This is articulated in paragraph 14 which states that councils should grant planning permission for such proposals where the development plan is silent or out of date on the subject unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or there are conflicts with other material planning considerations. The council continues to be unable to deliver a 5 year supply of housing land as is required by the NPPF, and no part of the development plan currently provides any realistic method of doing so without the development of out-of-settlement sites that deliver 'sustainable development'.

This proposal is considered to deliver a sustainable form of housing development as is required by NPPF. The scale of development and its context in relation to the setting of Wrea Green is considered acceptable and whilst there would be some visual impact it is not considered that there would be sufficient harm to warrant refusal of the application. As the application is outline the siting of the dwellings is unknown but it is considered that a layout can be achieved that both protects residential amenity and respects biodiversity. Planning conditions can be used to ensure this. The proposal is considered to form sustainable development and so it is recommended that the application be supported by Committee and so assist in delivering the housing supply requirements of para 17 of NPPF.

The authority to grant planning permission should be delegated to officers so that they can issue the decision on satisfactory conclusion of a s106 agreement that provides for affordable housing, funding for investment in local education capacity and sustainable transport improvements.

Recommendation

That the authority to grant Planning Permission be delegated to the Head of Planning & Regeneration subject to:

The completion of a Section 106 agreement in order to secure:

- provision, retention and operational details for 30% of the proposed dwellings to be affordable properties with either off site provision or a financial contribution for any of that 30% not provided on site.
- a financial contribution of £150,000 towards the improvement of public transport and/or sustainable transport initiatives in the vicinity of the site,
- a financial contribution of £228,563 towards primary school places and £126,885 towards secondary school places. (or other such sum calculated at a later date based on the actual bedroom numbers within the development)

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.

And subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

1. A subsequent application for the approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

[a] The expiration of five years from the date of this permission;

or

[b] The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Before any development is commenced (a) reserved matters application(s) must be submitted to and approved by the Local Planning Authority in respect of the following reserved matters:

Nos. (1, 2, 4 and 5)

(Reserved matters are:-

1. Layout
2. Scale
3. Appearance
4. Access
5. Landscaping

This permission is an outline planning permission and details of these matters still remain to be submitted.

3. The new estate road/access between the site and Willow Drive shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

4. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

6. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 5 has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works

7. Hours of operation shall be limited to 08.00 -18.00 Mondays to Friday; 08.00-13.00 Saturdays and no activity on site on Sundays or Bank Holidays

Reason: To protect residential amenity

8. Prior to the commencement of development a scheme that outlines how dust dispersal will be limited and detailed measures to be implemented that will mitigate against dust shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect residential amenity

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a. the identification of the site access for construction traffic
- b. the parking of vehicles of site operatives and visitors
- c. loading and unloading of plant and materials
- d. storage of plant and materials used in constructing the development
- e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- f. wheel washing facilities
- g. measures to control the emission of dust and dirt during construction
- h. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

10. No development shall take place until there has been submitted to and approved in

writing by the local planning authority a scheme of programmed landscaping for the area of residential development. The scheme shall include details of: all existing trees and hedgerows and those that are to be retained, together with measures for their protection during the course of the development; all planting and seeding; hard surfacing and the materials to be used; and, means of enclosure. All hard and soft landscape works shall be carried out in accordance with the approved programme and details. Any trees or plants which within a period of 5 years commencing with the date of their planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and in order to comply with saved Policy EP14 of the Fylde Borough Local Plan.

11. All existing lengths of hedgerow within the proposed residential development area shall be retained, except for where their removal is required for the formation of access points or visibility splays or in other limited circumstances where an equivalent or greater length of hedge is provided as a replacement and has been previously agreed in writing by the Local Planning Authority. No removal, relaying or works to existing hedgerows shall be carried out between March and August inclusive in any one year unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

12. No external lighting shall be installed until details of the lighting scheme have been submitted and approved in writing by Fylde Borough Council. The principles of relevant guidance shall be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

13. Prior to commencement of works a fully detailed method statement to demonstrate that impacts on amphibians (including Common Toad) will be avoided both during the site clearance and development works and during the operational phase shall be submitted for approval in writing by Fylde Borough Council. Any approved details shall be implemented in full. If the presence of Great Crested Newt is detected at any point then all works shall cease until advice has been sought from an appropriately qualified person including regarding the need for a Natural England licence.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

14. Prior to the commencement of works there shall be a further precautionary

inspection/survey of ditches to inform any change in the habitat quality for and use by water voles. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Fylde Borough Council for approval in consultation with specialist advisors. Any necessary and approved measures for the protection of Water Vole will be implemented in full.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

15. No works shall commence until details of bird nesting opportunities to be installed with the re-developed site have been submitted and approved in writing by Fylde Borough Council. The details shall include provision for Song Thrush, Dunnock and House Sparrow (Species of Principal Importance). Consideration should also given to provision of opportunities for other declining species of bird such as House Martin and Swift. The approved details shall be implemented in full.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

16. No works shall commence until full details of be bat roosting opportunities to be installed within the re-developed site (in addition to that required by NE licence) have been submitted and approved in writing by Fylde Borough Council. Approved details shall be implemented in full. Please see the Bat Conservation Trust website Bat Product Listv5 (642 KB) on www.bats.org.uk/pages/new_build

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

17. No tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

18. No site clearance, site preparation or development work shall take place until a fully detailed landscaping/habitat creation and management plan has been submitted and approved in writing by Fylde Borough Council. The scheme shall demonstrate (1) adequate planting of native species appropriate to the locality to compensate for direct and indirect impacts, (2) that habitat connectivity through the site and to the wider area will be retained as a minimum, including for amphibians (3) that any planting along site boundaries will comprise appropriate native species, (4) provide details of habitat creation for amphibians and (5) maintenance and enhancement of the biodiversity value of retained and established habitats and the site as a whole. The approved details shall be

implemented in full.

Reason: In the interests of protecting wildlife and biodiversity and to comply with the provisions of the Wildlife & Countryside Act 1981 and the National Planning Policy Framework.

19. The development hereby approved shall be carried out in accordance with the foul and surface water drainage details set out in the submitted Flood Risk Assessment which was prepared by Betts Associates dated October 2014. For the avoidance of doubt, no surface water will be permitted to drain into the public foul/combined sewer.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding

20. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into the existing foul /combined sewerage systems. Any surface water draining to the dedicated surface water sewer must be restricted to a maximum pass forward flow equivalent to greenfield runoff rates less a 50% betterment. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding.

21. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme will be managed and maintained after completion.

Reason: To prevent the increased risk of flooding, both on and off site.

Item Number: 5 Committee Date: 07 January 2015

Application Reference:	14/0777	Type of Application:	Full Planning Permission
Applicant:	Cardtronics UK Ltd trading as Cashzone	Agent :	New Wave Installations
Location:	HEYHOUSES GARAGE, HEYHOUSES LANE, LYTHAM ST ANNES, FY8 3RQ		
Proposal:	RETROSPECTIVE APPLICATION FOR PROVISION OF ATM TO FRONT ELEVATION OF FILLING STATION		
Parish:	PARK	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Ruth Thow
Reason for Delay:	To allow consideration by Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seek permission for the provision of an Automated Telling Machine (ATM). The facility is already installed within the front elevation of the sales building, which forms part of the petrol filling station site, recently re-developed and modernized.

The facility is considered to have planning permission as granted by the Development Management Committee under application no 12/0293. Notwithstanding this view, the operators of the ATM have submitted two applications for the installation of the machine and also seek associated advertisement consent (see application no. 14/0778).

It is considered that the development is acceptable and complies with Policies SP1, EMP3 and EP27 of the Fylde Borough Local Plan, as altered (October 2005) and the aims of Paragraphs 17 and 70 of the NPPF.

Accordingly the proposal is recommended for approval by Members.

Reason for Reporting to Committee

This application is on the agenda at the request of Councillor Chedd, ward councillor for Park Ward.

Site Description and Location

The application site is Heyhouses Garage, Heyhouses Lane, Lytham St. Annes. In particular the proposal relates to the front elevation of a recently re- developed petrol filling station building on the site which is located within the settlement of Lytham St. Annes, as designated on the Fylde Borough Local Plan, as altered (October 2005).

The area is primarily comprised of residential properties surrounding the site.

Details of Proposal

This application seeks permission for the retention of an Automated Telling Machine (ATM) within the fabric of the front elevation of the sales building on the site.

The machine is installed within an external wall of the building to the right hand side of the entrance doors and measures 1.04 metres in overall width by 1.93 metres in overall height.

The machine provides a 24 hour facility.

Relevant Planning History

Application No.	Development	Decision	Date
13/0159	ADVERTISEMENT CONSENT FOR 2 ILLUMINATED STATIC CANOPY FASCIA SIGNS, 2 NON ILLUMINATED CANOPY FASICA SIGNS, 1 INTERNAL STATIC ID SIGN AND 1 INTERNAL ILLUMINATED STATIC BUILDING SIGN	Granted	09/05/2013
12/0293	RESUBMISSION OF APPLICATION 11/0711 FOR DEMOLITION OF EXISTING PETROL FILLING STATION SITE INCLUDING ALL STRUCTURES AND REMOVAL OF BELOW GROUND FUEL STORAGE TANKS. REDEVELOPMENT OF PETROL FILLING STATION TO INCLUDE NO. 90,000 LITRE BELOW GROUND FUEL STORAGE TANKS, NEW SALES BUILDING, PETROL REFUELING FORECOURT AND CANOPY AND ALTERATION TO EXISTING VEHICLE CROSSING.	Granted	29/01/2013
11/0711	DEMOLITION OF EXISTING PETROL FILLING STATION SITE INCLUDING ALL STRUCTURES AND REMOVAL OF BELOW GROUND FUEL STORAGE TANKS. REDEVELOPMENT OF PETROL FILLING STATION TO INCLUDE NO. 90,000 LITRE BELOW GROUND FUEL STORAGE TANKS, NEW SALES BUILDING, PETROL REFUELING FORECOURT AND CANOPY, JET WASH FACILITY AND ALTERATION TO EXISTING VEHICLE CROSSING.	Refused	27/01/2012
01/0611	ADVERTISEMENT CONSENT FOR INTERNALLY ILLUMINATED SIGN OVER APPROVED ATM	Granted	03/10/2001
01/0610	AUTOMATED TELLER MACHINE INSTALLATION TO FRONT OF PETROL	Granted	05/09/2001

01/0295	FILLING STATION ADVERTISEMENT CONSENT FOR REPLACEMENT FASCIA SIGN TO CAR SALES BUILDING - PARTLY HALO LIT	Granted	20/06/2001
97/0414	ADVERTISEMENT CONSENT FOR VARIOUS INTERNALLY LIT STATIC SIGNS	Granted	16/07/1997
97/0077	RE-DEVELOPMENT OF EXISTING PETROL FILLING STATION (INCORPORATING LARGER SALES BUILDING AND CAR WASH	Granted	13/08/1997
94/0805	ADVERT CONSENT - DISPLAY OF VARIOUS ILLUMINATED AND NON	Granted	04/01/1995
93/0170	ADVERTISEMENT CONSENT FOR FASCIA SIGNS, 1 SINGLE POLE SIGN & 1 TWIN POLE SIGN	Granted	21/04/1993
92/0526	ADVERT CONSENT FOR TWO INTERNALLY ILLUMINATED FASCIA	Granted	12/08/1992
76/0776	6000 GALLON UNDERGROUND PETROL STORAGE TANK AND PRE-PAYMENT PUMPS.	Granted	20/10/1976
76/0851	ILLUMINATED SIGNS AND COLUMNS TO 2 NIGHT SERVICE PUMP UNITS.	Granted	20/10/1976
80/0520	FORECOURT REDEVELOPMENT AND CANOPY.	Refused	25/06/1980
81/0218	DEMOLITION AND REDEVELOPMENT OF PETROL FILLING STATION.	Refused	01/04/1981
81/0604	FORECOURT REDEVELOPMENT INCLUDING CANOPY AND NEW TANKAGE.	Granted	19/08/1981
86/0129	6000 GALLON UNDERGROUND STORAGE TANK AND PUMP.	Granted	21/05/1986

Relevant Planning Appeals History

None.

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 05 November 2014

Summary of Response

None specific.

Statutory Consultees and Observations of Other Interested Parties

Lancashire constabulary:

Crime risks

I have conducted a crime and incident search of this policing incident location and during the period 11/11/13 to 10/11/14 there have been 20 recorded violent crimes including assault and public disorder.

In the wider Blackpool policing area which includes this location, there have been crimes involving ATMs including robbery, theft and skimming devices being attached to ATMs to collect money instead of it being dispensed to the customer.

In order to reduce the risk of criminal activity at and around the ATM, affecting the customers, staff and wider community, I make the following security recommendations:

- There is CCTV installed at the filling station but the Design and Access Statement does not specify whether there is coverage of the ATM area. This needs clarification as CCTV coverage is essential to deter theft and more serious offences that can occur at and around ATMs. This system must be compatible with the lighting scheme to provide clear, good quality useable images day and night. A clear head and shoulders image of the person using the ATM is required and also wider coverage which would capture anyone approaching an ATM customer.
- Signage indicating that CCTV is in operation should be clearly visible.
- The business premise should be covered by an intruder alarm system. This should ideally be monitored via an Alarm Receiving Centre.
- The bollards around the area of the ATM should meet anti-ram specifications
- It is recommended that glazing around the ATM on the shop front is 6.8mm laminated in order to provide further resistance against attack.
- A panic alarm should be installed for activation by staff should there be an incident in progress. This should be located out of sight of customers but in a place that is easily accessible to staff.

Lancashire County Council - Highway Authority

No highway objections.

Environmental Protection (Pollution)

No objections to the above proposals.

Neighbour Observations

Neighbours notified: 17 November 2014

No. Of Responses Received: 4 letters received

Nature of comments made:

- object to ATM being operational and illuminated outside of petrol station opening times
- will create unreasonable disturbance and nuisance
- residents against rebuilding ATM inappropriate
- deprive residents of quiet time, doors slamming, car stereos and talking
- garage has "got away without applying for planning permission in the past"
- headlights shine at primary windows
- no supervision of forecourt behaviour
- ATM should only be operational during business hours
- this is a step nearer Shell having 24/7 opening
- it will make it harder to sell our property

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
EMP3	Business & industrial uses outside defined area

EP27 Noise pollution

Other Relevant Policy:

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

Site Constraints

Within settlement boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

This application seeks permission for the installation of an Automated Teller Machine the application is accompanied by a further application for Advertisement Consent (application no. 14/0778 refers). The machine is in situ.

Policies

The policies for consideration in this application are Policies SP1, EMP3 and EP27 of the Fylde Borough Local Plan, as altered (October 2005) and the aims of the National Planning Policy Framework.

The key issues are the principle of the development, impact on the visual amenity and impact on nearby residents.

Background

Members will recall planning application 12/0293 which sought permission for the redevelopment of the petrol filling station site. This proposal included a new sales building, canopy, jet wash and associated facilities. Permission was granted by Members and the works have subsequently been carried out.

As part of the application for redevelopment Members considered and approved 'Jennings Design Ltd' drawing no. 10019261 'Proposed sales building elevations'. This drawing indicated the sales building with an ATM located within the front elevation of the building, as applied for in this application therefore, it is your officer's view that planning permission has been granted for the development under application 12/0293.

Notwithstanding this, the operators of the ATM, 'Cardtronics', are seeking separate permission for the facility and as such it is the Local Planning Authority's duty to determine the application.

Current application

Policy SP1 directs development to settlement areas, it considered that the proposed development in this location is acceptable and therefore complies with policy SP1 of the Local Plan.

Policy EMP3 refers to business and industrial areas outside of defined industrial areas.

The site is connected to the highway network. Due to the nature and scale of the building the business does not employ large numbers of staff and the current proposal will not result in any increase. It is therefore considered that criterion 1 and 2 of EMP3 are satisfied.

Visual impact

The ATM is installed in the front elevation of the sales building and is of a standard size and appearance, consistent with many others in similar premises. The background material is a laminate surrounding panel in white, to match the elevation of the building, as a result it is considered that the development is small scale and does not result in a detriment to the visual amenity and character of the area and complies with criterion 5 of Policy EMP3.

Impact on neighbours

Criterion 3 of Policy EMP3 refers to impact of development on neighbours. Several letters of objection have been received in regards to this application. In particular commenting on the noise and disturbance arising from customers using the facility. It has been suggested by neighbours that the hours of operation of the ATM should be imposed to match those of the sales building i.e. 07:00 to 22:30 hours.

As previously reported the site is a fuel filling station with associated sales building. Whilst the site has recently been re-developed permission for a service station was first granted in 1953 and as a result the general noise and disturbance arising from this use has long since become an established part of the character of the area.

Imposing conditions preventing the use of the ATM after 22.30 hours to prevent the disturbance for occupiers of nearby properties is considered to be unreasonable, given the distance of the ATM to nearby neighbouring properties, the limited level of noise and the scale of the area in which any disturbance could potentially be experienced. The installation provides a useful facility for the wider community which is unlikely to result in heavy usage during night time hours and taking all matters into the balance it is considered that the provision of the facility outweighs the objections to this application.

In addition the council's Environmental Protection Officers have not objected to the proposal and therefore it is considered that the development complies with criterion 3 of Policy EMP3 and Policy EP27 of the Fylde Borough Local Plan, as altered (October 2005).

Other matters

Lancashire Constabulary have commented in regards to this application and have raised several points as reported above.

Clarification has been sought on the comments from the Liaison Officer who has advised that the incidents are over a 12 month period and are not specifically related to this facility and are over the whole of the reporting area.

The applicants have confirmed that there is CCTV and this provides clear head and shoulder images, day and night, of person(s) using the ATM and that signage indicates use of CCTV and the building has panic alarms.

The ATM is of standard design as located in many areas throughout the UK. There are a number of mandatory standards which apply to ATM's relating to the position of the facility, it's visibility, ambient lighting, building structure, building security features, ATM anchoring and safe strength and this machine is in accordance with National guidelines.

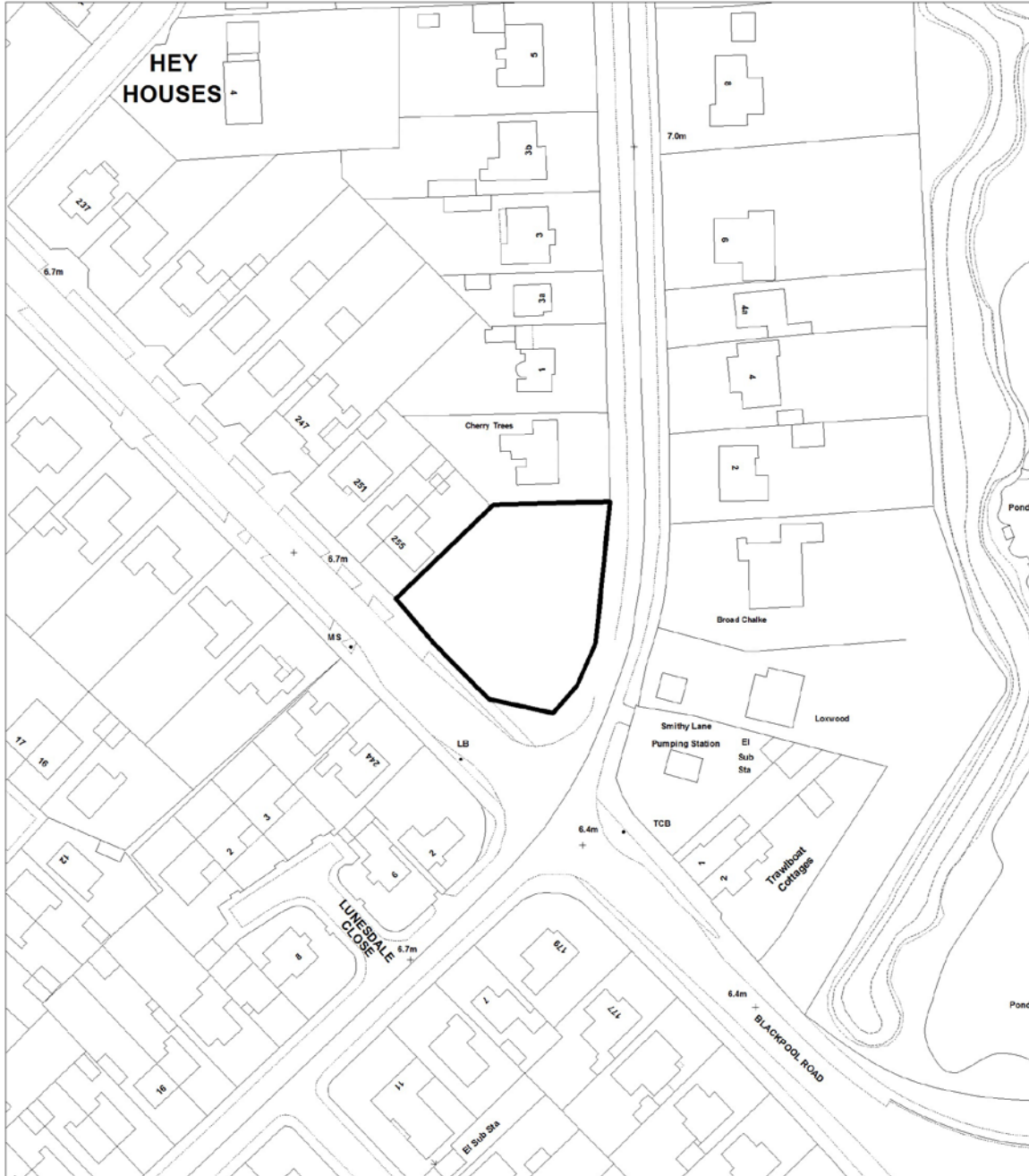
Conclusions

The provision of the ATM is considered to have planning permission as granted by the Development Management Committee under application no 12/0293. Notwithstanding this view, the operators of the ATM have submitted two applications for the installation of the machine and also seek associated advertisement consent (see application no. 14/0778). Taking all matters into account it is considered that the ATM offers a useful facility for the community without undue impact on the visual amenity or the amenity of occupiers of neighbouring properties and is supported by Paragraphs 17 and 70 of the NPPF and in accordance with Policies SP1, EMP3 and EP27 of the Fylde Borough Local Plan, as altered (October 2005). As the development is in situ and considered acceptable, there is no requirement to attach any conditions to any planning permission that is granted.

Recommendation

That Planning Permission be GRANTED To allow consideration by Committee:

None



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0777	Address Heyhouses Garage, Heyhouses Lane, Lytham St Annes	Grid Ref. E.3344 : N.4290	Scale 0 6 12 18 24 m

Item Number: 6 Committee Date: 07 January 2015

Application Reference:	14/0778	Type of Application:	Advertisement Consent
Applicant:	Cardtronics UK Ltd trading as Cashzone	Agent :	New Wave Installations
Location:	HEYHOUSES GARAGE, HEYHOUSES LANE, LYTHAM ST ANNES, FY8 3RQ		
Proposal:	ADVERTISEMENT CONSENT TO DISPLAY INTERNALLY ILLUMINATED COLLAR ADVERTISEMENT ON EXISTING ATM		
Parish:	PARK	Area Team:	Area Team 1
Weeks on Hand:	10	Case Officer:	Ruth Thow
Reason for Delay:	To allow consideration by Committee		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks advertisement consent for illuminated signage surrounding an ATM installation in the front elevation of the sales building at a petrol filling station. The advertisement is in situ and is considered to raise no issues in regards to highway safety and does not result in a detriment to the visual amenity of the area.

Accordingly the proposal complies with the requirements of the above local plan policies and Paragraph 67 of The National Planning Policy Framework and is recommended for approval by Members.

Reason for Reporting to Committee

This application is to be determined in conjunction with application no. 14/0777 which is on the agenda at the request of Councillor Chedd, ward councillor for Park Ward.

Site Description and Location

The application site is Heyhouses Garage, Heyhouse Lane, Lytham St. Annes. In particular the proposal relates to the front elevation of the sales building on the site where an ATM has been installed as part of the recent redevelopment of the petrol filling station. The site is located within the settlement of Lytham St. Annes, as designated on the Fylde Borough Local Plan, as altered (October 2005).

The area is primarily comprised of residential properties surrounding the site.

Details of Proposal

This application seeks advertisement consent to display illuminated signage in association with the existing ATM.

The advertisement includes a white laminate panel surrounding the machine with a further panel in yellow, overall measuring 1.04 metres in width by 1.93 metres in overall height. The advert includes red lettering advertising "free cash withdrawals" above the ATM with "Bank machine" in grey lettering below. Surrounding the white laminate panel is a strip of led lights with an internally illuminated 'information panel' forming an integral part of the ATM.

To the forecourt area to the front of the ATM and sales building are a row of 'ram' bollards to a height of 1 metre.

Relevant Planning History

Application No.	Development	Decision	Date
13/0159	ADVERTISEMENT CONSENT FOR 2 ILLUMINATED STATIC CANOPY FASCIA SIGNS, 2 NON ILLUMINATED CANOPY FASCIA SIGNS, 1 INTERNAL STATIC ID SIGN AND 1 INTERNAL ILLUMINATED STATIC BUILDING SIGN	Granted	09/05/2013
12/0293	RESUBMISSION OF APPLICATION 11/0711 FOR DEMOLITION OF EXISTING PETROL FILLING STATION SITE INCLUDING ALL STRUCTURES AND REMOVAL OF BELOW GROUND FUEL STORAGE TANKS. REDEVELOPMENT OF PETROL FILLING STATION TO INCLUDE NO. 90,000 LITRE BELOW GROUND FUEL STORAGE TANKS, NEW SALES BUILDING, PETROL REFUELING FORECOURT AND CANOPY AND ALTERATION TO EXISTING VEHICLE CROSSING.	Granted	29/01/2013
11/0711	DEMOLITION OF EXISTING PETROL FILLING STATION SITE INCLUDING ALL STRUCTURES AND REMOVAL OF BELOW GROUND FUEL STORAGE TANKS. REDEVELOPMENT OF PETROL FILLING STATION TO INCLUDE NO. 90,000 LITRE BELOW GROUND FUEL STORAGE TANKS, NEW SALES BUILDING, PETROL REFUELING FORECOURT AND CANOPY, JET WASH FACILITY AND ALTERATION TO EXISTING VEHICLE CROSSING.	Refused	27/01/2012
01/0611	ADVERTISEMENT CONSENT FOR INTERNALLY ILLUMINATED SIGN OVER APPROVED ATM	Granted	03/10/2001
01/0610	AUTOMATED TELLER MACHINE	Granted	05/09/2001

	INSTALLATION TO FRONT OF PETROL FILLING STATION		
01/0295	ADVERTISEMENT CONSENT FOR REPLACEMENT FASCIA SIGN TO CAR SALES BUILDING - PARTLY HALO LIT	Granted	20/06/2001
97/0414	ADVERTISEMENT CONSENT FOR VARIOUS INTERNALLY LIT STATIC SIGNS	Granted	16/07/1997
97/0077	RE-DEVELOPMENT OF EXISTING PETROL FILLING STATION (INCORPORATING LARGER SALES BUILDING AND CAR WASH	Granted	13/08/1997
94/0805	ADVERT CONSENT - DISPLAY OF VARIOUS ILLUMINATED AND NON	Granted	04/01/1995
93/0170	ADVERTISEMENT CONSENT FOR FASCIA SIGNS, 1 SINGLE POLE SIGN & 1 TWIN POLE SIGN	Granted	21/04/1993
92/0526	ADVERT CONSENT FOR TWO INTERNALLY ILLUMINATED FASCIA	Granted	12/08/1992
76/0776	6000 GALLON UNDERGROUND PETROL STORAGE TANK AND PRE-PAYMENT PUMPS.	Granted	20/10/1976
76/0851	ILLUMINATED SIGNS AND COLUMNS TO 2 NIGHT SERVICE PUMP UNITS.	Granted	20/10/1976
80/0520	FORECOURT REDEVELOPMENT AND CANOPY.	Refused	25/06/1980
81/0218	DEMOLITION AND REDEVELOPMENT OF PETROL FILLING STATION.	Refused	01/04/1981
81/0604	FORECOURT REDEVELOPMENT INCLUDING CANOPY AND NEW TANKAGE.	Granted	19/08/1981
86/0129	6000 GALLON UNDERGROUND STORAGE TANK AND PUMP.	Granted	21/05/1986

Relevant Planning Appeals History

None.

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 05 November 2014

Summary of Response

None specific.

Statutory Consultees and Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 17 November 2014

No. Of Responses Received: 3 letters received

Nature of comments made:

- object to ATM being operational and illuminated outside of petrol station opening times
- will create unreasonable disturbance and nuisance
- residents against rebuilding ATM inappropriate
- deprive residents of quiet time, doors slamming, car stereos and talking
- garage has "got away without applying for planning permission in the past"
- headlights shine at primary windows
- no supervision of forecourt behaviour
- ATM should only be operational during business hours

Relevant Planning Policy

Fylde Borough Local Plan:

EP09 Shop front advertisements

Other Relevant Policy:

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

Site Constraints

Within settlement boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The application site is a recently re-developed petrol filling station including a new sales building, in which an ATM has been installed. The operators of the ATM seek permission for the machine (application 14/0777 refers) and associated adverts forming the backdrop to the installation.

The site is within an area designated as a settlement on the Fylde Borough Local Plan, as altered (October 2005) and Policies SP1 and EP9 of that plan together with the aims of The National Planning Policy Framework are relevant to this application.

Policy EP9 refers to advertisement designs. Advertisements will only be permitted where they respect the character and architectural details of the buildings on which they are proposed. The proposed signage must respect the character of the building and the surrounding area in terms of scale, details, siting and method of illumination.

The NPPF provides guidance in Paragraph 67 in regards to outdoor advertisements.

"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. "

In this instance the application proposes a single advertisement 'collar' around an ATM. The installation and the advertisement are of a standard design, scale and method of illumination to many others throughout the borough and other parts of the UK and is considered appropriate for the scale and nature of the building and, therefore, will not result in a detriment to the visual amenity.

The levels of proposed illumination are relatively low it is not envisaged that any adverse highway safety impacts would result.

Conclusions

The issues in this application are those of public safety and amenity. The advertisements do not give rise to any public safety concerns and raise no issues in this regard. In regard to visual amenity, the advertisement is considered to be of an appropriate scale, design and method of illumination for the host building and does not result in a detriment to the visual amenity of the area. Accordingly the proposal complies with the requirements of the above local plan policies and Paragraph 67 of The National Planning Policy Framework.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

1. a) All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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- b) Any hoarding or similar structure, or any sign, placard board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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- c) Where any advertisement is required under the regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

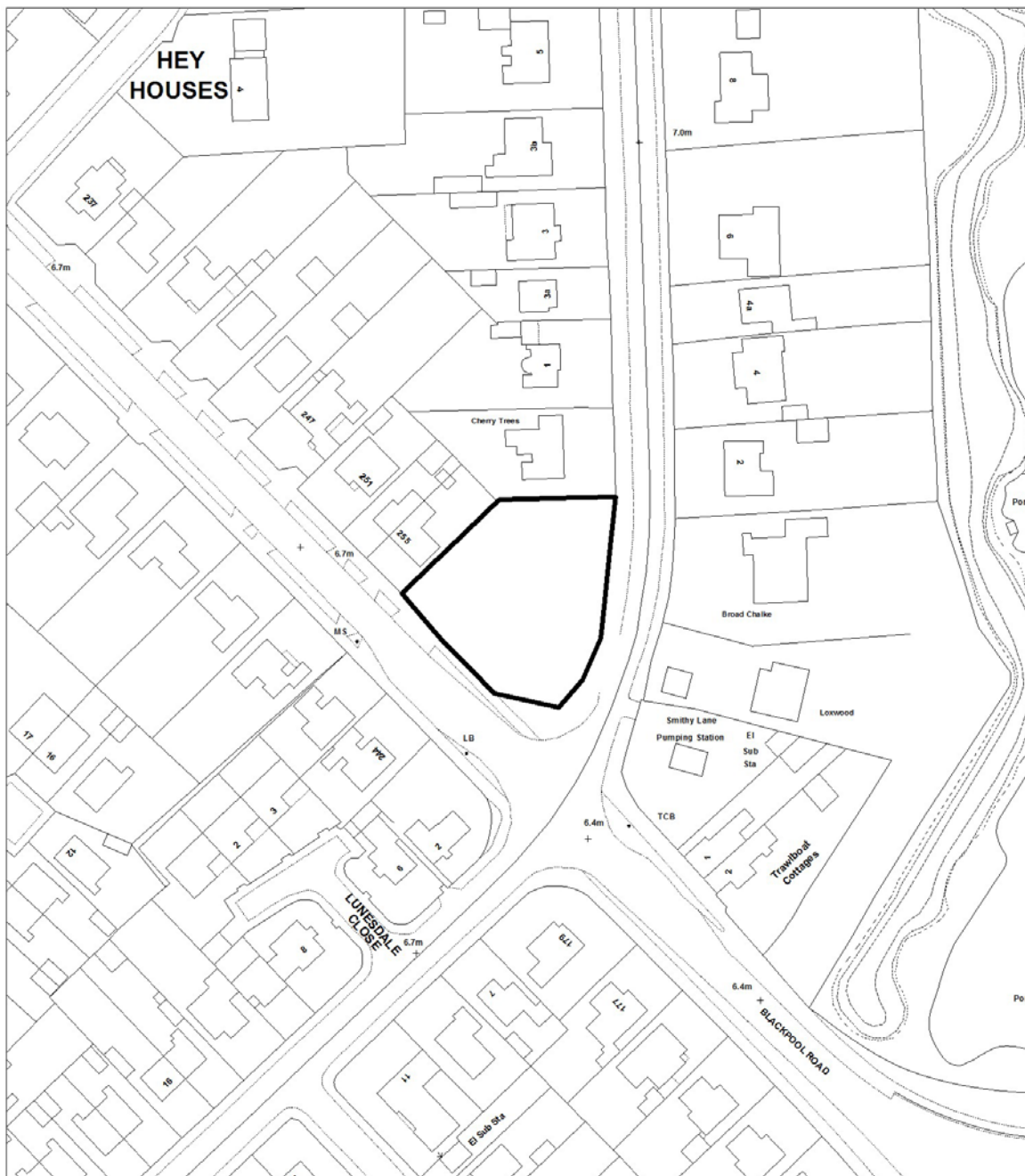
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- d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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- e) No advertisement shall be sited or displayed so as to obscure or hinder the ready

interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway [including any coastal waters]; or aerodrome [civil or military].

Attached within the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0778	Address Heyhouses Garage, Heyhouses Lane, Lytham St Annes	Grid Ref. E.3344 : N.4290	Scale 0 6 12 18 24 m

Item Number: 7 Committee Date: 07 January 2015

Application Reference:	14/0790	Type of Application:	Full Planning Permission
Applicant:	Great Places Housing Group	Agent :	Croft Goode Limited
Location:	FORMER KWIK SAVE, MARKET BUILDINGS, ST DAVIDS ROAD SOUTH, LYTHAM ST ANNES, FY8 1TU		
Proposal:	PROPOSED ERECTION OF 15 No. TWO STOREY AFFORDABLE DWELLINGS (7 x 2 BEDROOM & 8 x 3 BEDROOM) WITH ASSOCIATED ACCESS ALTERATIONS, PARKING AND GARDEN AREAS.		
Parish:	HEYHOUSES	Area Team:	Area Team 2
Weeks on Hand:	10	Case Officer:	Kieran Birch
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The application site is located within the urban area of St Annes and is for 15 affordable housing units. The development is acceptable in principle. The design, scale and materials of the proposed development are acceptable and it is considered to be a high quality development that will enhance the visual amenities of the area and comply with the relevant policies of the adopted Local Plan and NPPF. There are no highway issues with the proposal and it will not have an unacceptable impact on the amenity of neighbouring properties. The development is therefore considered acceptable.

Reason for Reporting to Committee

The application is for a major development and as such under the Council's scheme of delegation should be determined by the Development Management Committee.

Site Description and Location

The application site is located to the north east of St David's Road South. It is bounded by Hove Road to the north west and Warwick Road to the south east. The site has now been cleared of buildings but was previously occupied by the Kwik Save store, a hairdressers and a hot food take away. There was a car park to the rear of the site accessed from Hove Road which previously served the retail store. Hove Road and Warwick Road are residential in character. St David's Road South has a mix of retail, commercial and residential properties. The surrounding properties are made up of a combination of semi-detached and terraced properties which are constructed primarily in red masonry brickwork with a variety of bay windows and contrasting brick and render features.

Details of Proposal

The application consists of 7 no. 2 bedroom and 8 no. 3 bedroom affordable houses to be socially rented by New Progress Housing Association. Fronting St David's Road South is a terrace of 12 dwellings, eight of which have parking at the front of the site, the remainder of the parking located to the rear. The dwellings are two storey with pitched roofs, to be constructed in red brick and dark grey concrete roof tiles. The dwellings feature front gables, contrast shiplap horizontal cladding in maritime green, projecting window surrounds in grey cladding and two storey bays. An existing access road off Hove Road is being retained and will lead to a turning area and a terrace of three dwellings which are located where the car park of the supermarket that formerly occupied the site was located. These dwellings area similar in style to those at the sites frontage but have hipped roofs. The existing lay-by at the front of the site is to be removed and the pavement made good.

Relevant Planning History

Application No.	Development	Decision	Date
11/0269	RESUBMISSION OF APPLICATION 10/0696 FOR OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 10 NO. MEWS HOUSES AND 22 NO. APARTMENTS.	Delegated to Officers	Not issued
10/0696	OUTLINE APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 10NO. MEWS HOUSES AND 22NO. APARTMENTS.	Withdrawn by Applicant	17/02/2011
07/1277	OUTLINE APPLICATION FOR THE PROPOSED DEMOLITION OF FORMER KWIK SAVE BUILDINGS AND ITS REPLACEMENT WITH 48 SHELTERED HOUSING UNITS , WARDENS/MANAGERS ACCOMMODATION AND 4 GUEST BEDROOMS	Approved with 106 Agreement	Not issued
02/0451	RETROSPECTIVE APPLICATION TO RETAIN PALISADE FENCED COMPOUND TO EXTERNAL AREA OF EXISTING SUPERMARKET	Refused	06/08/2002
99/0482	ALTERATIONS TO EXTERNAL ELEVATION	Granted	08/09/1999
96/0803	ERECTION OF VENTILATION FLUE FOR EXISTING CAFE (RETROSPECTIVE)	Granted	07/03/1997
86/0727	ILLUMINATED PROJECTING SIGN	Refused	28/01/1987
12/0409	ADVERTISEMENT CONSENT FOR 35 TEMPORARY PVC BANNERS FIXED TO EXISTING SECURITY FENCE	Withdrawn - Invalid	31/07/2012
75/0173	CHANGE OF USE - SHOP TO OFFICE.	Granted	16/04/1975
75/0433	2 SINGLE SIDED ILLUMINATED BOX SIGNS.	Granted	02/07/1975
82/0344	USE OF PREMISES FOR THE OUT SALE OF HOT FOOD.	Refused	23/06/1982
82/0483	USE OF PREMISES FOR THE OUT-SALE OF HOT FOOD.	Granted	21/07/1982

Relevant Planning Appeals History

None.

Parish/Town Council Observations

St Anne's on the Sea Town Council notified on 05 November 2014

Summary of Response:

Support the development

- The Town Council are impressed the developer consulted with residents before submitting the application
- Contributing to affordable housing supply element
- Happy to see the site to be developed in an aesthetic manner
- Sufficient car parking space

Statutory Consultees and Observations of Other Interested Parties

Lancashire County Council - Highway Authority

The developer is proposing to remove the existing lay-by from the St Davids Road frontage of the site. In highway terms this is acceptable, however, as this is considered to be part of the highway it will need to be carried out through the "Stopping –up" of highway procedures of the Town and Country Planning Act 1990 (ref S247 & S248). The layout of the development is acceptable.

The development proposals will require amendments to the existing access to Hove Road, provision of footway to St Davids Road and creation of vehicle crossing on Warwick Road. These works will need to be carried out under a S278 agreement with the highway authority. The works here will require the full reconstruction of the footway to the Hove Road, St Davids Road and Warwick Road frontages of the development site. The works will also require mobility crossings (dropped kerbs) at junctions (both sides of the junction to be included).

They can confirm that there are no highway objections to this planning application

United Utilities Group Plc

No objections to the proposal. Foul water into sewer, surface water to be drained in the most sustainable way possible.

Strategic Housing

I support application at Kwik save which is providing affordable housing for rent in lieu of affordable housing at the Hastings Point development in Lytham. The s106 needs to reflect that the housing should be for people with a local connection to Fylde and remain affordable in perpetuity. It will be built to the required standards because it is a RSL development.

LCC Education

They have assessed the application as to whether there is likely to be sufficient capacity in local primary and secondary schools to accommodate the anticipated yield of children from the development at a time when the houses are likely to be constructed. To do this they look at the scale of the development proposed, the primary schools within a 2 mile

radius of the site, secondary schools within a 3 mile radius and the other developments with planning permission within those catchment distances from the schools. Based on this assessment they seek a contribution for 2 primary school places of £24,059 and one secondary school place of £18,126.38. Failure to secure the contributions sought would mean that the County Council could not guarantee that children living on this development would be able to access a school place within a reasonable distance from their homes. LCC is unable to specify the school(s) which would have additional places provided at this stage; this is due to the statutory processes surrounding school expansion and the need for consultation. This response is based on the latest information available at the time of writing. Circumstances may change over time as other applications come forward. Consequently this response may require re-evaluation if the determination of the application is delayed significantly.

Neighbour Observations

Neighbours notified: 05 November 2014

No. Of Responses Received: 11

Nature of comments made: Summary of comments below:

- Loss of light and overlooking.
- Overbearing impact.
- Development at rear inappropriate.
- Bungalows should be built at rear.
- Loss of car parking on street
- Lack of car parking for houses.
- Increased noise.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL02	Development control criteria for new housing proposals
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments

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) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The main issues to be considered when determining this application are;

Principle of residential development

Design and visual impact
Impact on residential amenity
Highways issues
Flood risk and drainage
S106 Contributions

Principle of residential development

The principle of development of the site for a residential use is acceptable. The site is located within the settlement of St Anne's, close to the town centre in an area which has both residential and commercial properties and therefore accords with policy SP1 which directs development to established settlements. There are no local or national planning policies that preclude the development of the site and the principle of developing the site residentially has been established through previous planning permissions. This application differs from those inasmuch as it is for 100% affordable housing which is also appropriate in this location. There are, therefore, no issues with the principle of development.

Design and visual impact

The design and layout of the proposal is outlined in the details of proposal paragraph above. The design of the buildings is considered to be acceptable. The two storey terrace of dwellings relates to the character of the area which has a mix of semi-detached and terraced two and three storey buildings. The predominant material to be used in the development is red brick which is the same as the wider area. Other materials proposed such as the cladding add visual interest to the elevations and help to break up the elevations. Design features such as the two storey bays, projecting window surrounds and gables also help to do this. The variance in roof scape and design brings individuality to each property and also enables the development to have a positive visual impact from both front and side elevations. Feature fences to the rear of the plots include for gable screens sections behind garden sheds which are a reference to the beach huts in the town. At the rear of the properties each dwellings has a rear garden separated from its neighbour by 1500mm high timber fencing topped with a 300mm trellis panel to the rear or 1800mm masonry wall where the boundary runs adjacent to Hove road and Warwick Road at plots 4 and 15. St Anne's feature cobbles and raised planters to the front garden areas increase the overall quality of the scheme. The existing lay-by is to be removed and the pavement made good. The design of the dwellings is considered to be high quality, they are of an appropriate scale with respect to the area which it is located. The dwellings to the rear are of similar design and due to their location will have minimal impact on the character of the area. Vehicle access is proposed from Hove Road, using the existing access to the site, leading to the former Kwik Save car park at the rear of the building which would contain a turning area and a terrace of three dwellings which are located where the car park of the supermarket that formerly occupied the site was located. These dwellings area similar in style to those at the site frontage but have hipped roofs

Impact on residential amenity

The proposal will not have a detrimental impact on the residential amenity of neighbouring dwellings. The terrace of 12 dwellings at the front of the site are 21.75m from the units to the north on the opposite side of Hove Road, 25m from the properties on the opposite side of St David's Road South, 21m from the dwellings to the south on the opposite side of Warwick Road and 20.5m and 17.5m from the blank side elevations of properties to the east on Hove Road and Warwick Road respectively. These distance comply with the Councils spacing standards and therefore will not create any unacceptable overlooking or loss of light to these surrounding dwellings.

The terrace of three located to the north of the application site will be located 33.5m from the rear elevation of the terrace of 12 dwellings, their rear elevations will be 10m from their rear boundaries beyond which are the rear gardens of dwellings on both Hove Road and Warwick Road. The side elevation of the dwelling to the north will be 17.75m from the rear elevations of 32 and 34 Hove Road, and the south facing elevation will be 13.5m from 9 Warwick Road. In terms of overlooking both side elevations of this terrace will be blank and will therefore not create any overlooking or loss of privacy. The rear elevations of these three dwellings face down the rear gardens of the residential properties either side, and the first floor windows nearest these units are to be obscure glazed bathroom windows so there will be no indirect overlooking of the existing dwellings rear elevations. There will be no unacceptable loss of light, with the 13.5m from 9 Warwick Road an acceptable distance and also located north west of its rear elevation. The terrace will also have a hipped roof which helps to reduce the bulk and mass of the buildings. These distances are typical of urban residential situation. Thus the development will not have an unacceptable impact on the residential amenity of surrounding dwellings.

Highways issues

Each of the units will have one off-street car parking space, which, given the proximity of the site to the town centre is considered acceptable. Eight of the terrace of 12 units have car parking at the front of the site onto St David's Road South, two have parking to the rear and two off Warwick Road. The units at the rear of the site are accessed via Hove Road and have a turning area in front of them. The level of parking, layout and removal of the layby are considered acceptable. The County Highway Authority have stated that the removal of the lay-by is acceptable in highway terms but as it is part of the highway will need to be carried out through the "Stopping –up" of highway procedures of the Town and Country Planning Act 1990 (ref S247 & S248). They have confirmed that the layout of the development is acceptable.

They state that the development will require amendments to the existing access to Hove Road, provision of footway to St David's Road and creation of vehicle crossing on Warwick Road and that these works will need to be carried out under a S278 agreement with the highway authority. The works here will require the full reconstruction of the footway to the Hove Road, St David's Road and Warwick Road frontages of the development site. The works will also require mobility crossings (dropped kerbs) at junctions (both sides of the junction to be included). They also request conditions relating to construction of the accesses, off site works and cleaning the wheels of construction vehicles. There are therefore no highways issues with the proposal.

Flood risk and drainage

The site is not located in a flood zone and therefore a flood risk assessment is not required to be submitted. United Utilities have been consulted and require details of foul and surface water drainage prior to the commencement of development. This can be conditioned on any permission granted.

S106 Agreement

The proposal is for affordable housing and therefore a legal agreement is necessary to maintain the dwellings as such in the future. All of the units are proposed to be for social rented dwellings. The Councils affordable housing officer supports the application as it is providing affordable housing for rent in lieu of affordable housing at the Hastings Point development in Lytham. They require the legal agreement to reflect that the housing should be for people with a local connection to Fylde and

remain affordable in perpetuity. A draft section 106 agreement has been submitted and this can be progressed and signed if this application is approved. A request has been made from LCC Education for a contribution towards two primary school places and one secondary school place in order to meet an identified need in this area of the Borough. The developer has confirmed that they will pay this contribution and that this will form part of the legal agreement.

Other issues

Given the high quality design and appearance of the units it is considered appropriate to remove permitted development rights.

Conclusions

The proposal is acceptable in principle and offers a high quality design in a mixed residential and commercial area within the settlement of St Annes. It is considered an acceptable form of development in this location and is in accordance with the relevant policies of the Fylde Borough Local Plan. As such members are recommended to approve the application.

Recommendation

That, Subject to the completion of a Section 106 agreement in order to secure:

- provision, retention and operational details for 100% of the proposed dwellings to be affordable properties
- a contribution of £24,059 towards two primary school places and £18,126.38 towards secondary education.

Planning permission be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

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

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

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: In the interests of visual amenity.

3. Prior to commencement of any development on site, full details of all hard surface treatments within the development shall be submitted to and approved in writing by the

Local Planning Authority. Such approved details shall be carried out prior to occupation of the residential units.

Reason: In the interests of visual amenity

4. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details

Reason: To ensure a satisfactory means of drainage.

5. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage.

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

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

7. The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned,

at the appropriate times in accordance with current sylvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

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

8. Construction and demolition work shall be restricted to 08.00 – 18.00 Monday to Friday, 08.00-13.00 Saturday and no work on Sundays or Bank Holidays.

Reason: To protect neighbouring amenity

9. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

10. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 9 has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

11. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

12. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 31 October 2014, including the following plans:

Proposed site layout 14-1941-PO1 Revision A

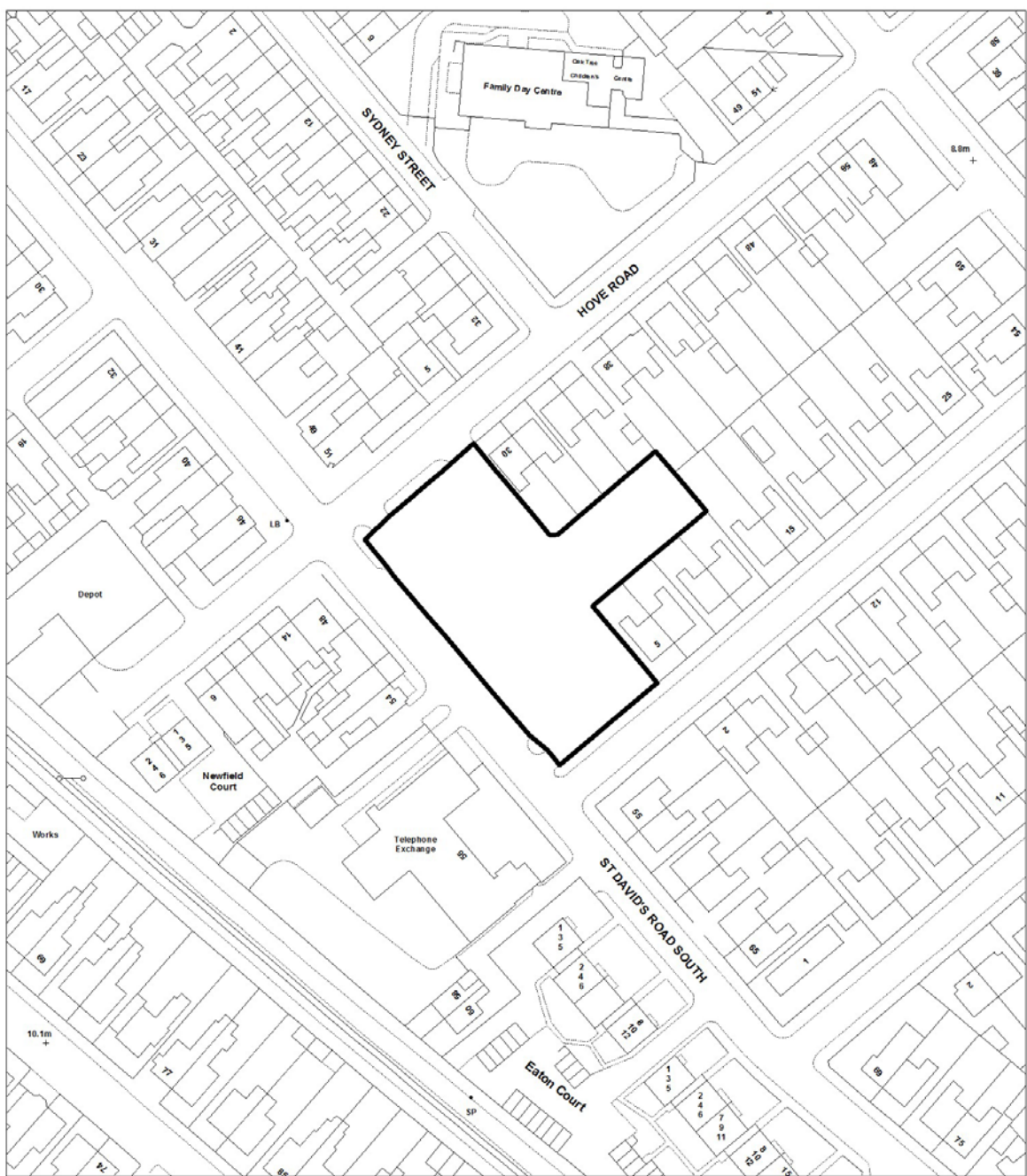
Proposed site location plan 14-1941-L01

Floor plans and elevations 14-1941-PO2 Revision A, 14-1941-PO3

Reason: For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.

13. Notwithstanding the provision of Article 3, Schedule 2, Part 1, Classes A, B, C, D, E, F, or G of the Town and Country Planning General Permitted Development Order 1995 [or any Order revoking or re-enacting that Order], no further development of the dwelling[s] or curtilage(s) relevant to those classes shall be carried out without Planning Permission.

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



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (10006084).	
Application No. 5/14/0790	Address Former Kwik Save, Market Buildings, St Davids Road South, Lytham St Annes	Grid Ref. E.3325 : N.4288	Scale 0 6 12 18 24 m

Item Number: 8 Committee Date: 07 January 2015

Application Reference:	14/0792	Type of Application:	Full Planning Permission
Applicant:	J T Smith	Agent :	Ian Pick Associates Ltd
Location:	SWARBRICK HALL FARM, SINGLETON ROAD, WEETON WITH PREESE, PRESTON, PR4 3JJ		
Proposal:	PROPOSED ERECTION OF AGRICULTURAL BUILDING FOR GRAINSTORE		
Parish:	STAINING AND WEETON	Area Team:	Area Team 1
Weeks on Hand:	9	Case Officer:	Ruth Thow
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is land at Swarbrick Hall Farm, off Singleton Road, Weeton. The application seeks permission for an agricultural building for the drying and storage of grain. The development is considered to comply with the requirements of Policies SP2 of the Fylde Borough Local Plan, as altered (October 2005) in respect of the agricultural need for the development and the aims of the NPPF which supports the growth and expansion of rural business.

In the absence of any demonstrable harm from this development the application is recommended for approval by Members.

Reason for Reporting to Committee

The application is a 'major' application due to the scale of the footprint of the building and under the terms of the Council's Scheme of Delegation such applications are to be determined at Committee where the officer recommendation is for approval.

Site Description and Location

The application site is land at Swarbrick Hall Farm, Singleton Road, Weeton. The farm business operates as arable and livestock enterprises. The arable side includes the production of wheat, barley and oilseed rape crops. The livestock enterprise is a pig finishing unit, permission was recently granted for intensive chicken rearing.

The site is accessed from a private track leading from Singleton Road and serving the farm and one other property, occupied by the applicant's relatives.

The farm is within the countryside area as designated on the Fylde Borough Local Plan, as altered (October 2005).

Details of Proposal

This application seeks permission for the erection of a new building for use as a grainstore, to be sited between an existing open sided straw store and a metal profile building.

The building will measure 42.7m x 36.6 m with an eaves height of 9 metres and a ridge height 14 metres and is to be constructed using concrete panel walls to 3 metres in height with steel coated profile metal sheeting in 'Juniper Green' for the remainder of the walls and the roof.

Relevant Planning History

Application No.	Development	Decision	Date
14/0312	PROPOSED ERECTION OF 2 NO AGRICULTURAL BUILDINGS FOR BROILER REARING, CONTROL ROOM, 3 NO. FEED BINS, HARDSTANDING AND EXTENDED ACCESS ROAD	Granted	05/09/2014
11/0722	PROPOSED RESUBMISSION OF APPLICATION 11/0307 - ERECTION OF WIND TURBINE	Granted	04/01/2012
11/0307	PROPOSED ERECTION OF VERTICAL AXIS WIND TURBINE WITH OVERALL HEIGHT OF 22M	Granted	08/07/2011
08/1059	ERECTION OF WIND TURBINE	Granted	13/02/2009
07/0723	RE-SUBMISSION OF 07/0037 - PROPOSED AGRICULTURAL HAY STORAGE BUILDING.	Granted	23/08/2007
07/0037	ERECTION OF 1 NO. AGRICULTURAL BUILDING FOR STOCK	Withdrawn by Applicant	22/06/2007
05/0528	ERECTION OF 1 AGRICULTURAL BUILDING	Granted	21/07/2005
05/0515	ERECTION OF 1 AGRICULTURAL BUILDING	Granted	21/07/2005
00/0835	ERECTION OF 2 NO. AGRICULTURAL BUILDINGS TO HOUSE STOCK, PHASE 2	Granted	28/02/2001
99/0238	ERECTION OF 2 NO. AGRICULTURAL BUILDINGS TO HOUSE STOCK	Granted	14/07/1999
96/0454	EXTENSION TO EXISTING BARN	Granted	17/07/1996
93/0105	ERECT ONE DUTCH BARN	Granted	24/03/1993
92/0337	AGRICULTURAL CONSULTATION FOR THE ERECTION OF A SLURRY STORE	Permitted Development	16/05/1992

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Weeton with Preese Parish Council notified on 07 November 2014

Summary of Response

None received to-date.

Statutory Consultees and Observations of Other Interested Parties

None received

Neighbour Observations

Neighbours notified: 07 November 2014

No. Of Responses Received: None received

Relevant Planning Policy

Fylde Borough Local Plan:

SP02	Development in countryside areas
EP11	Building design & landscape character

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) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

This application seeks permission for a new building for use as a drying and grainstore on an established farming operation to support the existing arable and livestock activities that are undertaken at this site.

Principle of Development

The site is located within the countryside as allocated on the Fylde Borough Local Plan, as altered (October 2005). As such, Policy SP2 is relevant to this application. This is a generally restrictive policy that looks to preserve the rural nature of the borough. One of the exceptions to this restriction is that justifiable agricultural buildings can be acceptable providing they are associated with the continuation of an existing operation and do not harm the character of the surrounding countryside.

The application

This application seeks permission for the erection of an agricultural building for the drying and storage of grain.

The applicant operates on an established arable and livestock enterprise with 400 acres of owner occupied land together with a further 700 acres of rented land, growing a mix of potatoes and combined crops with 1990 pig places at any one time.

The proposed development is an expansion of the applicant's existing business and will provide facilities for storage and drying of grain on the site, which is currently carried out elsewhere in the borough.

The site

The application site is land off Singleton Road accessed from a track serving the farm and one other property. The new building is proposed to be sited between an existing open sided straw store and a metal profiled agricultural building in use for sorting and storage of potatoes. The new building will occupy an open area of land between these buildings.

The farm is remote from the nearest settlement and the nearest dwelling unconnected to the farm is 400 metres away.

The proposed site has been chosen as the most appropriate due to the position of the existing buildings and views from any public vantage point will be very limited. Any views of the proposed development will be seen in the context of the existing built development at Swarbrick Hall Farm and has been designed to be in keeping with its function and is in keeping with the design of other profile buildings on the unit. As such the development will not result in any significantly adverse visual impact to the overall character of the area.

The need

Policy SP2 of the Fylde Borough Local Plan requires that development in countryside areas is only allowed where it is essentially required for the purposes of agriculture. This proposal is an expansion of the applicants' existing arable farming enterprise.

The NPPF at Chapter 3 requires that planning policies should support economic growth in rural areas and to promote the development and diversification of agriculture and other land based rural businesses.

The applicants have recently increased their arable cropping acreage by 400 acres of arable land and as such require the additional grain store.

It is considered that the proposal represents sustainable growth and expansion of an existing agricultural business and is therefore supported by the aims of the NPPF.

Access and highway issues

The development is proposed to be accessed via the existing private track from Singleton Road, serving the farm and one other property. It is not anticipated that the proposed building will result

in an increase in the volume of traffic and could potential reduce the number of vehicular movements due to the provision of the drying facility on site.

The proposal is considered to comply with Policy SP2 of the Fylde Borough Local Plan, as altered (October 2005).

Conclusions

The application site is land off Singleton Road and forms part of Swarbrick Hall Farm. The application seeks permission for an additional agricultural building for use as a grain store, which is considered necessary as a result of the applicant's recently acquired additional arable land.

The development is sited in an area that will result in limited views of the development due to the existing buildings and natural landscaping, thereby limiting its impact on the wider countryside.

The development is, therefore, considered to comply with the requirements of Policies SP2 of the Fylde Borough Local Plan, as altered (October 2005), in respect of the agricultural need for the development and is supported by the aims of the NPPF which supports the growth and expansion of rural business.

In the absence of any demonstrable harm from this development, the proposal is supported and recommended for approval subject to conditions.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

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

In the interests of visual amenity.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0792	Address Swarbrick Hall Farm, Singleton Road, Weeton	Grid Ref. E.3390 : N.4358	Scale 0 25 50 75 100 m

Item Number: 9 Committee Date: 07 January 2015

Application Reference:	14/0801	Type of Application:	Full Planning Permission
Applicant:	New Progress Housing Association Ltd	Agent :	Croft Goode Limited
Location:	NAZE COURT, NAZE LANE, FRECKLETON, PRESTON, PR4 1RJ		
Proposal:	PROPOSED ERECTION OF 13 No. AFFORDABLE DWELLINGS WITH ASSOCIATED PARKING, LANDSCAPING AND NEW FOOTPATH LINK		
Parish:	FRECKLETON WEST	Area Team:	Area Team 1
Weeks on Hand:	9	Case Officer:	Kieran Birch
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

The application site is located within the urban area of Freckleton and is for 13 affordable housing units. The development is acceptable in principle. The design, scale and materials of the proposed development are acceptable and it is considered to be a development that will enhance the visual amenities of the area and comply with the relevant policies of the adopted Local Plan and NPPF. There are no highway issues with the proposal and it will not have an unacceptable impact on the amenity of neighbouring properties. The development is therefore considered acceptable.

Reason for Reporting to Committee

The application constitutes a Major development and therefore needs to be considered by the Development Management Committee.

Site Description and Location

The application site is located on the southern side of Naze Lane, in Freckleton. It is located within the settlement of Freckleton opposite to the Freckleton Memorial Playing Fields and the Old Vicarage. The proposed site occupies land owned by New Progress Housing Association Ltd. Along the south of the site is Croft Court, a building that provides sheltered accommodation for the elderly. A similar residential building, Naze Court previously occupied part of the land to the West but was demolished in early 2014.

The site contains a large open green space which fronts onto Naze Lane. In the centre of this green space there is a memorial of the Freckleton Air Disaster in the form of a kite situated within a

landscaped area. To the East of the site there is a parade of shops. The context of the surrounding area is predominately brick built residential properties consisting of semi-detached, terraced houses and bungalows.

Details of Proposal

The applications consists of 10 no. 2 bedroom houses and 3 no. 1 bed bungalows for affordable housing by New Progress Housing Association. The affordable housing statement submitted states that the housing will be let at an affordable rent and will remain in affordable in perpetuity. Fronting Naze Lane will be three pairs of two storey semi-detached dwellings, one of which has parking at its side and the remainder of which have parking at the rear. The existing access will be slightly narrowed for traffic calming reasons and will lead to this parking and the other 7 units, as well as parking for the existing Croft Court building. The other units are two pairs of semi-detached two storey dwellings and a terrace of three bungalows at the rear of the site. The three pairs of semi's fronting Naze lane and two pairs within the site are to be constructed in red brick with grey concrete tiles, a dark grey fascia board, dark grey upvc window frames, oak doors, with some rendering to part of their elevations. There are a mix of gable frontages to each of the dwellings. The three bungalows are of similar design and similar materials to the dwellings. The boundary treatments to the dwellings consist of a low brick wall with railing on top fronting Naze Lane and in the front gardens of the dwellings within the site. The side boundary of plot six which is the most visually prominent within the site is proposed to be a brick pillar and black steel railing feature wall with natural stone capping on pillars and on the 0.45m brick wall. Rear boundaries are a formed by a close board 1.8m timber fence. The application includes details of new landscaping of the site to incorporate the 'Kite Memorial' making it more of a feature point. This constitutes paths to the memorial, seating around it and the provision of additional trees.

Relevant Planning History

Application No.	Development	Decision	Date
14/0075	PRIOR NOTIFICATION FOR PROPOSED DEMOLITION OF SINGLE AND TWO STOREY SHELTERED ACCOMMODATION BLOCK OF 22 FLATS AND COMMUNAL AREAS	Approve Prior Determination	28/02/2014
03/0287	4 NO. 1 BED & 26 NO. 2 BED SHELTERED FLATS FOR THE ELDERLEY & UPGRADING OF EXISTING FLATS AND CAR PARK IMPROVEMENTS	Withdrawn by Applicant	14/04/2003
90/0580	2 TWO-STOREY REAR EXTENSIONS TO PROVIDE NEW KITCHENS	Granted	05/11/1990
88/0778	EXTENSION TO FORM LIFT SHAFT	Granted	19/12/1988
87/0006	EXTENSION TO FORM LIFT SHAFT & PUMP ROOM	Granted	25/02/1987
79/0552	EMERGENCY FIRE ESCAPE.	Granted	30/07/1979

Relevant Planning Appeals History

None.

Parish/Town Council Observations

Freckleton Parish Council notified on 12 November 2014

Summary of Response:

The Parish Council would like to make the following comments regarding the above application. Progress gave an assurance to residents that the sheltered accommodation would be replaced in a modernised way. The Parish Council is disappointed that Progress have gone back on their word and that this is not happening.

Statutory Consultees and Observations of Other Interested Parties

BAE Systems

No objections.

Ministry of Defence - Safeguarding

No objections.

Lancashire County Council - Highway Authority

No objections. The development proposal will have a minimal impact on the highway network and as such the principle of the development is acceptable.

The developer is proposing to modify the existing site access, this is acceptable as the narrowing of the junction will lead to lower vehicle speeds and aids pedestrian movement.

The internal road layout, parking spaces and footway links are all acceptable. Requests conditions relating to construction of the site access and cleaning the wheels of construction vehicles.

Environmental Protection (Pollution)

No objections to the proposal. Would add the following condition; Construction and demolition work shall be restricted to 08.00 – 18.00 Monday to Friday, 08.00-13.00 Saturday and no work on Sundays or Bank Holidays.

United Utilities – Water

No objections. In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

- a) an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical
- b) a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable
- c) a sewer (approval must be obtained from United Utilities)

To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas. Request conditions relating to submission of a foul drainage scheme and surface water drainage scheme.

Electricity North West

No objections.

Regeneration Team (Tree Officer)

The drawing suggests the removal of only one tree, the weeping willow at the site of proposed unit 06, but today's site visit revealed there are ten to be removed for this proposal:

- A twin –stemmed ash fronting Naze Lane to create units 01;
- The weeping willow at the site of unit 06;
- A line of cherries for the accesses to proposed units 07-09;
- Two birch, a London plane, and two beech for proposed units 27-29.

A structural problem with the ash on Naze Lane leads me to be pragmatic about its loss because I feel it would be taken down to abate hazard eventually.

I've no objection to the loss of the cherries for units 07-09 because they're small and not of good form. The weeping willow, particularly if the ivy were removed, would be a fine public realm tree. Those trees toward the rear boundary of the site, which comprise two birch, a London plane and two early-mature beech, are of reasonable form but have been subjected to some crown raising to abate nuisance. Their degree of public visibility however is questionable, and an evergreen hedge between this and the next property means they are not functional as screening or separation between developments, since the hedge makes them redundant for this purpose. I note the layout plan proposes eighteen replacement trees; mitigation for tree losses. These replacements are all outward-facing and will bring greater benefits to the public realm than those lost to the proposed development. On this basis I offer no objections to the proposal but ask that we secure a landscaping plan with new species to be agreed between developer and the LPA.

Strategic Housing

In respect of the application at Naze Court, it would provide additional affordable housing for rent and be built to the required standard. At present there is no financial contribution from either this Council or through the planning process. In this case the permission only needs to secure the development as affordable housing in perpetuity. There are local member concerns about the application because it moves away from the RSL's original plans for the site to provide an extra care development and would now see a reduction in numbers from the previous provision on the site.

Neighbour Observations

Neighbours notified: 12 November 2014

No. Of Responses Received: None received.

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL02	Development control criteria for new housing proposals
TR09	Car parking within new developments
TREC17	Public Open Space within New Housing Developments

Other Relevant Policy:

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

Site Constraints

Within settlement boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis

The proposal is a full application for the erection of 13 affordable housing residential units. The main issues when considering this application are:

Principle of the development
Design and visual impact
Residential amenity
Highways Issues
Trees
Flood risk and drainage
S106 Contributions

Principle of the development

The principle of development the site for a residential use is acceptable. The site is located within the settlement of Freckleton as defined by policy SP1 of the adopted Local Plan, on a piece of brownfield land that previously contained sheltered accommodation. Both SP1 and the Interim Housing Policy direct developments to within settlements and, therefore, the principle is acceptable,

Design, layout and visual impact

The design and layout of the dwellings is outlined in the details of the proposal paragraph above. Policy HL2 of the Local Plan refers to Development Control criteria for new housing estates. The design of the dwellings is considered to be acceptable. The dwellings consist of three different house types and bungalows. Whilst differing in design the dwellings are similar in appearance, with all featuring front gables and pitched roofs, and to be constructed in red brick with small areas of rendering. Red brick is the predominant material in the area so the development will relate to existing buildings in the area and reflect the existing character. The other materials proposed are acceptable and will help to add visual interest to the development. The dwellings at the front of the site are appropriately spaced and set back from Naze Lane and will thus sit well within the street

scene and have an acceptable visual impact. The side elevation of plot 6 will be the most prominent, and this features a vertical strip of render and two windows, with a feature wall and railings forming the boundary. Within the site the two pairs of semis face the open space which is appropriate with the bungalows at the rear of the site of similar design to the dwellings and will be constructed in the same materials. The design of the dwellings, their layout and the visual impact they have on the character of the area are acceptable and will not be detrimental to the amenities of the area.

Impact on residential amenity

The development will not have a detrimental impact on the residential amenity of neighbouring dwellings. The site was previously occupied by Naze Court which had a frontage to Naze Lane and extended to the rear of the site, this development reduces that footprint and massing significantly. The six units fronting Naze Lane are appropriately set back from the road and measure approximately 22 metres from the dwelling opposite, 1 Wyndene Grove, which has a blank side elevation facing the road. There will therefore be no overlooking or loss of light created to this dwelling. The dwelling to the west of plot 1, 4 Naze Lane, will be 14m away, side to side elevation, between which is a sub station and some shrubbery. The side elevation of plot 1 has a first floor window within it which serves a landing and can, therefore, be conditioned to be obscure glazed and will not overlook this property. There will not be an unacceptable loss of light to this dwelling. 4 Naze Lane has four pitched roof dormer windows in this side roof plane facing plot 1 but it is not considered that these would create significant overlooking other than in a typical urban residential situation.

The rear elevations of plots 7 and 8 are 18m away from the side elevation of 47 Clitheroes Lane which is a bungalow with no first floor windows and the rear elevations of plots 9 and 10 are 15m from the side elevation of 49 Clitheroes Lane which is also a bungalow with no first floor windows. At these distances for rear to side elevations it is not considered that there will be any unacceptable overlooking or loss of light. The rear gardens of these dwellings will not be directly overlooked due to the siting of the application dwellings facing the road and side elevations.

Plots 11, 12 and 13 are all bungalows. They are 15m from the side elevation of plot 10, plot 11's side elevation is 20m from the rear elevation of 55 Clitheroes Lane and their rear elevations are approximately 24m from the rear elevation of 12 Further Ends. These distances are all considered to be acceptable and these three bungalows will have no impact on the amenity of adjacent properties.

Highways Issues

There are no highways issues with the application. The County Highway Authority have assessed the proposal and have no objections to the scheme. The development will not create any unacceptable levels of traffic that would impact on the existing highway network, the access to the development, the internal layout and the level of parking are all acceptable. Conditions can be placed on any permission granted relating to the modifications to the access and cleaning the wheels of construction vehicles.

Trees

The Council's Tree Officer has visited the site and states that, whilst the application suggests the removal of only one tree there are in fact 10 to be removed. However, he does not object to the loss of these trees as eighteen replacement trees are proposed as mitigation which will offer greater public amenity as they are all outward facing and are of more benefit than those being lost. He requests that a landscaping plan be secured with the new species to be agreed between the LPA and developer. This can be subject to a condition.

Flood Risk and drainage

The site is not located in a flood zone and therefore a flood risk assessment is not required to be submitted. United Utilities have been consulted and require details of foul and surface water drainage prior to the commencement of development. This can be conditioned on any permission granted.

Section 106

The application has been submitted with an affordable housing statement which indicates that the dwellings will be available for affordable rent in line with the rent structure introduced by the Government in 2011 and the units will remain affordable in perpetuity. The Council's affordable housing officer has stated that the development would provide additional affordable housing for rent and be built to the required standard, and the permission needs to secure the development as affordable housing in perpetuity. Within his response the housing officer states that at present there is no financial contribution from either this Council or through the planning process and that there are local member concerns about the application because it moves away from the RSL's original plans for the site to provide an extra care development and would see a reduction in numbers from the previous provision on the site. However these issues are not material considerations in the determination of this application as what is to be considered is the application that has been submitted, which in planning terms is acceptable in principle.

The site as a whole already benefits from a large area of public open space which is proposed to be subject to additional landscaping and seating areas. Therefore, whilst Policy TREC17 of the Fylde Borough Local Plan seeks financial contributions towards off site open space provision given the existing open space available at the site which is to be upgraded, the fact that the development covers the footprint of a previous more intensive development and the availability of nearby POS on the Memorial Playing Fields it is considered that in this instance no contribution towards additional off-site POS should be sought.

Conclusions

The application involves the development of 13 affordable residential dwellings on a brownfield site within the settlement of Freckleton. It is considered an acceptable form of development in this location and is in accordance with the relevant policies of the Fylde Borough Local Plan. As such members are recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: In the interests of visual amenity.

3. Prior to commencement of any development on site, full details of all hard surface treatments within the development shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be carried out prior to occupation of the residential units.

Reason: In the interests of visual amenity

4. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details

Reason: To ensure a satisfactory means of drainage.

5. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage.

6. Any tree felling, hedgerow clearance or vegetation clearance works that may affect nesting birds, shall not be carried out between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.

Reason: To protect ecology.

7. Landscaping, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artefacts and street furniture, play equipment, refuse receptacles, lighting and services as applicable soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme.

The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

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

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

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

9. Construction and demolition work shall be restricted to 08.00 – 18.00 Monday to Friday, 08.00-13.00 Saturday and no work on Sundays or Bank Holidays.

Reason: To protect neighbouring amenity

10. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

11. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 10 has been constructed and completed in accordance with the scheme details.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

12. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before

leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

13. The development hereby approved shall comprise of not less than 100% affordable housing and shall not commence until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme in accordance with the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
- i. proposals for the management of the affordable housing and the arrangements for the transfer of the affordable housing to an affordable housing provider if any of the affordable housing is to be so transferred;
 - ii. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing and that the dwellings remain affordable in perpetuity;
 - iii. the occupancy criteria to be used to assess eligibility of potential occupiers of the affordable housing and the mechanism for the application of such occupancy criteria.

Reason: To ensure the dwellings remain affordable in perpetuity and meet local need.

14. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 5 November 2014, including the following plans:

Proposed site layout 12-1849 PN001 B

Site sections 12-1849 301 Revision A

Site location plan 12-1849-L01 Revision B

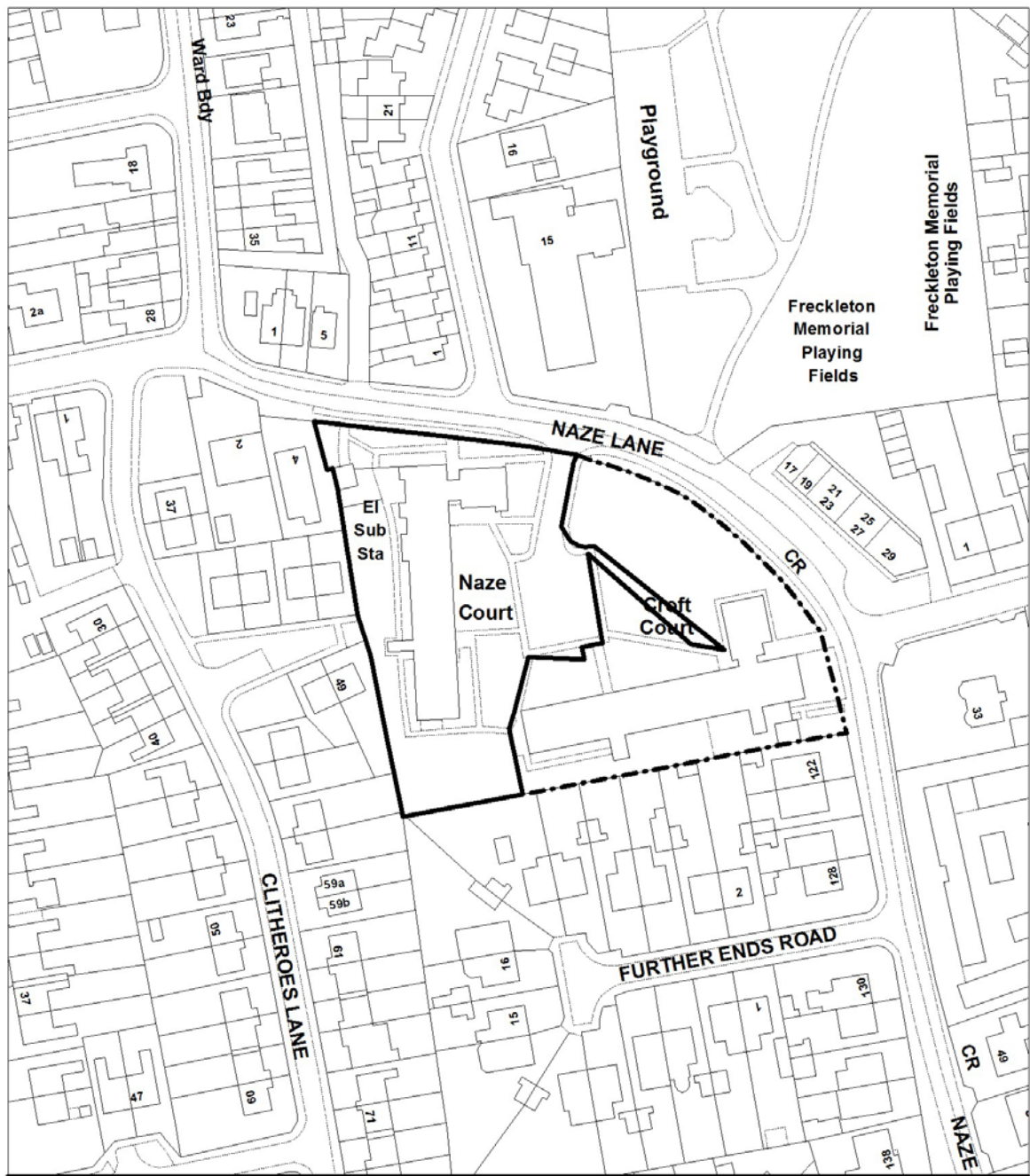
Proposed plans/elevations 12-1849 PN101-3, 12-1849 PN1010-B, 12-1849 PN101-2, 12-1849 PN101-1

Boundary treatments 12-1849 PN501 Revision A

Reason: For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.

15. Obscure glazing shall be provided in the first floor side elevation windows of the dwellings hereby approved and shall thereafter be retained.

Reason: To safeguard the privacy of adjoining residents



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0801	Address Naze Court, Naze Lane, Freckleton	Grid Ref. E.3428 : N.4287	Scale 0 6 12 18 24 m

Item Number: 10 Committee Date: 07 January 2015

Application Reference:	14/0833	Type of Application:	Full Planning Permission
Applicant:	Two Brooks Valley Ltd	Agent :	BPD Architecture
Location:	GEORGES GARAGE, 45 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1AD		
Proposal:	PROPOSED ERECTION OF 16 NO. AFFORDABLE DWELLINGS AS EXTENSION OF POST LANE		
Parish:	WARTON AND WESTBY	Area Team:	Area Team 1
Weeks on Hand:	7	Case Officer:	Alan Pinder
Reason for Delay:	Not applicable		

Summary of Recommended Decision: Grant

Summary of Officer Recommendation

This application seeks full planning permission for the provision of 16 affordable houses on a previously developed site within the settlement of Warton. The proposal accords with Policies SP1 and HL2 of the Fylde Borough Local Plan and makes good use of this redundant settlement site to provide much needed affordable housing with good accessibility to local services. Hence it is recommended that Members support the proposal.

Reason for Reporting to Committee

The application proposes major development and so the Scheme of Officer Delegation requires that an officer recommendation for approval be determined by Committee.

Site Description and Location

The application site is located within the settlement boundary of Warton and forms part of the former George's Garage site; the northern part of which has recently been developed with two retail units (planning permission ref. 12/0524). The site is a rectangular shaped parcel of land measuring approximately 0.3 hectares in size and was previously used for car dismantling in connection with the car sales that took place from George's Garage. Residential dwellings lie to both the east and west of the site. To the west are the two storey red brick dwellings on Post Lane and to the east is the rear garden of No.41 Lytham Road. To the south is a small stream which marks the site boundary and beyond that is former GEC Marconi site that is currently undergoing residential development.

Details of Proposal

Full planning permission is sought for the construction of 16 two storey dwellings, arranged in four blocks of 4 terraced dwellings. All 16 properties will be delivered as affordable units administered by the RSL, 'Places for People'. Vehicle and pedestrian access to the site is proposed to be via the cul-de-sac of Post Lane, which will be effectively extended westward to serve the new dwellings.

Relevant Planning History

Application No.	Development	Decision	Date
14/0287	VARIATION OF CONDITION 12 ON PLANNING PERMISSION 12/0524 TO ALLOW STORE TO OPEN BETWEEN 0600 AND 2300 HOURS ON EACH DAY OF THE WEEK, AND DELIVERIES TO THE UNIT BETWEEN 0700 HOURS AND 2000 HOURS.	Refused	21/05/2014
13/0779	ADVERTISEMENT CONSENT FOR 1 No. INTERNALLY ILLUMINATED TOTEM SIGN	Granted	21/01/2014
13/0771	ADVERTISEMENT CONSENT TO DISPLAY FASCIA SIGN AND SIDE PANELS TO FRONT, ATM VINYL, 3 X CAR PARKING SIGNS AND 2 X POST SIGN	Granted	21/01/2014
13/0752	INSTALLATION OF SECURITY ROLLER BARRIERS ALONG TOP OF APPROVED 2.4M CLOSE BOARDED ACOUSTIC FENCE.	Granted	21/01/2014
12/0527	OUTLINE APPLICATION FOR THE PROPOSED DEVELOPMENT OF UP TO 16 NO. DWELLINGS (ACCESS FROM POST LANE APPLIED FOR WITH ALL OTHER MATTERS RESERVED)	Draft Decision Notice	
12/0524	PROPOSED ERECTION OF BUILDING PROVIDING TWO CLASS A1 RETAIL UNITS (COMBINED INTERNAL FLOOR AREA OF 469M2) INCLUDING A NEW PEDESTRIAN CROSSING OVER LYTHAM ROAD FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON SITE (RESUBMISSION OF APPLICATION 11/0564)	Granted	16/11/2012
11/0564	PROPOSED ERECTION OF BUILDING PROVIDING TWO CLASS A1 RETAIL UNITS (COMBINED INTERNAL FLOOR AREA OF 469M2) FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON SITE.	Withdrawn - Appeal against non-determine	10/04/2012
10/0001	OUTLINE APPLICATION FOR LOCAL FOOD STORE OF 1394M2	Withdrawn by Applicant	31/05/2013
09/0420	OUTLINE APPLICATION FOR LOCAL FOOD STORE OF 1394M2	Withdrawn - Appeal against non-determine	12/01/2010
95/0550	DEMOLITION OF DWELLING, GARAGE, AND CAR SHOWROOM AND REDEVELOPMENT	Granted	11/10/1995

94/0544	TO FORM NEW PETROL FILLING STATION WITH CAR WASH FACILITY CERTIFICATE OF LAWFULNESS - FOR VEHICLE STORAGE, DISMANTLING AND RETAIL SALE OF SALVAGE.	Granted	14/09/1994
92/0449	ESTABLISHED USE FOR VEHICLE STORAGE, DISMANTLING AND RETAIL SALE OF SALVAGE	Granted	12/08/1992
91/0845	CONSTRUCTION OF VEHICLE REPAIR WORKSHOP	Granted	08/12/1993
76/0069	1-6000 GALLON UNDERGROUND PETROL TANK.	Granted	03/03/1976

Relevant Planning Appeals History

Application No.	Development	Decision	Date
14/0287	VARIATION OF CONDITION 12 ON PLANNING PERMISSION 12/0524 TO ALLOW STORE TO OPEN BETWEEN 0600 AND 2300 HOURS ON EACH DAY OF THE WEEK, AND DELIVERIES TO THE UNIT BETWEEN 0700 HOURS AND 2000 HOURS.	Dismissed	30/09/2014
11/0564	PROPOSED ERECTION OF BUILDING PROVIDING TWO CLASS A1 RETAIL UNITS (COMBINED INTERNAL FLOOR AREA OF 469M2) FOLLOWING DEMOLITION OF EXISTING BUILDINGS ON SITE.	Withdrawn	28/11/2012
09/0420	OUTLINE APPLICATION FOR LOCAL FOOD STORE OF 1394M2	Dismissed	23/09/2010

Parish/Town Council Observations

Bryning with Warton Parish Council notified on 25 November 2014

Summary of Response

The Parish Council have no objection to the application.

Statutory Consultees and Observations of Other Interested Parties

BAE Systems

No objections

Ministry of Defence - Safeguarding

No safeguarding objections

Lancashire County Council - Highway Authority

No comments received at the time of writing

Environment Agency

No objection in principle subject to the inclusion of the following condition:

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy prepared by SKM Enviro (Final report dated September 2013 reference BHI_SKM_AH_001) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure completion of the site remediation and reduce the risk of pollution to controlled waters as a result of the development.

Electricity North West

No comments received at the time of writing

United Utilities - Water

No objection to the proposed development provided that the following conditions are attached to any approval:

1. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details.

This development shall be completed maintained and managed in accordance with the approved details.

2. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

This development shall be completed maintained and managed in accordance with the approved details.

Environmental Protection (Pollution)

There are no objections to the above proposals in principle, however I would add the following conditions:

1. A remediation statement shall be submitted, detailing the recommendations and remedial measures to be implemented within the site. On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement. Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.

Reason: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990,

2. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at Fylde Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development. Should no adverse ground conditions be encountered during site works and/or development, a verification statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building(s), which confirms that no adverse ground conditions were found.

Reason: To ensure that the site is suitable for its intended end use and development work will not cause pollution of ground and surface waters both on and off site.

3. Times of operation shall be restricted to 08.00 - 18.00 Monday to Friday, 08.00-13.00 Saturdays and no activity on Sundays or bank Holidays.

Neighbour Observations

Neighbours notified: 25 November 2014

Amended plans notified:

No. Of Responses Received: Petition signed by 29 residents of Post Lane

Nature of comments made:

Objection to the proposal on the following grounds:

- The existing road of Post Lane is too narrow for two vehicles to pass
- The surface material of Post Lane is not conducive to more traffic
- The additional traffic will worsen the problem of vehicles exiting the road
- The additional traffic would increase the hazard to existing resident children

Relevant Planning Policy

Fylde Borough Local Plan:

SP01	Development within settlements
HL02	Development control criteria for new housing proposals
HL06	Design of residential estates
EP14	Landscaping of new developments
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
TR09	Car parking within new developments

Other Relevant Policy:

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

Site Constraints

Within settlement boundary

Environmental Impact Assessment

This development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended.

Comment and Analysis**Local Plan Allocation and Principle of Development**

The site is located on a previously developed (brownfield) site within the settlement boundary of Warton as allocated by Policy SP1 of the Fylde Borough Local Plan. Policy SP1 of the Fylde Borough Local Plan and the Interim Housing Policy direct development towards settlement locations and so the residential use is appropriate in principle. It is therefore necessary to assess how the scheme satisfies the normal planning criteria as laid out in Policy HL2 of the Fylde Borough Local Plan and with the Council's Interim Housing Policy. These matters are explored in more depth below.

Site Location

Government guidance in the NPPF advises that Council's should support development that is 'sustainable'. One of the key aspects of this, with regard to residential proposals, is that it is easily accessible and well connected to public transport and community facilities. In this instance the site is located within easy walking distance of a main bus route, local shops, schools, churches, a range of employment opportunities and other essential community facilities. As such it is considered that the site is in a sustainable location and hence accords with Policy HL2 and the provisions of the NPPF in this respect.

Access Arrangements

At present the site does not benefit from any direct access. This application proposes a new separate access to be constructed via Post Lane. At the time of writing no comments have been received from the Highway Authority, however, they raised no objections to the previous outline application for up to 16 dwellings (ref. 12/0527), which also proposed access via Post Lane. Given that the proposal is for 16 dwellings only, which would be served from an existing main highway via a signalled junction shared with BAE Systems' traffic, your officers consider it unlikely that there would be any appreciable impact on the wider highway network and hence in this instance it is not considered that a Transport Statement is necessary.

Scale, Design and Layout of Development

The application site abuts onto the existing residential development of Post Lane and to its south would be the residential development on the former GEC Marconi site, approved under permissions 12/0550 and 13/0786, which is currently ongoing. The proposed 16 new dwellings would respect the building line of Post Lane and have the appearance of forming a continuation of the Post Lane development. In that respect the scale, design and appearance of the new dwellings would be in keeping with the existing dwellings of Post Lane. This notwithstanding, the dwellings approved to the south of the application site are also of modest scale and conventional two storey design/appearance, and as such the proposed dwellings would not look inappropriate when viewed against the backdrop of the GEC Marconi development.

Relationship to Neighbouring Properties

The separation distance and spatial relationship of the proposal with the existing properties at the end of Post Lane are such that no concerns are raised regarding overlooking or overbearing appearance. Similarly the back to back separation distance between the proposed dwellings to the south of the application site and the dwellings being built on the north of the GEC Marconi site is approximately 35 metres and hence is not considered to present any concerns regarding amenity issues. To the north of the application site lies the new Tesco Express store. This is a low level store (single storey) set off approximately 5 metres from the application site boundary, with an intervening acoustic fence. The separation distance between the proposed dwellings to the north of the site and this store is approximately 35 metres and hence raises no concerns regarding impacts on the amenity of future occupiers.

Affordable Housing

The Council's adopted Interim Housing Policy requires new residential developments of this scale within settlements to contribute towards the delivery of affordable housing. All 16 of the dwellings for which permission is now sought are proposed to be affordable and to that end it is understood that the housing will be administered by the RSL, 'Places for People'. If approved an appropriate condition would be attached to secure all 16 dwellings as being affordable homes.

Public Open Space

The scale of the site is such that no provision is included for open space within the site itself and the Interim Housing Policy and Policy TREC17 of the Fylde Borough Local Plan seek financial contributions towards off site open space provision in such circumstances. However given that this proposal would provide a real benefit of 16 affordable dwellings, the number of dwellings is only just over the threshold for requiring contributions, and that nearby POS is being provided as part of the redevelopment of the GEC Marconi site to the rear, it is considered that in this instance no contribution towards additional off-site POS should be sought.

Other Matters

The previous use of the site for car dismantling requires that a proper examination and remediation of any contamination be carried out before work can be commenced. A condition would be imposed to any planning permission to ensure that this is completed.

Conclusions

The application involves the development of 16 affordable residential dwellings on a brownfield site within the settlement of Warton. It is considered an acceptable form of development in this location and is in accordance with the relevant policies of the Fylde Borough Local Plan. As such members are recommended to approve the application.

Recommendation

That Planning Permission be GRANTED subject to the following conditions:

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

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

2. This consent relates to the following plans and / or reports:

- Location Plan - Dwg no. 451/PLW/LP, dated November 2014
- Topographical Survey - Dwg no. TB-GG-01 Rev B, dated 05/12/2011
- External Works Plan - Dwg no. 451/PLW/EXW Rev B, dated September 2014 and received by the Local Planning Authority on 08/12/2014
- Proposed A3 Site Layout - Dwg no. 451/PLW/SLP, dated November 2014
- Type A 2 Bed 2b4p Planning - 840sq ft - Dwg no. 451/PLW/2b4 Rev D, dated September 2014
- Type B 3 Bed 3b5p Planning - 968sq ft - Dwg no. 451/PLW/3b5 Rev D, dated September 2014
- 4 Block Configuration - Dwg no. 451/PLW/Com Rev C, dated September 2014
- Design & Access Statement - Ref. 451/PLW/DAS, dated November 2014
- Lytham Road Remediation Statement - Ref. BHI_SKM_AH_001, dated September 2013

Reason: For the avoidance of doubt and as agreed with the applicant / agent.

3. The external materials to be used in the development hereby approved shall accord entirely with those samples submitted to the local planning authority and described in the email from Darrell Brooks, dated 24 November 2014. Any modification thereafter shall be agreed with the Local Planning Authority in writing prior to any substitution of the agreed materials.

Reason: In the interests of visual amenity.

4. Prior to the first occupation of any dwelling on the site, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of internal access roads and footways, areas of landscaping and all associated features such as streetlighting, signage, drains and boundary treatments that lie within these areas. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

Reason: To ensure that the development is implemented and maintained to a satisfactory degree into the future.

5. That no works shall commence or be undertaken between the months of March and July inclusive, until a walkover survey of the site and its boundary hedges has been undertaken to establish the presence of any breeding birds and the results submitted to the Local Planning Authority. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting sites shall be submitted to the Local Planning Authority for approval and implemented throughout the construction of the dwelling.

Reason: To ensure that disturbance to any breeding birds within the site is minimised during the construction of the dwelling

6. The 'Post Lane Construction Plan' submitted as part of the application is to be implemented and fully accorded with during the construction of the development.

Reason: To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

7. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details.

This development shall be completed maintained and managed in accordance with the approved details.

Reason: To ensure that appropriate measures are taken to provide suitable drainage from the site as required by Policy EP25 of the Fylde Borough Local Plan.

8. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

This development shall be completed maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage is provided and that there is no increase in the volumes of surface water discharge from the site.

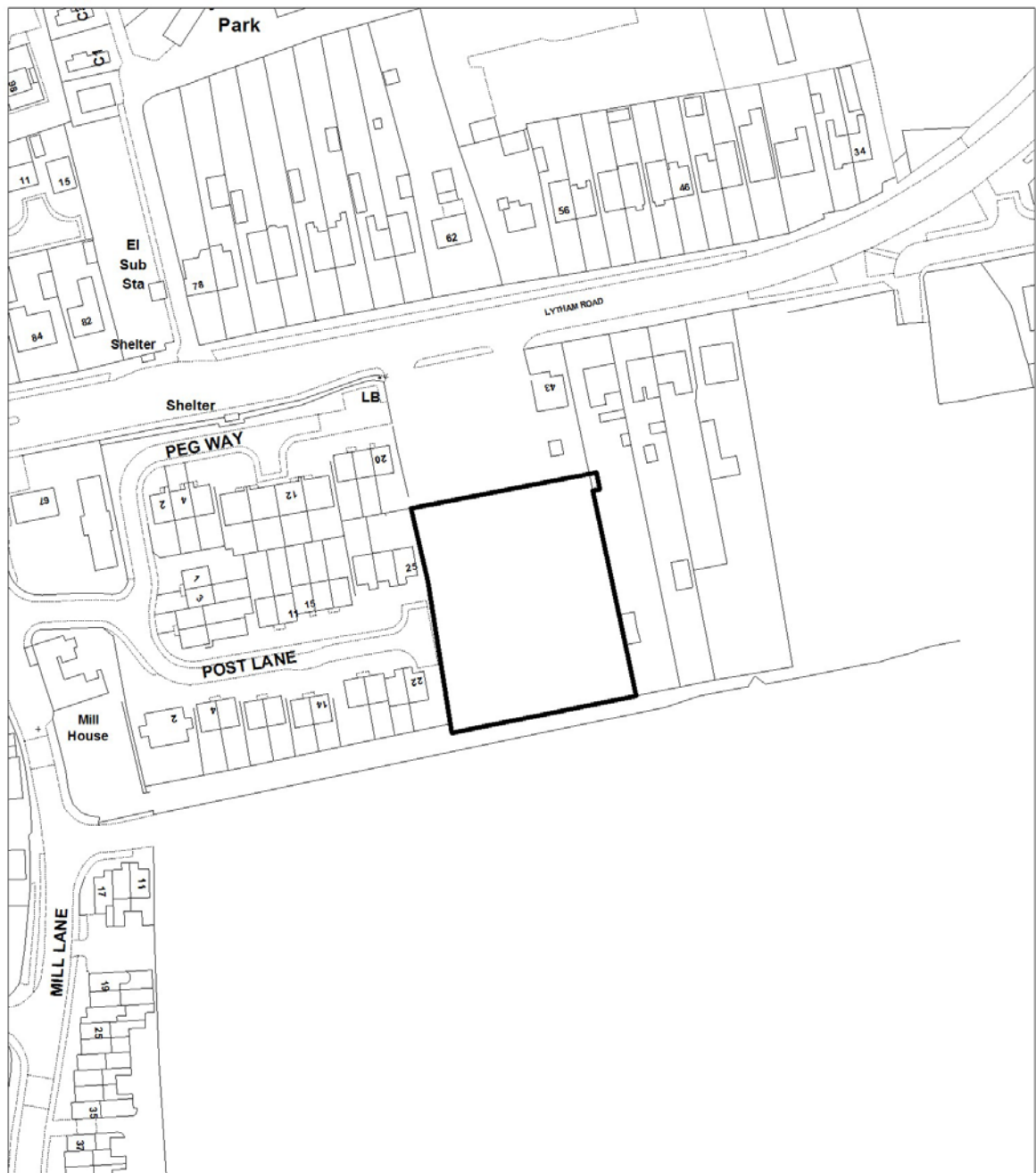
9. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy prepared by SKM Enviro (Final report dated September 2013 reference BHI_SKM_AH_001) and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include

results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure completion of the site remediation and reduce the risk of pollution to controlled waters as a result of the development.

10. The development hereby approved shall comprise of not less than 100% affordable housing and shall not commence until a scheme for the provision of the affordable housing has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme in accordance with the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
 - i. proposals for the management of the affordable housing and the arrangements for the transfer of the affordable housing to an affordable housing provider if any of the affordable housing is to be so transferred;
 - ii. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing and that the dwellings remain affordable in perpetuity;
 - iii. the occupancy criteria to be used to assess eligibility of potential occupiers of the affordable housing and the mechanism for the application of such occupancy criteria.

Reason: To ensure the dwellings remain affordable in perpetuity and meet local need.



Development Services Fylde Council		(c) Crown Copyright and database right (2014). Ordnance Survey (100006084).	
Application No. 5/14/0833	Address Georges Garage, 45 Lytham Road, Warton	Grid Ref. E.3417 : N.4286	Scale 0 6 12 18 24 m

Item Number: 11 Committee Date: 07 January 2015

Application Reference:	13/0655	Type of Application:	Outline Planning Permission
Applicant:	Mill Farm Ventures Limited	Agent :	PWA Planning
Location:	MILL FARM, FLEETWOOD ROAD, MEDLAR WITH WESHAM, PRESTON, PR4 3HD		
Proposal:	HYBRID PLANNING APPLICATION (PART FULL / PART OUTLINE) FULL PLANNING APPLICATION – 6,000 CAPACITY FOOTBALL STADIUM, 11,431m ² WAREHOUSE AND DISTRIBUTION CENTRE (CLASS B8), 1,518m ² NEIGHBOURHOOD RETAIL STORE (CLASS A1), INTERNAL SPINE ROAD WITH ACCESS FROM A585 ROUNDABOUT, ASSOCIATED PARKING, LANDSCAPING, DRAINAGE AND INFRASTRUCTURE OUTLINE PLANNING APPLICATION (ACCESS SOUGHT WITH OTHER MATTERS RESERVED) – , 6 X OUTDOOR FLOODLIT ALL WEATHER PITCHES, PETROL FILLING STATION, 785m ² NON-FOOD BULKY GOODS RETAIL UNIT (CLASS A1), HOTEL (CLASS C1), PUB / RESTAURANT (CLASS A4), DRIVE THRU RESTAURANT (CLASS A3/A5), 492 SPACE OVERFLOW CAR PARK & THE FORMATION OF A SURFACE WATER ATTENUATION POND.		
Parish:	MEDLAR WITH WESHAM	Area Team:	Area Team 2
Weeks on Hand:	30	Case Officer:	Mr M Atherton
Reason for Delay:	Consideration of issues raised		

Introduction

This application was considered at the meeting of the Development Management Committee held on 4 June 2014 when it was resolved that:

Powers to determine the application be delegated to the Head of Planning & Regeneration subject resolving the outstanding issues relating to ecological matters and subject to the completion of a section 106 agreement in order to secure:

8. *The delivery of the football stadium*
9. *The delivery of the sports pitches together with their community use and a pricing policy for their use,*
10. *an appropriate financial contribution towards securing public realm works in the vicinity of the site,*
11. *a financial contribution towards the improvement of public transport and/or sustainable transport initiatives, including travel planning in the vicinity of the site,*

The agreement will be expected to meet the full amounts in all cases, unless a viability appraisal has been agreed with the Local Planning Authority.

and subject to conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable).

The applicant subsequently submitted additional information that has been assessed by the County Ecology Service, who consider that the proposed mitigation is appropriate and that, subject to appropriate conditions, the development will not have any significant adverse impacts.

As the application related to retail development in excess of 5,000 sq m it has been referred to the Secretary of State in line with the Town & Country Planning (Consultation)(England) Direction 2009 in order to determine whether the Secretary of State wishes to recover the application for his own consideration, or if the application should continue to be determined by this authority.

Since consideration of the application by Committee in June 2014, planning permission has been granted for the use of land at Wesham House Farm for the change of use of land for use as air ambulance base including formation of concrete take off pad, siting of portacabin for crew rest facility and siting of containerised fuel storage facility for use by the North West Air Ambulance.

The owner of Wesham House Farm considers that the NWAA Base will have a material impact on the operation of the proposed stadium development which is a “very significant change in circumstances” since the resolution of the Committee to approve the Mill Farm development was made.

Having considered legal precedent in regard to such circumstances, the Head of Legal Services has advised that it is appropriate to refer the application back to Committee for further consideration. This consideration should only be in regard to the change of circumstances that have occurred since the original consideration of the application, i.e. the grant of planning permission for the NWAA base.

Additional Matters for consideration

In summary, the owner of Wesham House Farm, where the proposed NWAA base would be located, considers that the following matters should be taken into consideration:

The owner of Wesham House Farm considers that, as the NWAA development is designed to serve as a base for the NWAA, the close proximity of the stadium could affect the safety of the operation of the stadium as, due to the nature of an Air Ambulance Service, there is no set time or frequency of operation. It is anticipated that, due to weather patterns, the predicted flight paths of NWAA helicopters will take off to the west and over the stadium on 75% of occasions. Accordingly all aspects of air safety should be fully appraised and investigated.

The owner of Wesham House Farm also considers that the loud nature of helicopters, their unpredictable frequency and hours, will lead to potential noise disturbance to potential occupiers of the stadium.

Assessment of additional impacts

Supporting documentation submitted by the NWAA at the time the application for the NWAA base was considered indicated that earlier in 2013 NWAA undertook forward deployment to the Trauma Hospitals within the North West region. As a result the helicopter based at Blackpool moves to the Royal Preston Hospital where the medical team works at A&E during down time and returns to Blackpool each evening at the end of shift. This method of operation is set out in the Design and

Access Statement. This operation pattern means that the helicopter will leave the site in the morning and return at the end of the day. Accordingly, the number of flights from the site will be limited and the risk will be significantly lower than a general helicopter facility and the attendant risk of any accident is lower. Furthermore, the landing pad associated with the NWAA facility would be located approx. 150 m to the west of the nearest part of the development site. It is considered that this will provide adequate separation distance to and allow aircraft departing the site to turn to the north along the M55 corridor which is indicated as the preferred flight path for helicopters in the planning application submission. Having regard to the operational pattern and the nature of the development proposed at Mill Farm, it is considered that the two developments are no incompatible and are appropriate to exist side by side.

The planning permission in respect of the NWAA base was granted subject to a number of planning conditions. Condition 2 restricts the operation to use by the NWAA. Condition 3 limits the use of the site to 1 helicopter. Condition 5 restricts the hours of flights to 07:30-16:30 hours between November and February, 08:00-18:00 hours during March and October and 09:30-19:30 between April and September.

A noise survey was submitted and assessed as part of the consideration of the air ambulance application and this indicated that the helicopter would have only a marginal impact on nearby receptors during worst case helicopter movements. Given the nature of the proposed uses at Mill Farm it is considered that they are not sensitive receptors and there will, therefore, be no detrimental impact as a result of the limited helicopter operations from Wesham House Farm.

Summary of Recommended Decision: Approve Subj 106

Summary of Officer Recommendation

The officer recommendation is a finely balanced one, but is to recommend that the application be approved subject to the completion of a section 106 agreement.

The policy position on this application is neutral due to the conflict between a Development Plan which has shortcomings in that it is out of date and does not recognise current development needs and an Emerging Plan which has been subject to objections and carries limited weight.

The reasons for the approval following the balancing exercise is due to the benefits of the scheme in terms of its advantages with regard to a number of key issues as described in the report being considered to outweigh the negative impacts.

Reason for Reporting to Committee

This is a major application which falls outside of the Council's scheme of delegation.

Site Description and Location

This is a 12.6 hectare site situated due north west of Wesham and west of Fleetwood Road, the A585.

To the north of the site is Bradkirk Brook, a dwelling known as Demmingfield and the industrial premises at UPL. To the east is Mill Farm, further agricultural land and Fleetwood Road beyond which is further agricultural land. To the south east is the settlement of Wesham and to the west is

open countryside.

The site comprises gently undulating agricultural land and the field boundaries are separated by hedgerows and trees. In addition there is a 4.5 hectare plantation of Spruce trees.

The site is allocated as a Countryside Area within the Adopted Fylde Borough Local Plan. Within the Council's Published Preferred Options for Development, the land is allocated as a mixed employment/leisure use, with 4 hectares specified for employment purposes.

Details of Proposal

The proposal is a hybrid application with the proposed football stadium, supermarket and distribution centre applied for in full which means all the details of those elements of the application have been submitted.

The other elements are applied for in outline, which means that only the principle of the development is being applied for.

The application includes details of the vehicular access to the site which is proposed from the roundabout on the A585 at the northern end of Wesham.

It is proposed to implement a combined Footpaths/Cycleway on the eastern boundary of the site parallel to Fleetwood Road which would also turn into and cut across the site on the route of a footpath which is proposed to be diverted.

A structural landscaping scheme is also proposed which seeks to strengthen the landscaping along the site boundaries and at key points within the site.

The Full Application comprises:

A Proposed 6,000 seat Football Stadium

This would have a Main Stand with a 2,000 seat capacity & three other standing terraces.

The building housing the main stand would have a maximum depth of 31.6 metres, a width of 85 metres and a maximum height of 16.2 metres with the roof supporting columns to a maximum height of 19.7 metres.

The proposed standing terrace to the east stand (Fleetwood Road side of the development) would have a width of 90.6 metres, a depth of 4.6m and a maximum height of 4.7 metres with the supporting roof columns above to a maximum height of 6.6 metres.

The proposed standing terraces to the north & south stands would have a width of 71 metres, a depth of 4.6 metres & a maximum height of 4.7 metres with the supporting roof columns above to a maximum height of 5.8 metres.

The Ground Floor Plan comprises Turnstiles & Concourse facilities for supporters, changing rooms, a players gym & first aid facilities, supporters bar, a players lounge & a club shop.

The First Floor Plan of the main stand includes A Directors Lounge, 6 no. executive boxes, a function room & a restaurant, each of these with a terrace looking out onto the pitch. There would also be a meeting room/conference suit. The Second Floor is shown for future fit out as there is no end user

at present.

There would be 61 no. car park spaces & 2no. coach spaces to the rear of the north stand and another proposed match day car park further into the site comprising 130 no. spaces.

Aldi foodstore

This would have a floor area of 1571 gross square metres. It would have dimensions of 30.6 metres x 56m with a mono-pitch roof varying in height between 8.35 (max) & 5.45 metres high. The building would be finished in glazing, wall & roof cladding & would have its own 90 space car park & servicing facility.

A Distribution Centre

This warehouse with company offices & staff facilities, would have a floor area of 11,341 gross square metres. It would have dimensions of 77.7 metres x 97 metres x 12 metres high with a further loading area block at the western end of the building. The building would be finished in Kingspan Cladding and the plot would have its own 71 no. spaces car park & secure service yard with its own dedicated goods access.

The Outline application comprises the following elements:

- Proposed Public House 1282 square metres at the southern end of the site
- A Petrol Filling Station including a 101 square metre Kiosk
- A Drive Thru Restaurant 203 square metres & car park
- A Bulky Goods Retail unit of 825 square metres
- A Hotel of 2196 square metres & car park.
- A Full size floodlit football pitch
- Multi use floodlit artificial pitch
- 6 no. all-weather 5 a side pitches
- A proposed changing room building of 1375 square metres
- A 492 space car park
- The formation of a Surface Water Attenuation Pond

Since the application was originally submitted it has been revised to include the overflow car park and the Attenuation Pond and these replace an Indoor Sports facility and an plantation of spruce trees.

The Outline application as originally proposed included details of access, layout & scale. This has also been revised to access only, in order to allow for the precise details of the car park & pond to be submitted with further reserved matters applications, if outline planning permission is granted.

The Amended plans include:

- A revised Site Masterplan.
- Revised application boundaries (showing the outline / full elements of the scheme) against the updated masterplan;
- Updated public footpath diversion plan;
- Revised and additional plans associated with minor amendments / updates to the football stadium and sub-stations to reflect further detailed design work.

The changes to the original scheme amount to:

- Minor amendments to the masterplan to cover highway related issues (both on and off-site);
- Minor amendments to the football stadium and sub-station design;
- Removal of the sports science / indoor sports facility building from the outline proposals;
- Inclusion of overspill car parking for 492 vehicles to the outline proposals;
- Amendment to provide 6 no. all weather floodlit 'five a side' pitches within the outline proposals;
- Formation of surface water attenuation pond within the outline proposals;

A full suite of supporting documents have been submitted including:

- Transport Assessment
- Agricultural Land Assessment
- Air Quality Assessment
- Contaminated Land - Preliminary Risk Assessment
- Design & Access Statement
- Foul & Surface Water Drainage Strategy
- Ecological Impact Assessment
- Flood Risk Assessment
- Landscape & Visual Impact Assessment
- Light Impact Assessment
- Noise Impact Assessment
- Planning Statement
- Retail Impact Assessment
- Sporting Needs Assessment
- Tree Survey & Arboricultural Assessment
- Utilities Assessment

Relevant Planning History

Application No.	Development	Decision	Date
13/0163	PROPOSED TWO STOREY SIDE EXTENSION FOLLOWING DEMOLITION OF EXISTING CONSERVATORY.	Granted	06/06/2013
09/0007	DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF NEW DISABLED BEDROOM AND EN-SUITE AND TWO STOREY HOLIDAY LET COTTAGE WITH GARAGE UNDER. (RESUBMISSION)	Granted	18/03/2009
08/0952	DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF NEW SINGLE STOREY EXTENSION AND TWO STOREY HOLIDAY LET COTTAGE WITH PARKING.	Refused	23/12/2008
05/1018	DISABLED WORKS FOR LINK BETWEEN EXISTING BUILDING AT 1ST FLOOR	Granted	20/02/2006
06/0023	ERECTION OF DETACHED COVERED SWIMMING POOL WITH GARAGE	Finally Disposed Of	01/03/2007
03/0519	PROPOSED ERECTION OF CONSERVATORY	Granted	14/07/2003
03/0518	PROPOSED CREATION OF NATURE CONSERVATION AREA INCLUDING	Granted	14/07/2003

	OBSERVATION PLATFORM/HIDE (PART RETROSPECTIVE)		
02/0851	ERECTION OF 14 LIVERY STABLES TO REPLACE EXISTING BLOCK AND	Granted	29/11/2002
02/0743	REPLACEMENT EXERCISE PADDOCK CHANGE OF USE FROM AGRICULTURAL LAND TO LAND FOR THE STORAGE AND DISPLAY OF GARDEN SHEDS	Refused	29/10/2002
02/0079	PROPOSED EXTENSION AND REPAIR TO EXISTING BARN AND ERECTION OF NEW POLYTUNNEL	Granted	27/03/2002
01/0786	PROPOSED SINGLE STOREY EXTENSION TO REAR AND DOUBLE GARAGE	Granted	03/01/2002
01/0475	MODIFICATION OF CONDITION NO. 4 TO 5/99/297 TO AFFORD A PERMANENT APPROVAL FOR USE OF BARN TO OFFICES & SHOWROOM	Granted	15/08/2001
99/0529	RESUBMISSION OF 5/99/215 - CHANGE OF USE OF STABLE BLOCK TO 8 STABLES FOR RENT	Refused	06/10/1999
99/0297	CHANGE OF USE OF BARN TO OFFICES & SHOWROOM (FIRST FLOOR ONLY)	Granted	11/08/1999
99/0215	MODIFICATION OF CONDITION NO. 2 ON APPLICATION 5/95/131 TO PERMIT THE USE OF 14 DOMESTIC STABLES AS LIVERY STABLES	Refused	16/06/1999
A/98/0004	AGRICULTURAL DETERMINATION FOR ALTERATION AND REPAIR TO BARN	Permission not required	14/10/1998
95/0131	CHANGE OF USE TO STABLES	Granted	12/04/1995
92/0067	OUTLINE: ERECTION OF A PETROL FILLING STATION, ACCESS TO ROUNDABOUT AND SEPTIC TANK	Refused	25/03/1992
91/0696	OUTLINE APPLICATION FOR THE ERECTION OF PETROL STATION, DINING FACILITIES AND NEW ACCESS TO ROUNDABOUT.	Refused	26/02/1992
91/0075	REVISED APPLICATION FOR USE OF LAND FOR PETROL FILLING STATION AND MOTORIST FACILITIES	Refused	22/05/1991
90/0746	USE OF LAND FOR PETROL FILLING STATION & MOTORISTS FACILITIES	Refused	30/01/1991
90/0715	USE OF LAND FOR PETROL FILLING STATION AND MOTORIST FACILITIES	Refused	30/01/1991
89/0472	ONE AGRICULTURAL WORKERS BUNGALOW	Granted	09/08/1989
88/0878	OUTLINE: AGRICULTURAL WORKERS DWELLING	Granted	22/02/1989
78/0100	SLURREY STORE.	Granted	08/03/1978

Relevant Planning Appeals History

Application No.	Development	Decision	Date
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99/0215	MODIFICATION OF CONDITION NO. 2 ON APPLICATION 5/95/131 TO PERMIT THE USE OF 14 DOMESTIC STABLES AS LIVERY STABLES	Allowed	17/11/1999
91/0696	OUTLINE APPLICATION FOR THE ERECTION OF PETROL STATION, DINING FACILITIES AND NEW ACCESS TO ROUNDABOUT.	Dismiss	09/07/1992
92/0067	OUTLINE: ERECTION OF A PETROL FILLING STATION, ACCESS TO ROUNDABOUT AND SEPTIC TANK	Dismiss	09/07/1992

Parish Council Observations

Medlar with Wesham Parish Council

Original response dated 16th January 2013:

Wish to make the following observations:

The development would be outside the settlement boundary. This would contravene policy SP2.

There are concerns that the outline elements of the proposal including employment & recreation facilities may never come to fruition and could be substituted with further warehouses or industry.

Concerns that the on-site treatment plant would be inadequate to serve the amount of people that would occupy the site (as per EA guidelines).

The land is agricultural land and at grade 3a & 3b this land should be protected from permanent loss.

The Council has concerns regarding the over intensification of the site, for example the 20 metre high buildings and the floodlighting.

The A585 already experiences excessive volumes of traffic causing jams along the stretch from Fleetwood Road roundabout to the M55. The additional heavy traffic would add pressure to that road.

The Local Plan Preferred document states that this piece of land (E4) consists of 4 hectares for potential development. The application for the site plans for 12 hectares of development.

Kirkham Town Council

Original response dated December 4th 2013

The Council OBJECT to the proposal and recommend refusal:

Whilst not against the concept of the stadium in principle make the following objections:

Egress and ingress particularly for emergency situations;

Adverse impact on Kirkham & Wesham high streets by the inclusion of ancillary enablement development retail outlets.

Volume of traffic overall on an already congested road network

The extension of the proposed 4 hectare site within the Local Plan (which is at the consultation stage) to 12 hectares.

Greenhalgh with Thisleton Parish Council

Original response dated 20th January 2014

Strongly object to the above application being approved for the reasons detailed below;

Full planning application items

The signature item in this application, a 6000 spectator capacity football stadium, is based totally on a hypothetical dream of the clubs owner. AFC Fylde is a team playing in an amateur division well below the level of the Football League and achieves an average spectator attendance for each match of less than 400. Even if they were to have a rapid promotion through the divisions it would be several years before they would reach the lowest Football League division and even then a typical spectator attendance of such matches would be in the order of 2000. Therefore the requirement for a 6000 spectator capacity stadium is completely unjustified particularly as the team currently plays in a stadium that can cater for >2000 and has all the necessary facilities.

The proposed B8 Warehouse and Distribution Centre is earmarked for an existing company which wishes to improve its facilities however the new facility would not create any new employment as the current workforce would just relocate. There are likely to be several existing unoccupied facilities that could be used thus the new facility is not justified.

The addition of a Retail Store on this site would have a serious impact on the stores in Wesham and Kirkham and would risk the loss of stores which are vital to people unable to access an out-of-town store, not to mention the addition of more empty stores within the community.

Outline application items

There are no obvious requirements for any of these four sports based items, Sports Science Building, Outdoor Full Size Sports Pitch, Multi-use Floodlit Artificial Training Pitch and Three All-weather Floodlit 'five-a-side' Pitches given that there are excellent sports facilities at the Ribby Village and Carr Hill School is currently pursuing a school/community project to create just the facilities proposed above. Given that these facilities are only ~2 miles from the site there is no justified reason for further facilities.

There is a twelve (12) pump petrol filling station that has recently been totally refurbished less than one mile from the proposed site so there is no justification for another Six Pump Petrol Filling Station.

In the same way as the Warehouse a Non-food 'bulky' Goods Retail Use could likely be sited in one of several existing unoccupied facilities. Also as for the Retail Store any new facility would impact on similar facilities already existing in Wesham or Kirkham.

A 63 Bed Hotel would be in competition with an existing hotel less than one mile from the proposed site but more importantly adjacent to the M55 Motorway thus more likely to attract residents.

There are numerous take-away establishments in Wesham and Kirkham so there is no justification for an out-of -town Drive-through Restaurant which encourages both obesity and littering of the surrounding area.

Similarly there are numerous public houses and restaurants in and around Wesham and Kirkham so there is no justification for another Pub/Restaurant. A similar establishment within a mile of the proposed site failed to survive and has subsequently been demolished.

Comments applicable to all the above application items

The proposed site is currently designated in the Local Plan as Countryside with a mixture of Best and Most Versatile Agricultural Land, Grade 3b Land and Woodland and importantly is outside the settlement of Wesham and Kirkham where this sort of development may be considered possible. It is unacceptable to lose countryside when sufficient brown field sites are available for use.

Both the stadium and warehouse are extremely large buildings, 65 feet and 40 feet high respectively and thus would have a significant visual impact on the surrounding area.

All the various buildings would create a major problem with light pollution in an area where currently there is very little unnatural light. The stadium in particular would have floodlights at the highest point and would thus be visible from a wide area well beyond the proposed site and this and the other floodlit pitches would create their pollution well outside office hours as they would have to operate at those times to make financial sense.

In the same way the activities at each building would create a major problem with noise pollution in an area that is currently extremely quiet and again the noise would be during unsocial hours.

It is proposed that the black water (sewage) created from the buildings would be managed through an on-site facility however that could create a problem if the system used were to fail and discharge effluent into the local water course. Also the need for tankers to remove the waste would create additional unnecessary traffic whereas connecting to the existing mains sewage system, as with other sites further away, would remove this traffic and risk of an on-site system. The grey water (from showers, etc.) would also need to be treated before it is discharged into the water course.

Being a mixture of grassland and woodland the 14 hectares are self-draining but if the development were to be completed that area would effectively be sealed and thus the surface water has to go somewhere. The main water course in the area is the Bradkirk Brook which runs just north of the proposed site however this brook runs under the A585 and thus its flow is controlled by the size of the associated culvert. Currently the brook is normally capable of discharging the local surface water but such an increase in the surface water as envisaged from the proposed site would result in the culvert stalling and thus land adjacent to the brook would flood. In addition given the materials to be used on the proposed site and spillage of vehicle fuel, etc. it is highly likely that the surface water from it would reduce the quality of the water flowing along the brook with the associated harm to the local flora and fauna.

The site is currently rich in flora and fauna including important species such as owls, bats and potentially crested newts and water voles, in addition to deer, foxes and buzzards with many of these species breeding there and hence this development would have a disastrous effect on the local environment.

The potential car and HGV traffic to and from the proposed site would significantly increase the flow onto the A585, a road that is incapable of handling the current demand which is to get worse with the traffic to and from the nearby new housing developments about to be built.

The Public Transport available to the proposed site is minimal having just an infrequent bus service. As a result the vast majority of people visiting the site would do so by car and yet the proposed amount of car parking appears insufficient and thus where are people to park without obstructing the main road alongside the site?

Given the traffic flow on the A585 it is highly doubtful that anyone would risk accessing the proposed site as pedestrians or cyclists thus it would deter locals from the site who would not wish to use their vehicle, if they had one, for such a short inefficient journey.

As the site is proposed a Public Right of Way (footpath) would need to be altered, it cannot be closed, and while that is possible the activities and traffic on the site would significantly increase the risk to those using what is currently a very quiet footpath.

It is highly likely that many, if not all, the establishments on the proposed site would wish to have some sort of signage, probably illuminated, at the entrance or along the perimeter of the site thus further increase the visual impact of the development.

Despite the size of the proposed development there would not be a significant increase in jobs given that the sports facilities and warehouse would be staffed by those at the existing facilities.

As mentioned in the opening paragraph about the stadium and the lack of justification for the other proposed sports facilities there is a serious risk that if the development were approved these facilities may not be built which would open up the risk to additional establishments in the same category being approved in their place. Such as this would be a totally unacceptable way to destroy the existing site designated as countryside.

Weeton with Preese Parish Council

Original response received 16th December

In a predominantly farmed area, this form of proposed development would in the Parish Council's opinion, not add to the aesthetic of the area and would also not be 'in keeping' with the established rural community.

Secondly, with existing issues concerning the access to and from the M55 (junction 3) and the daily traffic build-up at peak times, the added number of vehicles on Fleetwood Road (A585) would impact negatively on the residents and community as a whole.

The Parish Council also have concerns of the negative impact on the existing local stores in the nearby small towns of Wesham and Kirkham. Additionally, the community already has a newly renovated petrol station and does not require a further facility. The fact that all the facilities mentioned within the application, with the exception of a major sports stadium which is of no benefit to the local residents, are available within the immediate area, would certainly suggest that there is no further need for additional facilities and on these grounds, the Parish Council strongly oppose the application and recommend refusal.

Statutory Consultees

Blackpool Airport

No response received

Blackpool Borough Council

No response received

Preston Borough Council

For several of the proposed uses a town centre location would be preferable, although the land required for the pitches would more than likely require an out-of-centre location. The proposed retail uses, a small neighbourhood Aldi store and a non-food bulky goods retail unit, are of a relatively minor scale.

From a Preston point of view, bearing in mind the location, neither the scale nor range of the proposed uses is significant enough to present concerns and therefore no objections are raised to the proposed development.

Wyre Borough Council

The application is for a sports-led mixed use development that includes an Aldi supermarket, retail unit for bulky goods, storage and distribution warehouse, pub, hotel and sports facilities.

The site is outside the defined settlement boundary shown in the adopted Fylde Local Plan and is in the countryside. I note the planning statement places emphasis on the NPPF's presumption in favour of sustainable development on grounds the current settlement boundary dates from 2003 which can no longer be sustained to meet the Borough's development needs. The planning statement relies on the emerging Fylde Local Plan which identifies the site as suitable allocation for employment and leisure uses as evidence to support the applicant's position.

I note the retail statement makes reference to the Fylde Coast study. The planning statement concludes there are no sequentially preferable sites within the locality. It also indicates the retail impact on Poulton-le-Fylde Town Centre will be 1% for both the Booths and Co-op stores and zero-impact for other shops in the town centre. The statement concludes the proposal will not undermine the vitality and viability of nearby centres.

Although the proposal is estimated to have only a limited impact on Poulton-le-Fylde Town Centre's retail offer, it is nonetheless important (should Fylde Council be minded to approve the application) that appropriate planning conditions are attached to any permission. Planning conditions must ensure the nature of the retail element is limited to that applied for, and should cover: (i) limit the maximum gross and net sales area of the two retail units; (ii) limit the convenience and comparison goods floorspace split of the ALDI; and (iii) restrict the second unit to bulky goods only instead of an open A1 consent.

Additionally, it will be important the other elements of the proposal such as the storage and distribution warehouse, the pub and the hotel are subject to appropriate planning conditions to ensure they are restricted accordingly (should Fylde Council be minded to approve the application).

Lancashire County Council - Highway Authority

I refer to the above application and would like to thank you for the opportunity to comment on the proposal. These comments consider the highways and transport information submitted within the application documentation; this information includes a Transport Assessment (TA) and a Travel Plan (TP) which has been produced on behalf of the developer by Cameron Rose Associates (CRA).

Lancashire County Council (LCC) is committed to supporting development that is, or can be made, sustainable, can be accommodated within the highway network and is in line with the National Planning Policy Framework (NPPF), local planning policy or other relevant guidance. To this end officers of LCC have provided detailed correspondence in respect of the submitted Transport Assessment (TA) which accompanied the application.

On review of the TA which supported the application, LCC did not accept key content of that submitted as; the assessment did not represent the Base traffic situation in respect of observed queuing and delay, the traffic models presented were not acceptable and the assumptions with respect to trips generated by the development were not accepted by LCC. In response to LCC initial consultation feedback CRA have provided further

information, analysis and Technical Notes and these have all been taken into consideration in preparing these final consultation comments.

For the avoidance of doubt, LCC does not accept the use of the original TA, its conclusions or the assumptions/analysis contained within, therefore this documentation should not be used as a basis for assessment of any future proposals that impact on the local highway network.

Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. With this in mind, the present and proposed highway systems have been considered and areas of concern that potentially could cause problems for the public, cyclists, public transport, motorists and other vehicles in and around the area have been identified.

LCC embraces a 'one team' approach to facilitate appropriate development within Lancashire. This involves working closely with planning authorities, in this case officers of Fylde Borough Council, developers and their representatives. This approach supports the delivery of high quality, sustainable development and an appropriate scale of development.

The Environment Directorate takes its responsibilities with regard to the highway and transport network very seriously and has a good appreciation of the traffic issues associated with the local and strategic network in this area. During traffic peaks, queuing and delay on the A585 northbound approach to the M55 junction has been observed, at times, to extend back to the proposed site access roundabout (a distance of approximately 1.2 km). Traffic from committed developments in the area has the potential to add further to delays in the future, therefore, it is appropriate to expect all development to mitigate its own impact under such circumstances.

Whilst reviewing this application the following emerging and committed developments have been taken into consideration by LCC, including:

- Bloor Homes(140 dwellings) on A583 Blackpool Road
- Gladman Development (180 dwellings) on A583 Blackpool Road.
- Mowbreck Lane (264 dwellings, 100 currently consented with an additional 164 applied for in the application currently within the planning process.

LCC has also taken into consideration the proposed Enterprise Zone, the existing and future operation of BAE Systems Ltd (BAES), and infrastructure proposals associated with other committed and emerging developments that may influence the local and strategic highway network in the vicinity of the site.

The additional vehicles generated by the Mill Farm proposed development will result in even higher flows on the existing surrounding network. Lancashire County Council does have concerns, given the scale and location of this development, as the local network does suffer from a level of congestion at peak times. The local highway network includes the A585 which provides the primary route to and from the M55 Junction 3 and the wider strategic network. It is critical, therefore, that the impact of this development does not compromise reliability and safety in the movement of people and goods by any mode on any part of the network.

The Proposed Site and the Transport Assessment on the Local Network

The proposal is a hybrid application that comprises a new 6000 capacity football stadium and 8 No. floodlit outdoor sports pitches, an 11,431sqm Warehouse and Distribution facility (Class B8), a 1,518sqm discount retail store (Class A1), a 6 pump petrol filling station with kiosk, a 785sqm non-food bulky goods retail unit (Class A1), a 60 bedroom hotel (Class C1), a pub/restaurant (Class A4) and a Drive thru restaurant (Class A3/A5).

This Hybrid application comprises a complex mix of land uses. This in turn means that a high number of assumptions must be made regarding the methodology adopted within the TA. Unfortunately, agreement could not be reached on these assumptions prior to the submission of the application. Further to this, much of the traffic assumptions submitted in the TA was based on an earlier approved residential application on the A583. The assumption of CRA was that as this residential development had now been approved then the TA must be considered as fully accepted by LCC. This was an incorrect assumption. It is not often the case that a TA as first submitted is fully accepted by the LHA. Even when the LHA do not make an objection to an application it cannot be taken that all content of a TA can be assumed to be acceptable. In the case of the TA produced for the Mill Farm application this led to production of 'Base' traffic models which had not been validated and which did not reflect the traffic conditions observed at peak times on site. For example, the peak period traffic signals at the A585/M55 junction 3 were not modelled - only a simple roundabout model was presented. As a result the CRA Transport Assessment presented results which showed no congestion and very limited queuing at M55 J3. This was fundamentally wrong and indicated to LCC that CRA had limited understanding of the local network being assessed.

The A585/Fleetwood Road junction was also not modelled satisfactorily, given the unequal lane usage on the approach arms. With the scale of development proposed and with consideration for all committed and emerging developments now coming forward in the area it was appropriate to model the junction more accurately.

On the 28th January 2014 at a meeting with all relevant parties, LCC officers outlined key concerns but also proposed an analytical approach that would be acceptable to LCC. Following the meeting, LCC provided CRA with revised information/assumptions and methodology for further discussion and agreement in respect of Trip rates, pass-by trips, new trips, diverted trips, committed developments, and modelling methodology. LCC also repeated to CRA our wish to see a clear and agreed assessment of the real and possible potential generation of the proposed Football Stadium. This involved a request for the developer to provide a clear strategy on how the current/expected and future potential attendances of the Football Stadium could be accommodated within the proposed application with consideration for the Masterplan, sustainable development, sustainable modes, parking and impact on the local highway and local residential areas (existing and proposed).

CRA produced an addendum report incorporating the above trip rates and revised modelling of the Signals on M55 J3 and at A585/Fleetwood Road. However, the report stated that CRA did not agree with LCC's review of the trips rates and associated generation.

There remain many areas of the Transport Assessment and subsequent Technical Notes where LCC do not agree with the approach taken or the assessment presented by CRA, these include:

- Modelling of A585/M55 Junction 3
- Preston Western Distributor
- Trip attraction/generation of the proposal

For each of the three issues identified above I have provided a brief outline of my concerns with the approach presented in the TA and subsequent work.

Modelling of A585/M55 Junction 3 Peak Hour Signals

CRA have updated the modelling for M55 J3 to incorporate the peak hour signals. However, modelling this junction is complex due to the operation and purpose of the peak hour signals. These signals are used to control excessive queuing on the M55 slips with the aim to prevent queues extending back on to the M55 mainline and the serious safety implications this could have. The signals and the configuration are controlled by the HA with detectors on the slip roads prioritising green time accordingly. This operation at times impacts severely on the A585 northbound approach to the junction. Under this type of control of motorway movement the HA focus their review primarily on the Strategic network. As the HA are able to ensure this development will not exacerbate the Strategic network under their control it is not unreasonable that they did not raise objection to this application or ask that the development mitigate its impacts on the A585.

Preston Western Distributor (comment on approach)

The CRA Technical Note presents a future scenario where they make a reduction to flows on the A585 south of M55 of approximately 33% due to the possibility of the Preston Western Distributor (PWD) being in place in their proposed future year (2023). The approach adopted was simplistic, unjustified and with over optimistic assumptions which took into account only the benefits that this development could attach to delivery of the PWD and not the bigger picture (i.e. much wider development of North Preston Strategic Location and associated traffic generation, Warton Enterprise Zone, Warton Strategic development location, revised turning movements that could be expected at the M55 J3 as well as the implications for the agreed distribution from the site (which was based on the current position not with PWD).

LCC have concerns with the analysis presented (for scenarios with PWD) and therefore have given appropriate weight to this assessment in reaching our final conclusions on impact and necessary mitigation.

Petrol Filling Station as a local M55 Services

LCC indicated at the initial meeting that the petrol filling station and other facilities and services being provided on this new site had the potential to generate much higher trip numbers which were 'new' to the local network than was being assessed in the TA. It should be noted that the nearest existing petrol filling station (PFS) on the A585 is approximately 1km to north of M55 J3. The PFS associated with the Mill Farm development will provide a very attractive alternative to the existing PFS on the A585. In addition, the fast food facility, food retail, public house/restaurant and hotel can also be considered to provide, to some extent, a function as a services for the M55 from J3 (note: the site is 1.2km, or less than 1 and a half minutes' drive in free flow conditions from M55 J3). This has the potential to result in a much greater impact than presented in the CRA Transport Assessment.

Therefore, while no agreement on the approach adopted in the TA has been reached, LCC have taken a considered view on all the information submitted, including the original TA, further Technical Notes, the revised Masterplan proposals, parking information and the Traffic Management Strategy for potential large and full attendance at the Football Stadium.

In a letter dated 2 May 2014, CRA set out what they consider to be the latest position. LCC have also taken into consideration the subsequent Safety Audit sent on 12th May 2014, but would note that there are a number of errors in this report.

Sustainable Development

Within the planning system a set of core land-use planning principles underpin plan-making and decision-taking, these place the focus on sustainable development. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development
- In line with NPPF, it is appropriate that a development such as this, on the edge of the built environment, provides good quality facilities for pedestrians, cyclists and public transport to meet the objectives for sustainable development. Provision for Sustainable transport modes is considered in more detail below.

Provision for Pedestrians and Cyclists

- As part of the planning process, LCC officers do provide support to all developers and their consultants on highway and transport matters. Through joint working, where possible, officers secure measures that help to overcome highway and transport issues and concerns. This supportive approach ensures that development that can be accommodated and made sustainable can then be supported. However, this does require developer commitment.
 - Officers of LCC have provided considerable feedback in respect of the original development Masterplan layout for Mill Farm. This has resulted in changes that will better cater for sustainable movements.
 - The off-site highway measures that are necessary and have been agreed with the developer's representatives are detailed below:
- Toucan crossing located on the southern approach arm to the A585 roundabout junction with the B5192. To include connecting cycleway and footways to the proposal site

- Toucan crossing located on the northern approach arm to the A585 roundabout junction with the B5192 to tie in with the diverted Public Right of Way. LCC consider the detailed design of this crossing may highlight the need to provide a crossing wider than the standard 2.7m to allow greater pedestrian numbers to cross safely at peak times, such as on large attendance match days!
(Note: the Road Safety Audit refers to this proposed Toucan crossing as being located on a section of road subject to the national speed limit of 60mph; this is incorrect, the signed speed limit is 50mph. The RSA also incorrectly refers to the road as the A495).

Indicative layout drawings for off-site highway works which are agreed 'in principle' subject to detailed design were included in the CRA letter of 2nd May 2014. The off-site highway works are shown in the following CRA drawing numbers:

- DRG. No. 075-01/GA-02 Rev A (Site Access and southern toucan crossing and pedestrian/cycle links), scheme to include surface treatment as necessary all subject to detailed design, and
- 075-01/GA-03 Rev A (northern Toucan crossing, bus stops, lay-by and pedestrian /cycle links), scheme to include surface treatment as necessary all subject to detailed design.

As part of the detailed design of these crossing facilities the existing advanced direction signs (ADS) and lighting will be reviewed and revised/updated as necessary and delivered with any necessary supporting infrastructure through the S278. (Note: the Stage 1 Road Safety Audit makes reference to the potential for existing signing to restrict visibility to the nearside primary signal heads). Any additional signing considered necessary to give advanced warning about the new crossing facilities will also be included within the detailed design. Finally, the distance the southern Toucan Crossing should be located from the roundabout and all other considerations will also be picked up at the detailed design stage.

All off-site works are to be delivered through S278 Agreement, unless agreed otherwise with the local highway authority. As part of the S278 works the developer will fund the consultation, administration and implementation of Traffic Regulation Orders including any necessary supporting infrastructure in relation to a review of the 50mph limit on the A585 to the north and south of the proposed site access junction.

Pedestrian and cyclist facilities within the site are considered under the heading 'Internal Site Layout' on page 8 below.

Public Transport

The current Public Transport service that runs on A585 Fleetwood Road is Service No. 76:

- Service 76 (St Annes – Lytham – Kirkham – Wesham – Poulton-le-Fylde – Victoria Hospital – Blackpool), Monday to Saturday - 1 per hour daytime – no evening or Sunday Service

Service No.s 76 and 78 can be boarded from the bus stop on B5192 Fleetwood Road.

- Service 78 (St Annes – Lytham – Warton – Freckleton – Kirkham – Wesham),

Monday to Saturday - 2 per hour daytime – 1 per hour evening and Sunday!

The distances to the nearest public transport bus stop (B5192 Fleetwood Road) using safe walking routes, is approximately 850m from the furthest end of the proposed site, 700m from the floodlit pitches, 600m from the distribution centre and around 500m from the further entrances/exits to the Football Stadium. To promote use by PT, walking distances to stops should be minimised. LCC therefore requested that the potential for PT provision within the site was investigated. However, the developer's suggested provision within the site, whereby a PT service could enter the site and be turned around in a car park adjacent to the southern floodlit sports pitch was considered a poor proposal which would be unlikely to be attractive to any PT operator. As a result, LCC requested PT provision (to Quality Bus Standards) to be provided on the A585 Fleetwood Road in the vicinity of the diverted Public Right of Way (PROW) FP18, as a minimum level of provision to support the use of PT.

LCC consider improvements to bus services (frequency and routing) new bus stops, and where necessary lay-bys to Quality Bus Standard, suitably located (in line with guidance) will be necessary as a minimum to support sustainable development.

LCC consider that a funding contribution is also necessary to provide a long term, viable public transport service to this development that would support improvements to frequency during weekdays, evenings and Saturdays and also the provision of a Sunday service, to reduce the influence of this site based weakness.

Funding should also be made available at an early stage in the site development to ensure the use of PT is encouraged and promoted from the outset.

The off-site highway measures for PT that are necessary and have been agreed with the developer's representatives are detailed below:

- Bus stop with associated lay-by and shelter on the northbound carriageway of the A585.
- Bus stop without lay-by or shelter on the southbound carriageway of the A585. No shelter or lay-by due to the available width of the southbound footway.

Note:

The position of the stops will be subject to detailed design. Currently, the southbound stop is shown located within the zigzag markings of the proposed Toucan crossing (LCC consider there may be safety benefits in locating the stop in a suitable location to the south of this position). The new bus stops on the A585 will be required to be to Quality Bus Standard (QBS) and Disability Discrimination Act (DDA) compliant.

Site Travel Plan(s)

A Framework Travel Plan for the site has been developed and feedback on this document from LCC's Travel Plan team has been passed to the developer's representatives, CRA. It is critical that suitable funding is provided to the developers Travel Plan Coordinator for a period of 5 years post completion of the development that can be used to satisfy targets (when agreed) and ensure that they can be maintained.

Should the LPA be minded to approve this application, the LCC planning policy paper highlights the level of contribution necessary. On a development of this size we would normally request a contribution for each different land use. As this is a particularly large development, with a number of different land uses which will require a diverse range of support, I would request a contribution of:

- **£30,000 for the development as a whole**

This is to enable Lancashire County Council's Travel Planning Team to provide a range of services as outlined below. The Section 106 contributions will primarily be used to enable the Sustainable Travel team to:

- Appraise Travel Plan(s) submitted to the Planning Authority and provide constructive feedback.
- Oversee the progression from Framework to Full Travel Plan in line with agreed timescales.
- Monitor the development, implementation and review of the Travel Plan for a period of up to 5 years.
- Support the development and implementation of the Travel Plan.
- Develop and provide online, staff mode of travel surveys and collation of returns for baseline and subsequent monitoring purposes.
- Attend meetings with developer/occupier/co-ordinator as necessary.
- Provide access to leaflets, publicity, maps and information – provision of bespoke literature and large quantities may be subject to additional charges.
- Conduct a basic site audit.
- Provide localised maps and plans, GIS mapping of staff postcodes or other origin and destination data, accessibility plot of public transport, walking and cycling routes/thresholds to site.
- Advise and offer appropriate support with implementation or suitability of specific elements or measures.
- Assist with the development of sustainable travel directions for web pages and other appropriate content.
- Help stage promotional events and activities including Walk to Work Week, Bike week, car free days or measured mile walks etc.

Internal Site Layout

The developer's representatives have provided a revised Masterplan, Drawing No. 4884/06 Rev G. The revised Masterplan layout has addressed many of the concerns raised by LCC in relation to measures necessary to deliver and support sustainable development as well as addressing some of our concerns with regard to car parking

provision and safe operation of traffic and pedestrian movements. The key changes to be noted (as set out in the CRA letter of 2nd May 2014) include:

- Internal combined cycleway/footway of 3.25m in width circulating the site and connecting with the diverted Public Right of Way. To include connecting cycleway and footways to the proposal.
- Extended coach, taxi and drop-off lay-bys within the internal layout of the site.
- Increased car parking provision, including detailed plan and car parking accumulation analysis;
- Vertical deflection along the long straight of the site access road; and an
- AFC Fylde Traffic Management Plan.

LCC still have some concerns regarding the proposals shown on the site Masterplan for the internal development of the site. This is a Hybrid application with elements of the proposed site applied for in full and other land uses applied for in outline only. All matters must be addressed as indicated below.

The latest Masterplan continues to show a possible access to Mill Farm onto the internal site access road north of the Football Stadium. The details of any such access have not been addressed in the Transport Assessment or subsequent documentation. This was discussed at the meeting held on 16th April 2014 and it was suggested that this would be removed from the plan/application. Access is part of the full application element of this hybrid application and so not a reserved matter. However, the note referring to the potential access was not removed from the revised plan. It has now been agreed that the 'possible access to Mill Farm' can stay on the Masterplan and if the application is approved it will be subject to a condition whereby any future access will be controlled by the need for a future application, in accordance with the principles set out in correspondence between the developers representative, the LPA and LCC on 14 May 2014.

Access to the Public House and Restaurant must ensure visibility splays are maintained at all times. Planting of trees and shrubs as shown may impact on sightlines

Diversion of the Existing Public Right of Way (FP 18)

It is agreed that there will be provision of pedestrian/cycle routes through the site between the site access and also from the proposed bus stops on the A585 Fleetwood Road. These pedestrian/cycle links will help promote sustainable journeys.

The proposed application impacts on Public Right of Way (PROW), Footpath No. 18. The latest illustrative site Masterplan layout indicates a diversion of the PROW to accommodate the site proposals. Any cost associated with changes to Public Rights of Way as a result of this development will need to be borne by the developer, whether physical measures or the legal procedures.

Public Rights of Way must not be obstructed as a result of the proposed development. It

is the responsibility of the landowner to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way if this should be necessary. The granting of planning permission does not constitute the diversion of a Definitive Right of Way. If it is necessary for Public Rights of Way to be temporarily diverted or temporarily closed, this is the responsibility of the landowner to ensure that this is done following the appropriate legal procedures. A temporary closure will only be granted where it is the intention to re-open the right of way upon expiration of the closure on the route recorded on the Definitive Map of Public Rights of Way.

The improvement to the PROW which passes through the site should be conditioned and funded through S278 and/or s38 agreement.

Funding Mechanisms

Section 278 Agreement

Section 278 agreements (S278) are appropriate where improvements are required in the public highway, paid for by the developer (costs to include design fees, safety audits, amendments to street lighting and traffic signalling equipment and all other risks associated with the highway improvements required by the development so that public funds are not used in the provision of these features).

It is expected that for development to be acceptable in highway and transport terms works must be secured through a S278 Agreement and must be agreed with LCC.

The list of S278 works to include:

- Access junction roundabout
- Toucan crossing (south of Fleetwood Road) and associated works
- Toucan crossing (north of Fleetwood Road) and associated works
- Bus lay-by, shelter and stops (QBS) on A585 in the vicinity of the diverted PROW and any other necessary supporting infrastructure to ensure it can be used safely by users and operators.

Note: Delivering these works will require a review, consultation and implementation of new/or changes to TRO's; the full cost for these to be funded by the developer. Locations include A585 and adjacent residential areas (to include parking restrictions and speed limit reduction).

Planning Obligations (\$106 Planning Contributions)

Planning contributions will be used to fund and provide measures which support sustainable communities and developments and to reduce the level of negative impact that would otherwise be produced by the development by providing infrastructure that facilitates/supports necessary change in travel behaviour.

The position with regard to off-site highway improvements and sustainable transport linkages has moved forward and a number of matters have been agreed. However, the level of planning contributions for highway and transport matters has not been agreed between the developer and the LHA.

As highlighted by LCC officers at the meeting on 16th April 2014, it will be for the LPA to make the final decision on the application and the necessary S106 contributions, with consideration for all aspects of the application including, the impact of this commercial development, the viability of the proposal and any wider community benefits.

LCC consider the following funding contributions are necessary to make the development acceptable in regard to highways and transport:

- Public Transport funding to improve services, including weekday frequency also evenings, weekends and Sunday.
Therefore request for £150,000 PT funding for service improvement.
£100,000 of the request is required to deliver a Sunday service of limited frequency for Bus Service No.76. This level of funding would also provide opportunities to enhance peak hour service frequency or improve the evening service. The overall request would still result in a site which offers limited PT provision.
- Funding contribution of £25,000 for pedestrian and cycle route to be used for improvements on A585 linking the development to A583.
- S106 funding of £100,000 for measures to improve sustainable travel measures on route to and at Kirkham and Wesham Train Station (including level access to the platforms, potential Park & Ride facilities as well as cycle storage and stands).
- Travel Plan support (Funding for LCC support for Travel Plan)
£30,000 in total for the development.

Matters to be covered by Appropriate Conditions

Should Fylde Borough Council decide to grant planning permission, LCC would want a number of highway matters covered by appropriate planning conditions.

Summary

The local network does suffer from a level of congestion at peak times. It is critical, therefore, that the impact of this development does not compromise the movement of people and goods by any mode on any part of the overall network.

The developers Transport Consultant (CRA) has provided a considerable amount of further information in recent weeks and the LHA has been able to reach agreement on a number of mitigation measures considered necessary to make this site a sustainable development.

There is congestion associated with the A585 northbound approach to M55 J3 that at times extends back to the Mill Farm site access. This development will result in increased flows on the existing transport network in and around the development site. The impact will not be directly mitigated by the off-site highway works proposed by the applicant to facilitate access for vehicular or sustainable transport modes.

LCC consider that some development related impacts could be mitigated somewhat through the provision of further good quality infrastructure provision for sustainable

transport modes and funding to promote sustainable transport measures.

With consideration for all the information now provided, LCC would not recommend an objection to the proposed development providing that appropriate funding (£106) for sustainable measures is secured and that all s278 measures as agreed and detailed above are delivered by the developer in line with agreed trigger points. Without delivery of all changes/funding provided it is considered the site does not meet the requirements of the NPPF. It is essential that suitable conditions are put in place to ensure these necessary measures are delivered.

Highways Agency

Holding direction removed in April 2014. Therefore, no objection.

Lancashire County Ecology Service

I have reviewed the additional information submitted (Letter dated 11th April 2014, Cameron S Crook and Associates).

Cameron Crook's letter in response to my initial comments to Fylde Borough Council appears to be questioning why the Extended Phase 1 Habitat Survey and Baseline Ecological Impact Assessment submitted in support of the above planning application has been scrutinized and also appears to question the need to provide raw data and evidence to back up the conclusions provided.

My role is to advise the LPA to enable them to make a sound planning decision based on sufficient information.

The British Standard *Biodiversity – Code of practice for planning and development* (BS 42020:2013) makes it clear that the accuracy and reliability of ecological information submitted with an application should be scrutinized by both the decision-maker and their advisors (section 8.2).

In addition, the British Standard states that:

- Claims of compliance with good practice should be substantiated (Para 6.3.6) (i.e. the applicant should provide evidence that surveys have been carried out in accordance with good practice guidelines).
- Evidence underpinning ecological reports should be obtained using reproducible scientific methods that allows the reliability of the data to be verified. Such full disclosure of survey methods used to gain data allows the results to be verified, analysed and interpreted independently (from Para 6.10)
- Where information in ecological advice or reports is part of a planning application, the original field and desk-top data, along with comprehensive evidence of subsequent analysis and interpretation of results should be available for scrutiny and verification (Para 6.11.1)
- Accurately transcribed or recorded copies of original field data should be made available on request in the form they were collected, and should not be re-worked or re-presented to make them appear more credible or acceptable than they were in their original state (Para 6.11.2).

Enertrag UK Ltd v South Norfolk District Council [2008] planning appeal highlights how LPAs must be prepared to play an investigative role where ES are concerned by looking more critically at the assertions made by or on behalf of the developer.

It is clear that the LPA needs sufficient evidence on which to base their decision and that

there is a need to sufficiently scrutinize ecological information, including raw data, rather than taking it on face value.

The following matters have been addressed:

Amphibians

- Information has now been submitted to justify the conclusion that the watercourse to north of the site is a significant barrier to amphibians.

Bats

- It has been confirmed that the Goat Willows (labelled G9 in the tree report) to be affected are not suitable to support roosting bats.

Badger

- Clarification has been provided that no badger activity or setts were found on the site but that a level of rabbit activity was recorded.

The following matters have not been addressed and further information to address these matters is required:

Amphibians

- A list of all the amphibian survey dates have been provided but it is still not clear what dates each waterbody was surveyed.
- Raw data of the amphibian surveys has still not been provided. Appendix C (labelled amphibian survey data) appears to be missing from Ecological Impact Assessment report. A table for each waterbody should be provided, detailing the dates of each survey at individual waterbodies, the weather conditions, survey methods used during each survey and numbers of each stage of each amphibian species observed during individual surveys.
- Measures to demonstrate avoidance of impacts on populations of amphibians, including Common Toad (a Species of Principal Importance) have not been provided.

Cameron Crook makes varying statements about the size of the Common Toad population. This appears to be based on numbers of tadpoles observed during the Great Crested Newt surveys. I am not aware of any evidence of the accuracy of estimating toad population sizes from the number of tadpoles observed. This does not appear to be a recognised method of estimating population size.

The amphibian surveys carried out were primarily for Great Crested Newt. The toad breeding season is earlier in the year than the Great Crested Newt breeding season and in order to make an assessment of the breeding population class of Common Toad a different survey methodology is required. To assess the breeding population size class of Common Toad night time toad counts in waterbodies should be carried out during the period February to late April with at least 4 visits needed over a 14 day period from the first paired toads in the pond.

A population of breeding Common Toad of unknown size is present in the waterbody immediately adjacent to the site. The site supports good terrestrial habitat for toads, including rough grassland and woodland. It is therefore reasonable to assume that toads are present on the site and could move onto the site during construction works and the operational phase.

As recommended in my previous letter, measures should be submitted to demonstrate that an adequate mitigation strategy for Common Toad can be delivered at the site to ensure impacts on the population (whatever its size) would be avoided. Measures to

avoid impacts on Common Toad would also ensure impacts on other amphibian species are avoided.

- Cameron Crook's letter states that the latest proposals include a large balancing pond. I am not aware of any amended plans that have been submitted.

Bats

- The applicant has not clarified/confirmed whether or not trees to the north of the site (outside the site boundary) are to be affected. I recommended that Fylde Borough Council be satisfied that these trees would not be affected, for example through installation of surface water outfall.

- My previous comments regarding the level of bat activity at the site appear to have been misinterpreted or were unclear. For clarity:

The proposal including floodlighting of suitable bat habitat and therefore triggers the need for bat surveys, as bats are reasonably likely to be affected. Bat activity surveys have been carried out but it is not clear to me that these provide a representative sample of the bat activity at the site, in particular in areas to be subject to lighting.

I therefore recommended that full details of the survey methodology used during the bat activity surveys be provided (transect routes, timing and positioning of static recorders, raw survey as detailed in my previous letter) or the applicant should provide information to demonstrate that impacts on bats using suitable habitat would be avoided (e.g. through demonstrating suitable bat habitat would not be subject to light spill or restricting the use of the lighting).

This information has not been submitted.

Birds

- Information of the bird survey methods used and the detailed raw survey data, including maps, have not been submitted.

Badger

- Clarification has not been provided as to whether or not the entire perimeters of the plantations were surveyed for any signs of badger trackways/pathways going into the plantations.

Hedgerows

- No information has been submitted to clarify whether or not the hedgerows along the eastern boundary of the site would be affected.

Environment Agency

Response received 28th November 2013

We **object** to the grant of planning permission and recommend refusal on this basis for the following reasons:-

FLOOD RISK

Reason

The application is accompanied by a Drainage Strategy (DS) by PSA Design Ltd (D1659-R-D01; 1 October 2013; Revision A) and Flood Risk Assessment (FRA) by PSA design Ltd (D1659-R-F01; 14 October 2013; Revision A). Both reports appear to be based on the assumption that this is an Outline application. However, part of the proposal is a detailed

application for Full permission.

We do not consider that the FRA and DS submitted with this application comply with the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy Framework. The submitted documents do not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted report fail to:-

1. Identify the proposed surface water discharge rates from the part of the site subject to the Outline application and the part of the site subject to the Full application.
2. Demonstrate how the run off generated by the part of the site being considered under the detailed application will reach the watercourse.
3. Drawing number D1659-D-03 states that the outflow in to Bradkirk Brook (which is a designated Main River) will be restricted to a maximum flow of 134 litres/second, which differs from the rates identified in the DS.
4. The DS does not consider the run off generated from the whole site - run off from the Greenfield part of the site should also be considered.
5. The existing run off rates for Mill Farm only considers the run off generated from the impermeable section of the farm.
6. The DS concludes that the proposed method of surface water disposal is a sustainable drainage solution, however the use of a cellular tank is not a sustainable drainage system.
7. The DS does not consider the potential flows generated by any proposed sewage treatment (should it be demonstrated that on-site treatment is the only viable option)

Overcoming our objection

Our objection may be overcome by submitting a FRA & DS which address the deficiencies highlighted above and demonstrate that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal consultation. Our objection will be maintained until an adequate FRA has been submitted.

FOUL DISPOSAL

Reason

The disposal of foul drainage is considered in the DS and it identifies a range of options, including the disposal of foul drainage on site to a private sewage treatment plant. It goes on to state that the disposal of foul drainage will be agreed at the detailed design stage.

Given that part of the application is a detailed proposal for Full planning permission, the proposed method of foul drainage should be identified and any proposals for the use of non-mains drainage should follow the hierarchy set out in DETR Circular 03/99 'Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development'.

Based on the information submitted, it has not been demonstrated that the connection of foul drainage to the public sewer is not practicable in this instance. The use of a non-mains drainage system should only be considered where it has been shown that it is not possible to connect to the public sewer network.

The DS makes reference to a private foul sewer that crosses the site and which may need to be diverted to accommodate the development. Under the Transfer of Private Sewer Regulations 2011, it is possible that responsibility for this sewer has been passed to Untied Utilities and so a foul sewer connection on site may be possible. Even if this is not the case, the applicant should demonstrate why a connection to the foul sewer on Fleetwood Road is not a viable option before considering the use of a non-mains sewage treatment system.

The discharge of treated sewage effluent in to surface water or to ground will require an Environmental Permit from us, unless an exemption applies. The granting of planning permission does not guarantee the granting of a permit under the Environmental Permitting Regulations 2010. A permit will only be granted where the risk to the environment is acceptable and where it can be demonstrated that it is not reasonable practicable to connect to the public foul/combined system in an area served by a public sewer.

To qualify for a registered exemption the rate of sewage effluent discharge must be 2 cubic metres a day or less to ground or 5 cubic metres a day or less to watercourse and must also satisfy a number of specific criteria. A Standard Rules Permit is available for discharges of secondary treated sewage (to surface water only) of between 5 cubic metres a day and 20 cubic metres a day. Discharges of treated sewage greater than 2 cubic metres a day to ground and greater than 20 cubic metres a day to surface water require a Bespoke Permit.

Overcoming our objection

The DS should be updated to identify the proposed method of foul disposal from the site and any reference to the use of a private sewage treatment system on site should be supported by evidence justifying why a connection to the foul sewer is not possible.

The applicant/agent should also contact United Utilities to discuss this application and, in particular, establish whether or not the private sewer referred to in the DS is one that has been transferred to them under the 2011 Regulations.

United Utilities - Water

Response received 14th January 2014

Wastewater

United Utilities have not assets within the vicinity of this development. Therefore United Utilities cannot accept any connection to the public network.

Water

The developer is aware of the Aqueduct crossing the site. As we need access for operating and maintaining it, we will not permit development in close proximity to the main and will require a 10m easement, 5 metres either side of the centre line of the

Aqueduct. I enclose a copy of United Utilities Standard Conditions for working near our water apparatus.

Our water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

Any necessary disconnection or diversion of water mains required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 & 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.

Electricity North West

There is no impact on our Electricity Distribution System infrastructure or other ENW assets

National Grid

No response received

Sport England

The proposal is in full for a 6,000 capacity football stadium for AFC Fylde -. 3 sides have standing terraces with the west stand being seated.

Outline permission is sought for:

1. Multi use floodlit Artificial Grass Pitch (AGP)
2. Full size floodlit 3G AGP
3. 3x floodlit 5 a side pitches
4. 2 storey sports science facility with indoor sports hall and changing facilities to support the outdoor pitches.

The land is currently agricultural so no playing fields or other sports facilities are affected. Sport England object to this application until such time as the strategic need and sustainability of the proposal can be demonstrated. The applicant is advised to submit the following information:

1. Football Development Plan for the Stadium, 3G AGP and 5 a side pitches. The content of this Plan should be discussed with Lancashire FA.
2. Hockey Development Plan for the Multi use floodlit Artificial Grass Pitch. There is an assumption this AGP will be for hockey use with the principal club being Springfield Hockey Club. The Plan should be discussed with the England Hockey Board (EHB)
3. Development Plan for the indoor sports hall – the relevant indoor national governing bodies should be consulted.
4. Community Use Agreement and Maintenance and Management Plan for all sports facilities.
5. Technical design plans that show the stadium will meet the required standards set by

the Football Association. As the other sports facilities are in outline only the design of these could be conditioned if the strategic need is demonstrated.

Background

Sport England has assessed the application in the light of Sport England's Land Use Planning Policy Statement 'Planning for Sport Aims and Objectives'. A copy of which can be found at:

http://www.sportengland.org/media/162412/planning-for-sport_aims-objectives-june-2013.pdf

The statement details Sport England's three objectives in its involvement in planning matters;

- 1) To prevent the loss of sports facilities and land along with access to natural resources used for sport.
- 2) To ensure that the best use is made of existing facilities in order to maintain and provide greater opportunities for participation and to ensure that facilities are sustainable.
- 3) To ensure that new sports facilities are planned for and provided in a positive and integrated way and that opportunities for new facilities are identified to meet current and future demands for sporting participation.

Consultation with National Governing Bodies of Sport

Under the terms of a Memorandum of Understanding Sport England has with the main pitch sport national governing bodies on planning applications, the Football Association (FA) and England Hockey Board (EHB) have been consulted. This is to ensure there is an identified strategic need for the sports facilities. They have commented as follows:

Football Association:

1. The new stadia should take into consideration the potential for future promotion. The Ground Grading requirements for Ground Grade B (Step 2), which would be the next step if the club was to be promoted, states the following "The Stadium must have a minimum operational capacity of 3,000 calculated by a competent person in accordance with the guidance given in the Guide to Safety at Sports Grounds (Green Guide). There must also be potential to increase the capacity to 4,000 in the future and a Club must, by the 31st March following the date of inspection, demonstrate how this capacity can be achieved." The stadium must conform to Ground Grading B.
2. Any 3G Football Turf Pitch should conform to the specifications within The FA Guide to 3G Football Turf Pitches (July 2013 edition).
3. Football is in need of more 3G pitches as we grow and retain more teams from mini-soccer through to adult as identified in our strategies.
4. Football has not highlighted as part of our strategy any need for clubs at this level to have a sports science block and this would not attract funding from our pots
5. In addition we would like to see, have input in, and agree before they are finalised:
 - a. a secure community user agreement with a suitable club for the 3G FTP elements
 - b. a football development plan
 - c. proposed pricing policy for all of the proposed the 3G FTPs

England Hockey Board

There is a strategic need for an additional floodlit hockey pitch in this area. There are currently limited hockey pitches available to clubs and those that are available are charging above average pitch rates. This is restricting the growth of hockey, and usage by clubs in this area.

Springfields Hockey Club has been consulted about this development proposal. EHB view is there is a strategic need for this pitch for the reasons above.

Sport England Conclusion

Although there is a clear strategic need for a hockey AGP there is no strategic need demonstrated for the football and indoor sports facilities. Sport England would need assurance that the sports facilities will address an identified need arising from the local sports clubs and the community and that the sports facilities will help increase participation in sport. There are no technical design plans for any of the sports facilities that demonstrate the sports facilities will be designed and constructed to the NGB standards and therefore fit for purpose.

The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grants funding.

Forestry Commission, NW England Region

No response received.

National Air Traffic Services

No safeguarding objection.

Environmental Protection Team

There are potential nuisance issues related to the above proposals, however I would add the following conditions/comments:

Construction times shall be limited to 08.00-18.00 Monday to Friday; 08.00 – 13.00m Saturday and no activity on Sundays or bank holidays.

Air quality assessment is satisfactory.

The applicant shall provide a light assessment to demonstrate that illumination from floodlights and security lights do not spill over onto neighbouring properties and cause nuisance. The applicant shall demonstrate that there will be no illumination greater than 3 lux at any nearby dwelling as a result of the development. Light nuisance can also be controlled by limiting times of operation similar to those applied to other sports venues in the Borough.

To that end the floodlights on each pitch shall not be operated after 22.00 on any day.

It is likely the development will create noise that could potentially be nuisance e.g. deliveries to the various premises on site; traffic noise; noise from extraction units etc. it may be best to deal with each premises separately as the site develops. Some noise may be impractical to deal with due to its nature. The only control may therefore be to limit the times of operation. Again this may best be dealt with on a premises by premises nature. Licencing conditions can also be applied in due course.

The other major noise issue will be crowd/spectator noise - unfortunately no formal controls such as maximum permitted sound levels can be applied as they are impossible to control. Any residents will be disturbed when crowd noise is present - conditions such

as limiting the number of fixtures or use of the main pitch can be imposed. However if noise related conditions are preferred then the following shall be applied: The proposed development shall be designed so that cumulative noise from the proposed noise sources does not exceed 50dB LAeq (16 hour) from 07.00 to 23.00, 45dB LAeq (8 hour) from 23.00 to 07.00 and 60dB LAFmax from (19.00 –0700* or 2300-0700) for single sound events at the façade of the nearest noise-sensitive property, or any such level as agreed in writing by the Local Planning Authority. Prior to the submission of an application for full planning permission a noise study shall be undertaken to demonstrate that the development meets this requirement.

* The evening standard LAFmax will only apply were the existing evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour

The proposed development shall be designed so that cumulative noise from the proposed noise sources does not exceed 55dB LAeq (16 hour) from 07.00 to 23.00 at the outdoor living areas of the nearest noise-sensitive property, for example rear gardens and balconies, or any such level as agreed in writing by the Local Planning Authority. Prior to the submission of an application for full planning permission a noise study shall be undertaken to demonstrate that the development meets this requirement.

Economic Development Officer

The proposed development of this site will deliver approximately 441 jobs. When compared to the current uses of the site it is clear that 441 is greater than zero. Therefore considering this impact alone I would recommend approval of the proposed development.

To add further depth to this analysis I have evaluated the proposed development in comparison to the proposals set out in the Council's Preferred Options document. This analysis therefore sees 441 jobs compared to 208. Therefore considering this impact alone I would recommend approval of the proposed development.

This analysis has looked only at the economic impact (measured in terms of jobs) of the proposed development and has not considered wider impacts, costs or benefits. With the analysis I have undertaken there will be a margin of error, but I feel the evaluation I have completed gives the best possible evaluation of the impacts of the development given the available information. On balance I conclude that the economic impacts of the proposed development would be beneficial to the local economy and therefore I would recommend approval of the proposed development.

Lancashire County Council Rights of Way

The application area incorporates Public Footpath no.18 Medlar with Wesham. A diversion of the footpath is required to allow the development to take place. Public Rights Of Way must not be obstructed during the proposed development.

The development must not commence until the necessary procedures are in place either allowing the development to take place without affecting the right of way as recorded on the Definitive Map.

Observations of Other Interested Parties

Lytham St. Anne's Cycle Group:

Object to the inclusion of retail outlets within this planning application. We do not believe

that this development will meet any unmet need for retail facilities. Instead, we believe that this will simply dilute current (and future) purchasing activity across a wider number of outlets, the likely effect of which will be to the detriment of existing town centres.

We believe it important that town centres should be afforded adequate protection to preserve and develop their existing (and potential) future retail outlets so that they remain accessible by sustainable transport.

It is unlikely that the retail outlets in this development will be used by anyone without access to a car and the outcome will be an increase in motor traffic.

CPRE:

Objects to this planning application. Our grounds for objection cover:

1. Conflict with planning policy for development in the countryside
2. Proposed allocation in the Local Plan Preferred Options
3. Environmental impact and the need for an Environmental Impact Assessment
4. Ensuring viability of town centres: need for a Town Centres Impact Assessment
5. Access and traffic congestion
6. Sustainability
7. Loss of agricultural land

These are detailed in the following sections.

1. Conflict with Planning Policy for Development in the Countryside

The site is outside any settlement in a semi-rural area and on land designated in the current Adopted Local Plan (the Local Plan) as Countryside Area. The proposal is therefore contrary to Policy SP2 of that plan because it fails to meet any of the acceptable exceptions regarding development in such areas.

We also consider the application fails to meet the NPPF Para. 28 which states rural development should '*promote the development and diversification of agricultural and other land-based rural businesses.*' Although other aspects raised in Para. 28 do support unspecified development in rural areas in our opinion this development is completely at variance with rural based activities, consequently we consider the policy aspect quoted as being most relevant.

2. Proposed Allocation in the Local Plan Preferred Options

The Local Plan runs until 2016 and will be replaced by the forthcoming Local Plan which will run until 2030. Proposals are emerging for the forthcoming Local Plan where in the published Local Plan to 2030: Part 1 Preferred Options (June 2013) Policy SL4 indicates possible allocation of a 4 Ha site E4 for '*employment and leisure*'. But no evidence of need for leisure is given and no policy is proposed for classes of leisure in such a Countryside Area. CPRE highlighted these deficiencies in our Consultation Response (*Reference 1*).

The area of the Mill Farm development site is given in the application as 12.6 Ha which clearly conflicts with the proposed allocation in the Preferred Options.

The site was first shown as a potential employment site in the Employment Land and Premises Study (*Reference 2*). The Study correctly identifies potential greenfield employment land allocations around Wesham as '*complex*' having considerable environmental and access issues. (*Para 11.51*).

In fact in our Preferred Options Consultation Response we found the Study unsound with respect to the amount of employment land required to be allocated. We believe that taking the Warton Enterprise Zone properly into account, together with the range of predictions and historical evidence in the Study, the Council will need less land than is currently designated as employment land. Thus the release of further land for commercial use at Mill Farm is premature.

However, overriding all this, it must also be remembered that public responses to the forthcoming plan and also the published Preferred Options have not been considered by the Full Council and have not been subject to examination in public. They therefore cannot carry much, if any, weight.

3. Environmental Impact and the Need for an Environmental Impact Assessment

The Planning Statement states that the Council has produced a Screening Opinion confirming that an Environmental Impact Assessment (EIA) is not required (*Reference 3, Para 1.8*). However, for the reasons below, in the opinion of CPRE a formal EIA must be provided.

We note that this development covers a range of businesses collected together to form a business park with a total area of 12.6 Ha and with a stated floor area of over 28,000 m². In addition, the stadium main stand would be over 80 m long and about 20 m high and other buildings proposed would be of comparable dimensions. Without doubt the development would be highly obtrusive in this semi-rural location. In this respect it would be contrary to Local Plan Policy EP10 which seeks to avoid adverse impact on landscape character.

Traffic

The traffic generated by the retail and commercial businesses proposed would be on a level to be expected with a sizable business park, but added to this with up to 6,000 spectators using the stadium when matches are on, so the impact of the traffic on the area would be immense. In addition, the associated parking would spill over into the surrounding roads causing added congestion problems. This all constitutes potentially massive environmental impact.

Also in connection with traffic we note that the Highways Agency require a 10-year assessment of traffic levels before approval. But we are concerned that in their response most weight is given to possible problems at the M55 junction and consider that exacerbation of problems already evident on the A585 with current traffic levels are given insufficient weight.

Sewerage

We note that a self-contained effluent system is proposed for the site but also that the Environment Agency has expressed dissatisfaction with the proposals regarding flooding. This is another aspect that underlines significant environmental impact that could arise from the proposed development.

Light pollution

Little if anything is mentioned in the proposal about lighting for the various elements of the development. Not only would general lighting for access to all the units be required but the stadium and the floodlit pitch will require floodlighting. Of necessity this will be mounted on high masts and will be extremely powerful. Even carefully designed lighting to Institution of Lighting Professionals (ILP) recommendations would still result in a site that is highly obtrusive after dark. No details are given by the applicant regarding lighting but any lighting, including internally illuminated advertisements, that do not meet ILP recommendations would be in conflict with Policy EP 28 of the Local Plan.

Noise pollution

The stadium and probably other sports facilities will use open air public address systems. This has been the case at the current AFC Fylde football ground close to Warton and the noise resulting from it can be heard over large parts of Warton and also Wrea Green. Thus the present stadium with its PA system does not meet Policy EP 27 of the Local Plan therefore creating a larger stadium and possibly other sports facilities with PA systems could certainly impact adversely regarding noise pollution on this rural area and are likely to be contrary to EP 27 of the Local Plan.

Advertisements

The site is within the Area of Special Control of Advertisements (ASCA). No mention is made of the multiplicity of adverts which would arise as a result of the various commercial and sporting units on such a development. These would have a significant adverse impact in an otherwise rural area. In particular, by their nature, any internally illuminated advertisements that might arise would be contrary to Local Plan Policy EP28.

Loss of woodland

4.7 Ha of the site is a woodland plantation which we understand is now designated as a forest. The development would obliterate a significant area of this woodland which would be to the detriment of the local area and contrary to Local Plan Policy EP12. With all these aspects of impact on the environment to be expected from the development it must be asked why a comprehensive EIA has not been provided with the application. Environmental impact assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The draft National Planning Practice Guidance (NPPG) sets thresholds for when an EIA is required. Types of urbanising development where one might be required are set out in the Annex, Schedule 2, Section 10b. The types of development listed are shopping centres, car parks, sports stadiums, leisure centres, etc., which therefore include the types of development in the present application. Nominally, that list relates to urban developments but rural sites are clearly covered since urbanising effects in previously non-urbanised areas, i.e. rural areas, are one of the factors considered. Further, the NPPG indicates that an EIA, which should consider amongst other things the physical scale of such developments, potential increase in traffic, emissions and noise, is likely to be required when:]

- The area of the development exceeds 0.5 hectare (in this case it is 12.6 Ha).
- The development is on a significantly greater scale than the previous use (There are presently virtually no built developments).
- The types of impact are of a markedly different nature (There is nothing remotely like the proposed developments present in the area).
- The site has not previously been intensively developed.
- It would provide a total of more than 10,000 m² of new commercial floor space (in fact it is over 28,000 m²).
- The development would have significant urbanising effects in a previously non-urbanised area (The site is currently in a semi-rural area).

Clearly, all the factors to be considered when deciding if an EIA is required are met in this case. Thus CPRE Fylde District Group is convinced that one should be provided before this application is considered by Committee.

4. Ensuring Viability of Town centres: need for a Town Centres Impact Assessment

Clearly the policies in NPPF Section 2: *Ensuring the vitality of town centres* apply to this proposed 'out of town' development.

Impact assessment

Paragraph 26 of the NPPF states: *When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of: the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.*

The proposed development meets all these criteria, consequently, in the opinion of CPRE, a Town Centres Impact Assessment must be provided, with impact assessed over 10 years.

Sequential test

Para. 24 of the NPPF states: *Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.*

Although the stadium and other sporting facilities would not be appropriate as main town centre developments other elements of the scheme are, in particular the retail shopping outlets, pub and restaurants, hotel, etc.

The application fails to show that a sequential test has been carried out for each element of the proposal. Without such a process vacant sites or sites suitable for re-development that exist in the towns of Kirkham and Wesham might be left undeveloped and trade could be moved further from the centres. This would be contrary to policy.

5. Access and Traffic Congestion

We are extremely concerned about access to this site. The A585 is currently heavily congested at peak times with traffic queuing back from the M55 junction as far as the roundabout to the south of the proposed site, and beyond.

Inevitably most people would access this proposed development by car, not only because it is some distance from Wesham but also because it will attract people from much further afield. Adding more retail, business and leisure traffic to the existing levels would compound existing problems but they would be increased greatly when matches are held at the proposed stadium. The surges of traffic at the start and the end of games would make congestion immeasurably worse.

The lack of adequate on-site parking to cater for matches at the stadium would also

exacerbate congestion problems. We understand that in total 353 parking spaces are planned, which we consider hopelessly insufficient. They might cope with the customer and employee needs of the associated business/retail park but when a match is on at the stadium we foresee cars parked along roads all around the area, which would compound the traffic flow problems.

A further drawback to the existing scheme is that the one and only access point is from the roundabout at the southern end of the site. Therefore traffic coming off the M55 has to travel past the site and then compete with all the traffic coming from the south.

It is also important to note that the proposed site is, to a great extent, cut off from Wesham by the A585 making access on foot difficult and access by bicycle problematical because of the need to cross a busy main road. So the site would not be well positioned to integrate with Wesham and would be a distinct out of town development.

An additional concern with added traffic congestion is that ambulance and fire services are based close to the site and quick response to emergencies could be compromised by congestion associated with this development.

6. Sustainability

Our concerns regarding the sustainability of this proposed development hinge on its location and the area of its likely user base.

Because of the problems of access described above the location of this site has considerable drawbacks from the point of view of sustainability. In particular we note that the stadium is not well located. It may be close to the M55 junction but the club's principal supporter base is centred in the Borough of Fylde, i.e. south of Kirkham and closer to Lytham and St. Annes. Thus much traffic would have to travel past or through Kirkham and Wesham to get to the ground. By comparison we anticipate supporter levels from Blackpool or for visiting teams, which would probably use the M55, would be at a lower level.

We also question the viability of the other sporting areas/facilities because we are informed that the principal schools in the area have already developed sporting facilities to meet their own needs and these are available to the wider community. Without a need for schools to use them such facilities on this site would be under-utilised and unsustainable.

The sustainability of other proposed amenities must also be questioned because there is duplication with existing facilities in the area, for example restaurants, pubs, a hotel and petrol station.

7. Loss of agricultural land

We accept the agricultural land survey provided by the applicant (*Reference 4*) which concludes that 3.4 Ha of the site is Grade 3a and 5.3 Ha is Grade 3b agricultural land. The remaining 4.7 Ha is woodland.

Development of the site as proposed would conflict with planning policy as follows:

- The NPPF sets out the Government's aims for sustainable development, requiring effective use of natural resources.
- The NPPF recommends effective use of land, which we interpret as using brownfield sites for development before greenfield sites, so reducing loss of agricultural land.
- Local Plan Policy EP22: *Protection of Agricultural Land*, seeks to prevent development that would involve permanent loss of agricultural land graded 1, 2 and 3a.

Agricultural land needs to be preserved not only for local food production but there is now an increasing need to supply on-farm anaerobic digester power plants in the Borough. These digesters rely on arable crops as the biomass feed material, and for greater sustainability and benefit to Fylde's rural economy these should be locally sourced. One anaerobic digester power plant is now in operation in Warton and further plants are proposed. So there is, in fact, an increasing need for agricultural land in the Borough.

Conclusion

We trust you will give all these factors we have raised due consideration and recommend refusal of this application.

Save Wesham and Kirkham

Local residents are also organised into a group known as **Save Wesham and Kirkham (SWAK)**. They have engaged a planning consultant to make the following points:

- Fylde Borough Local Plan – The site is outside of the settlement boundary defined by Policy SP1, but within the Countryside defined by SP2 and is for a purpose that does not fall within the acceptable uses in the countryside. They argue that the development is contrary to several other policies of the plan as it is not in keeping with the rural locality and will adversely affect neighbours, highway safety and drainage.
- NPPF – They refer to the support that this guidance provides for sustainable development, but argue that the loss of countryside land, the visual intrusion of the development, the adverse highway impacts, and the loss of neighbouring residential amenity mean that the scheme will not represent sustainable development.
- Fylde Local Plan to 2030 – they highlight that this Plan is not adopted and needs to be the subject of further consultation and examination. Any development proposals that rely on it for their acceptability must be considered to be premature, as there is the possibility that this allocation would be removed prior to the final adoption of the plan.
- The proposal will have a harmful retail impact on local shops and centres.
- Traffic Matters – Reference is made to the combination of increased vehicular traffic in the area from the Kirkham triangle, Mowbreck Lane and this application being harmful to safety and the Applicant's Assessment does not account for these matters.
- The job creation benefits will be limited.
- Concern regarding ecological considerations, land drainage & noise.
- The height, size and massing of the proposal will create a detrimental visual impact.
- There is no justification as to why improvements are not feasible at Kellamergh Park
- Conclusion – refer to the conflict with the adopted Fylde Borough Local Plan a reliance on an emerging plan that has no weight at this stage, they refer to the objections from local residents and some consultees and that the development will not be sustainable. They ask that the application be refused in order to protect the countryside.

Neighbour Observations

Neighbours notified: 07 November 2013

Amended plans notified: 07 May 2014

No. Of Responses Received: 82 letters of OBJECTION & 34 letters of SUPPORT

Nature of comments made:

Concern re:

The letters in objection to the development are similar to those reported earlier and

attributed to the resident group. They are briefly summarised as:

1. The site does not have a good access to services due to the distance from Kirkham, the planned reduction in bus services, and the limited local services.
2. The drainage from this site should be considered alongside that for the Mowbreck Lane development as the combined impacts will likely lead to flooding
3. The highway reports do not consider all developments such as those at Kirkham Triangle and Wrea Green that could impact on capacity
4. Local opposition to development should be taken into account
5. Pre-empting the local plan process
6. Highway capacity is inadequate to accept additional vehicles involved in this scheme
7. The council promotes Wesham as a village yet seems like it wishes to expand it to a town.
8. The drainage systems for surface water and foul water in the area are inadequate
9. Development outside of the settlement boundary on land protected as countryside
10. Loss of best value countryside which is important to local industry
11. There are many brownfield sites available
12. There will be a loss of views for many residents
13. There will be harm to the character of the countryside
14. The council would be acting against the will of its residents if this was approved
15. The development will remove the opportunity for wildlife to use the land
16. Wesham has seen large developments in recent years and does not need more
17. The road system is at a standstill for long periods of the day. The increased traffic on already congested roads will be detrimental to highway safety.
18. Inadequate parking provision
19. Concern re: pedestrian & cycle safety and public transport access to the site.
20. Increased noise & light pollution
21. Harmful impact on ecology
22. Loss of trees/woodland
23. Harmful visual impact
24. Loss of amenity
25. Retail impact on existing shops/local centres
26. No need for a hotel and other retail uses
27. They are not all new jobs as some will be relocated.
28. An EIA should have been required.
29. There is no evidence of a need for a stadium in this location.
30. What if the sporting elements of this scheme do not go ahead and the development is only part implemented.

Support re:

1. Will enhance the profile of the area
2. Will enhance the local economy and provide job opportunities
3. Enhancement to facilities available to the community
4. Will deliver sporting benefits & high class sporting facilities

5. Greater retail provision/choice
6. An opportunity for the club to develop its own ground & status
7. High quality design of stadium and buildings
8. This level of investment is welcome

Relevant Planning Policy

Fylde Borough Local Plan:

EMP3	Business & industrial uses outside defined area
SH13	Provision of large retail stores
SH14	Design of large retail stores
SH15	Small scale out of centre retail development
EP11	Building design & landscape character
EP14	Landscaping of new developments
EP18	Natural features
EP22	Protection of agricultural land
EP23	Pollution of surface water
EP24	Pollution of ground water
EP25	Development and waste water
EP27	Noise pollution
EP28	Light pollution
SH16	Restaurants & hot food shops
SP02	Development in countryside areas
TR01	Improving pedestrian facilities
TR03	Increasing provision for cyclists
TR05	Public transport provision for large developments
TR09	Car parking within new developments
TREC05	Large Scale Tourist & Leisure Development

Other Relevant Policy:

NPPF:	National Planning Policy Framework
NPPG:	National Planning Practice Guidance
FLP	Fylde Local Plan to 2030

Site Constraints

Within countryside area

Environmental Impact Assessment

The development is of a type listed within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended. Officers have screened the development for any potential environmental impact and concluded that the application need not be accompanied by a formal Environmental Statement.

Comment and Analysis

Format of Application

The elements of the scheme to be considered in full are the proposed football stadium, the Aldi supermarket and the proposed distribution centre, therefore, all the details of these buildings have

been received. All the other aspects of the application are applied for in outline which means the principle of these uses is sought but the details of these buildings/uses would be subject to further reserved matters applications if planning permission were granted. The means of access to the site has also been applied for and is considered as part of this development.

The application includes a new football stadium that is proposed as being the home for AFC Fylde as a replacement for their current site at Kellamergh Park, Warton. It is this aspect of the development that has caused much of the objection from residents. AFC Fylde was formed in 2008 and was formerly known as Kirkham & Wesham FC. In the past few years the club has enjoyed a period of success that has involved them achieving a series of promotions and so a desire to expand their facilities, which it is claimed is not possible at Kellamergh Park. The proposal also involves artificially surfaced pitches suitable for a variety of sports uses by the local community.

Policy Background

The Town and Country Planning Act 1990 requires that planning applications are determined in line with the development plan unless material considerations dictate otherwise. At present, the development plan consists of saved policies of the Fylde Borough Local Plan as amended 2005 (FBLP) and the Minerals and Waste Local Plan (LCC). The Council's Preferred Options For Development has also been published & this site is identified as a Strategic Location for Development for employment & leisure purposes.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this application and this document also provides guidance in the event of development plan policies being absent, silent or out of date.

Accordingly, the application should be determined principally under the policies of the NPPF & the Adopted Fylde Borough Local Plan. Whilst the content of the Council's Preferred Options for Development is a material consideration, this document has been subject to consultation and objections have been received, therefore, it is considered it can only be afforded limited weight.

The Fylde Borough Local Plan allocates the whole of the application site as part of the Countryside under Policy SP2. The proposal does not accord with this policy as it is restrictive to uses that are of a rural nature, with a series of broad areas of development being the only ones that are acceptable.

However, the evidence which was used to inform the Council's Emerging Local Plan indicates that the settlement boundaries cannot be maintained in their current form if the development needs of the Borough are to be met. As the Adopted Fylde Borough Local Plan is out of date in this respect, the weight to be attached to this issue is also a matter which needs to be considered in the balance of issues by the decision maker.

The Preferred Options Document refers to provision of 4 hectares of Employment land at this site, however this application proposes 2.5 hectares of employment use in the form of a distribution centre. The other uses such as retail, public house and a hotel are not classified as employment uses for the purposes of the Use Classes order, but would inevitably deliver employment opportunities which would need to be taken into consideration.

This issue has been assessed in the response from the Council's Economic Development Officer and it is considered that the employment benefits in terms of job creation for the proposed development would be significantly in excess of an equivalent scheme for uses within class B of the Use Classes Order. Therefore, the economic benefits of this development are considered to be positive and would outweigh the issue of the amount of land to be devoted to employment uses

within the Emerging Local Plan.

AFC Fylde Requirements

Whilst the application relates to a wider sports facility and other non-sporting uses, it is clear that the main impetus relates to the provision of improved facilities for AFC Fylde.

AFC Fylde is a non-league football club established in 2008, having spent the previous twenty years competing as Kirkham & Wesham FC. The Club has had significant success on the pitch in recent years, including League championships and winners of the FA Vase in 2008. The first team currently competes in the Evo Stik Northern Premier League Division 1, which is at Step 4 of the non-league football pyramid, with ambitions to rise further within the non-league system.

The Club operates a number of community initiatives & has expanded its Football in the Community programme, delivering regular in school and after school sessions at local schools in addition to a series of diversionary activities in association with Fylde Borough Council. These activities are delivered at different venues within the Borough.

AFC Fylde currently plays its home fixtures at Kellamergh Park, which is a purpose built facility located near to Warton. The Club has invested significantly in improving the facilities at that site, however growth is limited and the site does not lend itself particularly well to supporting a growing club with only one pitch and no permanent buildings. Kellamergh Park is private land that is leased to the Club. As such, the extent to which the Club can build on both the playing side and also the community engagement side is limited, with insufficient accommodation and pitches.

The application makes provision for the crowds that could be anticipated by AFC Fylde in its current league and if it achieves promotion to the Football League. A match day shuttle is proposed to operate to provide links from Kirkham, Wesham, Wrea Green, Warton and Freckleton and an assessment is proposed to be made for the games when larger than usual attendances are predicted. The delivery of the Applicant's Travel Plan, which sets out these provisions, could be secured by condition, if planning permission is granted.

Retail

Aldi Supermarkets are the Applicant for this proposal which is in full. The other retail element of the scheme is applied for in outline and is described as a bulky goods retail unit.

The Application Site falls outside a defined centre and the site is not allocated for retail development. "Saved" policies of the Local Plan and emerging policies in the draft plan are consistent with national policy in directing "town centre" uses to existing centres.

For developments located outside a centre, the Framework (NPPF) and Development Plan policy require the Applicant to demonstrate there are no sequentially preferable sites or premises where the development could be located, taking account of flexibility in format and scale.

The Framework (NPPF) requires an assessment of the likely impacts arising from proposals in circumstances where development exceeds 2,500 square metres gross or a lower, local threshold set within a Development Plan. The emerging Local Plan adopts the default national threshold of 2,500 square metres. A review of the 2011 Retail Study has been carried out on behalf of the Council recently, which updates the assessment of the retail capacity of the area and proposes a lower local threshold for retail impact assessments. At the time of writing this report, the study has been agreed by the Portfolio Holder but the "call in" period has not yet expired.

The Practice Guidance (NPPG) states that the impact test applies only to proposals over the national threshold of 2,500sqm (unless there is a locally set lower threshold). In circumstances when an assessment of impact is appropriate, as would be the case if the local threshold is adopted, the Framework identifies two matters to address which are: the effect on investment within existing centres and the effect on a centre's vitality and viability. In circumstances where the sequential approach to site selection is not satisfied or where a proposal is likely to result in a significant adverse impact, the application should be refused.

Whilst the Development Plan is not up-to-date in respect of policy for assessing out-of-centre retail development, it provides a context for assessing proposals. In particular, it highlights concerns about the performance of Kirkham Town Centre. Despite the development of the Morrisons store, that was intended to provide an anchor, attract shoppers and provide car parking, concerns remain. The 2011 Retail Study refers to a strong convenience sector within the town centre but there is a growing number of vacancies and concerns about the quality of shopping provision in the town.

The 2011 Retail Study identifies limited scope for additional convenience floorspace over the study period. In quantitative terms, for Kirkham it recommends that the focus should be on halting the increase in the vacancy rate and improving comparison shopping in the centre.

Adopted Fylde Borough Local Plan Policy

Policy SH13 of the Adopted Fylde Borough Local Plan is concerned with large new retail developments. There is no definition or guidance within the Local Plan as to the scale of development which falls within the scope of this policy. However the policy indicates that development will be permitted within existing town centres. Proposals on edge-of-centre and out-of-centre locations will not be permitted unless the need for development has been demonstrated and there is no sequentially preferable site; or the character of the development would be inappropriately located within a town centre; that the nature and scale of the proposal is appropriate to the site and the catchment area it seeks to serve; and the development would not in itself, or in conjunction with other schemes, significantly prejudice the vitality and viability of any nearby town centre. It goes on to say that proposals for large new retail development would not be acceptable on land identified for employment use unless it is demonstrated that no other location is available.

The criteria within Policy SH13 have been overtaken by the National Planning Policy Framework (The Framework) specifically in that there is no longer a requirement in national policy to demonstrate the need for development.

Saved Policy SH14 sets out further criteria that large new retail developments are required to satisfy. These are:

- a) There is no significant adverse impact on the character or visual amenities of the Area;
- b) The development would not be detrimental to the amenities of adjacent or nearby Residents;
- c) The location is served by a satisfactory existing level of public transport or, as a result of investment by the developer is brought to a satisfactory level of service;
- d) The local road network is able to accommodate predicted traffic levels;
- e) The site has good access for vehicles, pedestrians and cyclists;
- f) The development can be demonstrated to have no adverse effect on overall travel patterns and would not lead to increased dependence on and use of the motor car.

As stated above National Planning guidance advises that an out of centre retail proposal should be

considered against the sequential assessment and the impact tests as outlined in the Framework and the Applicant has submitted a statement which does this.

This has been assessed on behalf of the Council by Alyn Nicholls & Associates (Chartered Town Planners) acting as an independent Retail Consultant and they have provided advice within a written assessment of the Applicant's proposals.

Sequential Assessment Summary

The sequential assessment submitted in support of the application asserts that the "town centre" uses forming part of the proposals cannot be separated from the proposed football stadium because in the first instance they are necessary to cross-fund the stadium and ensure its delivery and secondly, the non-retail uses (the hotel, public house and drive-through restaurant) are ancillary to and dependent upon the football stadium to ensure their viability. The Retail Assessment has sought to identify potential sites for consideration within the sequential assessment at Kirkham Town Centre to accommodate the retail component of the proposals. Two sites are identified: land at Kirkham Community Centre, Mill Street; and land south of Barnfield.

The possibility of whether the sequential assessment should disaggregate the various components of the proposals to establish whether individual uses could be accommodated on sites within or adjoining Kirkham Town Centre has been considered.

In the opinion of the Council's Retail Analyst, the sequential "test" should consider the scheme on a disaggregated basis. However, the debate about disaggregation is rendered academic because there are no sequentially preferable sites available to realistically accommodate the "town centre" components of the proposed development.

The Retail Assessment submitted with the application identifies two sites; the Community Centre and land at Barnfield. Two further sites have been identified by the Council's Analyst and these are contained within the Council's Strategic Housing Land Availability Assessment (SHLAA). Due to its main road frontage to Station Road, the Swimming Pool site has potential for commercial development and it is an edge-of-centre location. However, the site is not available and replacement recreational facilities would need to be in place for redevelopment proposals to be compliant with paragraph 74 of the Framework (NPPF).

The other site identified is Land at Eagles Court. It is in multiple ownerships and occupies a backland position to the rear of properties fronting Poulton Street. Its present use is as garage forecourts, public parking and for rear servicing for commercial premises. The analysis within the SHLAA indicates that the site would not be available for development for 11-15 years. Irrespective of whether the site is suitable or is of sufficient size, it is not available for development within a reasonable timescale.

Retail Impact

The retail component of the application falls below the national threshold over which an assessment of the impacts of proposals is currently required. The initial draft of the emerging Local Plan indicates that the national default threshold of 2,500 square metres gross will apply within Fylde Borough, although the revised evidence base, if accepted, proposes a threshold of 750 sq m.

Taking these factors into account, there was no requirement to assess the impact of the proposals on existing centres at the time of submission because they are too small. However, if a local threshold is set or exceptional circumstances arise where proposals below the threshold can be

demonstrated to have a significant adverse impact, the fact that the Framework does not require impact to be taken into account, does not render the harm likely to be caused immaterial to the determination of a planning application. The Council's Retail Analyst considers that there should be no doubt, based on evidence, that a proposal would cause significant and substantial harm before the refusal of planning permission on these grounds could be justified. In his opinion, those exceptional circumstances do not arise in this case.

The Council's Analyst has reviewed the methodology and base data employed in the impact assessment and in general terms the assessment adopts a reasonable approach, using accepted sources of information, guidance and assumptions. He does not necessarily agree with the estimate of turnover of the proposed development or the benchmark turnover of Morrisons at Kirkham. However, the estimate used falls within reasonable parameters and an alternative figure would not lead to a different outcome in terms of the conclusions regarding the likely impacts of the proposals.

In terms of trade draw, for convenience expenditure, the estimates appear reasonable, including the trade draw from local shops within Kirkham Town Centre. However, for comparison expenditure generated by the bulky goods non-food unit within the scheme, the turnover and trade draw will be dependent on the type of business occupying the unit, irrespective of the turnover of this unit. Adopting the principle that impact should be assessed on a like for like basis, it would be expected to have a greater trade draw from existing bulky goods retail warehouses and a correspondingly lower draw from established town centres.

The key issue with regard to impact is the effect of the proposals on independent retailers within Kirkham Town Centre. Despite longstanding concerns about the health of the centre, the most up-to-date evidence on vacancies contained within the Retail Assessment accompanying the planning application and the refresh of the Fylde Coast Retail Study indicate that vacancy levels are below the national average. This suggests that Kirkham has fared better than other centres in the prevailing economic climate. Furthermore, it is relevant that there is no public or private sector investment planned for Kirkham that might be prejudiced by the proposed development.

Summary on retail matters

The "Town centre" uses within the proposals include a foodstore of 1,571 square metres gross floorspace that is intended to be occupied by Aldi; a non-food retail unit of 785 square metres gross floorspace to be occupied by a "bulky goods" retailer; a hotel; a drive-through restaurant; and a public house.

The Application Site is located outside any existing centre and is not in accordance with an up-to-date Development Plan. Consequently, two tests arise from the Framework; the first, which applies to all proposals located outside a centre, is whether there are suitable sites available in sequentially preferable locations. In this case, there are none. The issue concerning whether elements of the proposals should be disaggregated and treated separately for the purposes of the sequential assessment is inappropriate in this case because there are no sites available. The second part of national policy is the impact test. Although, the proposals fall below the national, default threshold above which an impact assessment is required. Whilst at an early stage in preparation, the emerging Local Plan adopts the national, default position, it is proposed that a local threshold of 750 sq m be introduced as the plan moves forward. An appraisal of the health of Kirkham Centre has been carried out and it has been found to have lower vacancy rates than the national average which in turn indicates that, as a centre, Kirkham is fairing relatively well.

As the retail impact assessment that has been submitted demonstrates that any impact on Kirkham centre would be acceptable and, to a lesser extent, as the requirement to demonstrate such impacts

on smaller scale developments (i.e. below 2,500 sq m) was introduced relatively late in the preparation and consideration of this application, your Officers are of the opinion that the relevant policy tests for retail and “town centre” uses has been satisfied.

Access Arrangements & Highway Safety

The development proposes a new vehicular, pedestrian & cycle access to the roundabout at the junction of the A585 & the B5192 Fleetwood Road at the northern end of Wesham.

A Pedestrian & Cycle path is also proposed along the A585 frontage with links into the site and the current public footpath which crosses the site that is proposed to be diverted to the rear of the north stand car park as a surfaced path into the site.

The combined foot/cycle path extends to a proposed new Toucan Pedestrian Crossing on the southern approach to the roundabout. To the north of the roundabout and approximately level with the position of the proposed south stand of the football stadium, it is also proposed to install a further Toucan Crossing. The improvements to the footpath connections to Kirkham & the provision of two pedestrian crossings are intended to allow a safer crossing point for pedestrians/cyclists so that they can take advantage of the proposed improvements.

There would also be a new Quality Bus standard shelter with a lay by on the northern carriageway of the A585 with a new bus stop on the southern carriage way but without a lay by or shelter due to the restricted width of the southbound footway. In addition, the travel plan involves the provision of a shuttle bus service into the site on AFC Fylde match days.

Lancashire County Council (LCC) in their role as the Highway Authority and advisors to the Council on Transport matters have also requested a funding contribution to provide a long term, viable public transport service to this development that would support improvements to frequency during weekdays, evenings and Saturdays and also the provision of a Sunday service and that this funding be made available from an early stage of the development.

A Framework Travel Plan for the site has been assessed by LCC and they consider it important that suitable funding is provided for a period of 5 years post completion of the development to satisfy targets and ensure that they can be maintained and they request a contribution of £30,000 for the development to enable LCC's travel planning team to provide a range of services.

The new access point to the site has been designed to reflect the level of traffic associated with the proposed uses ensuring there are no concerns over the adequacy of the new access arrangements for these activities.

Since the application was originally submitted, concerns over the amount of on-site car parking have resulted in revised plans being submitted showing the formation of a further 492 space car park, which would be of considerable benefit in alleviating parking pressures on nearby streets and neighbouring residential areas.

Whilst LCC accept existing high traffic flows & queuing traffic during the evening peak and the impact of the additional traffic generated by this & other committed developments resulting in even higher flows of traffic, they have raised no objection subject to mitigation measures. Similarly, the Highways Agency have withdrawn their initial holding direction with regard to this proposal and now offer no objection as a 10 year assessment of the transport implications on the strategic road network has been undertaken and agreed. The Agency are satisfied that this proposal will not have a harmful impact on the safety & operational performance of the strategic road network.

With the detailed assessment of the application that has been made by County Highway Officers and the Highways Agency & their lack of overall objection to the scheme, your officers are of the view that a reason for refusal on highway safety grounds cannot be substantiated subject to contributions being secured via a section 106 agreement towards: £150,000 for bus service improvements in terms of providing a Sunday service, evening services and improving frequency on weekdays, £25,000 to pedestrian/cycle improvements on the A585 linking the development to the A583, £100,000 towards improvements at Kirkham & Wesham train station and Travel Plan support of £30,000.

Drainage

The site is within Flood Zone 1 according to the Environment Agency Flood Map which is classified as land that has the lowest annual probability of flooding, less than 1 in 1000 annual probability of flooding from rivers in any year.

The application as originally submitted was supported with a Drainage Strategy & a Flood Risk Assessment that was assessed by the Environment Agency who objected on the basis that the submitted reports fail to:-

- Identify the proposed surface water discharge rates from the part of the site subject to the Outline application and the part of the site subject to the Full application.
- Demonstrate how the run off generated by the part of the site being considered under the detailed application will reach the watercourse.
- Drawing number D1659-D-03 states that the outflow in to Bradkirk Brook (which is a designated Main River) will be restricted to a maximum flow of 134 litres/second, which differs from the rates identified in the Drainage Strategy.
- The Drainage Strategy does not consider the run off generated from the whole site - run off from the Greenfield part of the site should also be considered.
- The existing run off rates for Mill Farm only considers the run off generated from the impermeable section of the farm.
- The Drainage Strategy concludes that the proposed method of surface water disposal is a sustainable drainage solution, however the use of a cellular tank is not a sustainable drainage system.
- The Drainage Strategy does not consider the potential flows generated by any proposed sewage treatment (should it be demonstrated that on-site treatment is the only viable option).

The original proposal was to drain to a large cellular storage tank, however, in order to overcome the Environment Agency's concerns, the revised drainage proposal is to create a surface water attenuation pond on site which holds the surface water and discharges it at sustainable drainage rates. Amended plans have been received to show this proposal in the north eastern corner of the site and re-consultation has taken place on this basis. The pond would have an increased capacity of 1650 cubic metres which will facilitate a greater level of control over the flows into Bradkirk Brook and improve the ecological value in the area of the proposed pond.

The car parking areas is proposed to be constructed with a fully porous surface and have a system of under drains to prevent waterlogging due to heavy rainfall. The run off from the car park would be passed through a Bypass Petrol/Oil Interceptor before discharging to the pond.

The sports pitches would also be fully porous in construction allowing rainfall to pass through into the underlying ground as it does currently.

A major rain water harvesting system has been included within the drainage for the new football stadium where there will be two harvesting tanks; one to serve the pitch irrigation system and the second to serve the toilets and laundry facilities in the new building. Excess flows passing through these storage tanks will then pass through an attenuation tank and Hydro-brake before discharging into the main drainage system.

The maximum rate of discharge from the completed development has now been set to 126 litres/second with the discharge to be controlled by a Hydro-brake system. The system is designed to serve a 1 in 100 year storm event including an allowance for climate change, without flooding occurring. The restriction imposed on the discharge flows will mean that during any storm greater than a 1 in 100 year event, there will be an effective reduction in the rate at which storm water will be discharged into Bradkirk Brook, providing a reduction in flood risk to adjacent and downstream properties.

The design also incorporates the flows from Mill Farm (that is the land to the east of this development site) where the existing outfall will be diverted into this new drainage system.

It is considered that these changes will improve the sustainability of the site drainage over the previous layout and provide greater relief to Bradkirk Brook during storm events.

The amended drainage scheme has been designed in conjunction with the Environment Agency and it is expected that they will withdraw their initial objection. However, at the time of writing this report, their final comments are still awaited.

Foul Drainage – The original proposal to use a foul water treatment plant has been replaced by the inclusion of a foul water pumping station. All new foul drainage within the development will drain by gravity to this pumping facility before being discharged through a rising main that will discharge the effluent to the public sewer in Fleetwood Road.

Ecology

The application site does not contain any specific ecological or landscape designations. However, it is open countryside that contains a series of hedgerows, wooded areas and isolated trees. As such there is a significant potential for the site to have ecological habitat benefits. The application includes a series of ecological surveys, desktop survey and ecological impact assessments which have been carried out. The studies assess the impacts on a range of species and their habitats including Great Crested Newts and other amphibians, Badgers, Bats and Birds. These have been assessed by the County Ecologist and the implications for the specific species are assessed below.

Great Crested Newts – The supporting report confirms that there are several ponds within 250m of the site boundaries, many of which are suitable for use by **great crested newts** though a detailed survey revealed none to occur where there was direct habitat linkage. Any that are known to occur are separated from the site by a major highway, existing housing and other built-up areas. Great Crested Newts and their habitats are also protected by European legislation and the Wildlife and Countryside Act and so it is essential that the development does not have an adverse impact on the population or habitat. The nearest ponds are outside of the application site & will not be affected by this proposal.

Common Toads – Are classified as A Species of Principal Importance and have been recorded in one of several off site ponds close to the site with a relatively small population. Therefore, if planning permission is granted a condition should be imposed requiring prior to construction works commencing on site, all habitat suitable for use by common toad shall be hand searched by an

appropriately experienced ecologist. Any toads or other amphibians found shall be removed to a suitable safe location (receptor site) in accordance with a scheme which shall have first been approved in writing by the Local Planning Authority and which shall detail timing, methodology and location of the receptor site.

The majority of the site proposed for development comprises terrestrial habitat that is poor in quality and unlikely to be used by great crested newts or other amphibian species.

Bats – All species of bat are protected by European legislation. There are mature trees on site but no buildings. The applicant has submitted bat activity survey reports that indicate most of the larger trees are marginally suitable for bat roosting though no evidence of roosting bats was found during either the daytime or night-time bat surveys. The major part of the site, which is dominated by either grassland or a coniferous plantation (a former Christmas tree crop) is of limited use to bats. However, some of the hedgerows and stands of mature trees are used by bats for foraging and commuting and it is proposed some of this habitat will be retained and enhanced where necessary by appropriate landscaping.

Whilst there may be an impact upon bats from lighting of the sports pitches, this will be mitigated by an appropriate lighting scheme and a detailed lighting assessment report has been submitted with the application and the lighting scheme would be designed to minimise light spread into these areas so that this does not have an adverse impact on bats. The only species of bat recorded, the common pipistrelle, is less sensitive to the effects of light, therefore, no harmful impact upon the local bat population is expected.

It is important that the hedgerow flight paths are protected from artificial illumination that would disturb their use by bats, therefore a condition is required to this effect.

Breeding Birds - A number of breeding birds use some sections of hedgerow adjacent to the site and field boundaries but it is proposed to retain the majority of the hedgerow around the site & most of the habitat will not be directly affected. Landscaping proposals will result in an improvement of habitat structure thereby increasing the opportunities for birds with regard to both nesting and feeding.

No protected bird species such as barn owl were recorded though other Priority Species such as house sparrow, hedge sparrow, starling and song thrush were recorded and will be allowed for in mitigation proposals to be agreed by planning condition.

Conclusion on Ecology

Aside from those described above, there were no signs of any other protected or otherwise important species such as water vole or otter occurring on site or close to the site boundaries and any impact upon these or any other such species is considered highly unlikely.

With the exception of the mature trees, stream and hedgerows, which will be retained and incorporated into the new landscape, there are no important habitats or vegetation communities occurring on site or close to the site boundaries that will be adversely affected by proposals.

It is reasonable to conclude that with adequate mitigation and the implementation of a number of appropriate precautions in respect of amphibians, bats and breeding birds, which can be secured by appropriate conditions, there will be no negative ecological impact of any significance resulting from proposals to develop the site. Accordingly it is concluded that the proposal complies with Policies

EP19 and EP18 of the Adopted Fylde Borough Local Plan.

Lighting

The proposal will involve lighting of the stadium and other pitches to enable their use for matches, lighting of the internal roadways, car parks and buildings associated with their safe operation, and the light from within the buildings that will spill out through windows. All this will be in contrast to the existing situation where there are no external light sources on the site.

The main impacts from the illumination will be the visual impact on the character of the area, the potential for the levels of illumination (particularly from the floodlights) to create a nuisance to neighbours, and the disturbance to bats and other nocturnal wildlife in the area. Policy EP28 of the Fylde Borough Local Plan deals with light pollution and requires that external lighting should be well designed and with a light intensity that minimises the potential for harm to local character, amenity or highway safety. The position of the site is such that the latter will not be affected, but there is a clear potential for impact on the others.

The application is supported with a report that gives details of the illumination levels that would be provided across the site. The Illumination Impact Profile submitted with the application indicates that the level of illuminance arising from the lighting proposals to the six nearest residential dwellings will vary between 0.01 and 0.38 lux as a measure of light spillage.

This is within the guidelines advocated by the Council's Environmental Protection Officer who states there shall be no illuminance at nearby dwellings greater than 3 lux in order to avoid light nuisance.

On the occasions when the football stadium and sports pitches are used for night time matches, the proposed illumination when viewed in conjunction with the remainder of the development will result in a significant change to the appearance of the area. However, the Applicant has demonstrated that the introduction of lighting of the extent and intensity that is required to provide a development of this nature will not have a significant detrimental impact on residential amenity. Therefore, on balance, this is considered a factor which is neutral in terms of the overall development.

Noise

The potential for the development to lead to noise disturbance is another of the key issues that has been raised by many of the residents in their objections to the application. The principle sources of this are noise associated with the football crowd, noise associated with tannoy, noise associated with the community use of the sports pitches, and noise that could be associated with any other potential use of the stadium. Policy EP27 prevents development that will harm by noise pollution and requires that planning conditions are imposed to minimise the risk of this.

The football stadium use will create noise from the crowd, tannoy, vehicles, and other associated activity. The games are likely to be played on Saturday afternoons and occasional midweeks with activity until around 10.30pm on those occasions. The noise will obviously be above current levels, but it is not considered that it will lead to an undue disturbance on most occasions. An exception to this could be the big game situation when a larger number of supporters are present and so the general disturbance will be greater although in terms of the relationship between the proposed stadium and neighbouring dwellings only a limited number of dwellings at 1 & 2 Rose Villas, Wesham House & Mill Farm will be affected.

The community use of the pitches will be at a much lower level in terms of the number of spectators, but will be more frequent and prolonged. These pitches (3G training, multi-use artificial

and 6 all weather) will be floodlit and will be situated 208 metres from the nearest dwelling at Demmingfield. They are likely to be available for use between 09.00 and 22.00. The Applicant's Noise Assessment calculates that for 50% of males shouting when on the pitch, for example, when celebrating a goal, when all pitches are in operation, the sound pressure within the nearest garden at Poole View would be 37dB LAeq (which is an average noise figure). This is below the Council's Environmental Protection Officer's suggested maximum figure of 55 dB LAeq for external noise in his consultation response.

Therefore, it is not considered their use will create a clear potential for disturbance at the nearest dwellings subject to conditions to limit the times when they can be operated.

The use of space within football stands for non-football related activities such as a restaurant & function room is commonplace and the proposed main stand includes such a facility. However, the proposed function room in the stand is minor in scale and the proposed bar/restaurant facilities would be linked to sporting use/special occasions. Therefore, the potential for noise nuisance from function/restaurant/bar activity within the main stand is not considered to be an issue giving rise to harm.

It should also be a requirement that a condition be imposed preventing the use of the site will for non-sporting activities such as car boot sales, markets and concerts. Planning conditions will also be required to control the opening times and deliveries to the other elements of the scheme such as the shops and the elements applied for in outline such as the hotel, public house and drive through restaurant.

Clearly the proposed development will generate noise to a much greater extent than the existing agricultural use of the site. The key test with this is whether the noise that is generated will cause harm to such a degree as to create a nuisance and so be contrary to Policy EP27. Some aspects can be controlled by condition to minimise their occurrence, to properly insulate buildings, or to control the times that activities occur. Some elements such as the noise generated by a capacity crowd at the football stadium and its associated tannoys are difficult to control and will cause disturbance. However it is considered that these big games are unlikely to be frequent events and so does not justify a reason for refusal of the application alone.

Summary

The Applicant has submitted a Noise Assessment which demonstrates the impact from the proposed sports uses will not give rise to significant detrimental impact on the amenities enjoyed by neighbours. It is not considered that the other uses proposed would be in conflict with policy EP27 subject to appropriately worded planning conditions.

Agricultural Land

The site comprises agricultural land & an area of forestry and as the proposed development will involve the loss of the land to agriculture it is necessary to assess the implications of this. The site is classified as Grade 3 agricultural land, with Grade 3a (and higher) land being Best and Most Versatile and so afforded some protection from development by Policy EP22 of the Fylde Borough Local Plan.

The application is supported by a report which investigates the soils from 7 trial pits across the site and investigates the agricultural land classification by using other relevant factors such as climate. This concludes that the whole site is Grade 3, with 39% (3.4 hectares) Grade 3a (good quality) and the remainder Grade 3b (moderate quality), with the poorly draining nature of the soil being the main factor between the two areas. The development will therefore involve the loss of 3.4 hectares of best and most versatile land from agricultural production.

Like Policy EP22, the Framework (NPPF) seeks to avoid the loss of BMV, but refers to seeking the use of poorer quality land where “*significant development of agricultural land*” is involved. There is no definition of what constitutes a ‘significant’ area, but the NPPG refers to the 20 hectare threshold at which Natural England are a statutory consultee on planning application in this respect. As such it is not considered that the overall loss of 3.4 hectares of agricultural land involved in this scheme would be significant. Accordingly it is not considered that a reason for refusal based on the loss of this amount of best and most versatile agricultural land can be sustained

Landscaping

The proposed landscape strategy would reinforce the existing landscape structure of the site through the retention of existing hedgerows and trees. In order to provide physical and visual linkages between these features and existing retained sections of boundary hedgerow, new areas of significant tree planting would be developed, primarily along the western edge of the site. This type of planting would be consistent with existing areas of woodland near to the site.

The proposed landscape strategy would comprise 6 main elements:

Retention of existing areas of woodland/ scrub planting within and on the edges of the assessment site:

The existing areas of vegetation along the northern site edge (adjacent to Bradkirk Brook) and along part of the western site boundary would be retained and managed, with selective understory planting to increase the diversity of the planting mix and to develop, particularly on woodland edges some understorey planting.

Retention and supplanting of existing boundary hedges to the west and south:

The existing gappy hedgerows on the western and part southern side of the site would be retained ‘gapped up’ and managed, with new hedgerow planting - typically as double planted native hedgerow), supplemented by occasional standard hedgerow trees.

New areas of woodland planting:

New small areas of native woodlands e.g. Oak, Field Maple, Black Poplar, Bird Cherry, Birch and Alder are proposed in blocks along the western edges of the site to supplement retained sections of hedgerow and to link to retained sections of woodland/ scrub along the margins of the site.

New street avenue tree planting:

The main access road into the development is proposed to be planted with a double avenue of Small Leafed Lime and Hornbeam between the A585 roundabout and the car parking area in the northern part of the site.

New avenue tree planting on A585 frontage:

The existing hedgerow to the east side of the A585 Fleetwood Road would be retained & an avenue of Oak planted with ornamental planting bands interspersed under and through the line of the avenue.

Internal planting within car parking areas:

The layout of the individual areas of car parking will allow for internal ornamental tree and shrub planting to break up the overall scale of the parking areas and to provide internal structure. The species include Hornbeam, Bird Cherry, Whitebeam and Maple.

It is considered the proposal would comply with policy EP14 of the Adopted Fylde Borough Local Plan as the landscaping would provide a context for the development that is consistent in scale with

and reinforces the landscape character of the locality and the area that surrounds it.

Visual Impact

The visual character of the site at present is rural with a series of fields separated by hedgerow boundaries, small areas of deciduous woodland and the large Christmas tree plantation. Part of the site is screened by the existing group of buildings at Mill Farm which are in a mix of employment & residential uses. The front of the site is largely screened by the existing hedgerow to the Fleetwood Road boundary. The development will inevitably contrast with this as a consequence of the more formal nature of the site being laid out with a series of buildings, pitches, parking areas and access roads. The most visually prominent building development will be the football stadium due to its size and position close to passers-by & the nearest dwellings on Fleetwood Road. The remainder of the buildings proposed, the floodlighting to the main stadium & the proposed pitches are further developments that are not usually found in rural areas.

The applicant's visual impact appraisal follows the nationally recognised methodology for such studies. It describes the current landscape and its context within the regional landscape characteristics and then gives a detailed assessment of the various views from a series of vantage points. The report then assesses the impact on these principle viewpoints as a consequence of the development.

The report concludes that the principal visual effect will occur in respect of views from the A585 along the site's eastern frontage. The nature and character of this section of road and the existing views into the site will be altered substantially. Similarly the nature of the existing public right of way that crosses the site and the views from it will be changed significantly. From other local roads and public rights of way close to the site, the proposal will significantly alter the views of the site. The Applicant asserts that these effects will be significant and adverse for a limited number of receptors in very close proximity to the assessment site but for the majority of landscape and visual receptors the development would not give rise to any significant landscape or visual effects.

The visual impact of the development is a matter of concern raised in the responses received from residents and Officers agree with this position. The proposed landscaping will mature over time and assist with the integration of the development into the landscape. However, the development's nature, scale, formal layout and use will remain notably different to the existing and surrounding rural areas; for example, it will take many years for the landscaping to mature in order to blend the football stadium into the landscape or reduce its presence when viewed from Fleetwood Road. The visual impact of the areas to be illuminated is another area of concern. The overall impression of the site will be one more typically found in an urban or urban fringe location, and so in contrast to the rural appearance of the site at present.

The Local Plan contains a series of policies that refer to development needing to preserve the character of the area including EP10, EP11, EP18 and TREC10. It is considered that the visual impact of the development will conflict with these policies and this aspect must be seen as a negative aspect of the development.

Trees

There is a dense group of young, mixed species of conifers of approximately 4.5 hectares to the north of the site. The trees have been planted at very close centres and there is no evidence of previous sylvicultural management. It is understood that the group was originally established for the production of Christmas trees. The trees have been planted so densely that they have not been able to fully develop and minimal light is able to penetrate the canopy to the floor. Consequently, the understory lacks biodiversity. There is also very little potential for public access as the trees are so

closely planted. Although the trees are visible to the wider public, they are essentially crop trees that are not of sufficient quality to preclude development.

The application is supported with an Arboricultural Report and whilst there are no Tree Preservation Orders on the site, it is proposed to retain some of the higher quality trees. It is also accompanied by a Landscape Statement which includes new planting of trees. Whilst the removal of some of the better quality deciduous woodland trees is regrettable, it is necessary to facilitate the internal movements around the site, and is adequately compensated for by new planting. Overall it is considered that the impact on tree cover as a consequence of the proposed development will be a neutral one.

Public Footpath

At the time of writing the report, an application to divert the Public Footpath running across the middle of the site has been made and a Diversion Order issued. If any further progress has been made with the Order by the time the Committee meets, this will be reported as a Late Observation. There is another Public Footpath at the southern end of the development site, the route of which would remain undisturbed by this proposal.

Public Realm

There is a declared Public Realm Scheme in Wesham Town Centre (10 in the Regeneration Framework) and also a scheme in Kirkham (number 6 in the Regeneration Framework). Given the nature & scale of the development proposed, it is considered reasonable for this planning application to make an appropriate contribution to these public realm improvements at a level to be determined as part of a section 106 agreement.

Economic Benefits of Proposal

There will be benefits to the borough that will be realised in: the construction work for the facility where local contractors will be employed and presumably local suppliers used, that the construction of the facility is likely to attract external grant funding to the borough as it will provide direct support to sports development with the local authority having limited resources for such work, and it will provide employment in the operation and management of the facility and the provision of training based at the facility. In addition to this your officers believe that there will be trading benefits to the area from the activity associated with AFC Fylde & the increased potential for visiting fans to access the site by rail and so spend money in the area and not just at the stadium.

The other major economic benefit will be the creation of permanent jobs associated with the other uses proposed as part of this development.

Set against this is the loss of the economic activity that the existing AFC Fylde stadium at Kellamergh must bring to the Birley Arms and other businesses in that area, and the loss of the agricultural activity on the application site.

Whilst it is not possible to quantify these figures with precision at this stage, the development is of a scale which means the benefits must outweigh the negative aspects, thereby making this issue a positive one to be balanced in the overall decision.

Conclusions

The application proposes the establishment of a mixed employment/leisure/retail and Sports Village on land to the north west of Wesham and involves the establishment of a new home stadium for AFC Fylde to replace their current home at Kellamergh Park in Warton. The sports stadium will include a main stand to provide the changing, reception, admin and entertainment facilities

associated with a semi-professional football club along with areas of covered terracing & vehicle parking. The scheme will also include the provision of an all-weather sports pitch, a 3rd generation training pitch and several other 5 a side pitches with associated changing rooms and car parking.

The nature, scale and rural location of the development means that the range of issues it raises are particularly wide and complex. It is not surprising that having assessed these there are conflicting outcomes, with some positive aspects of the development and some negative aspects. Any recommendation on a planning application requires an assessment and balance of the aspects raised and so a summary of the key impacts is provided below.

Positive

The proposal would allow the football club to expand and increase the opportunities for watching & participating in sport.

The development would be of a high quality design and benefits from the proposed structural landscaping scheme.

The economic benefits in terms of job creation without causing demonstrable harm to the local centres.

The development improves opportunities for sustainable transport and will secure improvements to Kirkham & Wesham Railway station. This site is located closer to the football club's supporter base (over 50% of the current season ticket holders live in Kirkham or Wesham) compared to the existing Kellamergh Park site and so will reduce the distance they travel to the ground and allow for more sustainable transport solutions due to this reduced distance and the better walking / cycling / public transport options that are available. The location is also preferable for visiting fans to use sustainable transport methods, particularly over its closer proximity to Kirkham & Wesham rail station.

The scheme could be delivered without harming protected ecological species, it can provide a satisfactory means of drainage, it will not result in levels of noise which would be harmful to residential amenity, nor will it result in the loss of best & most versatile agricultural land.

Negative

The site is located outside of any settlement on greenfield land that is allocated as Countryside in the Adopted Fylde Borough Local Plan.

The impact of congestion on the local road network at peak times is considerable.

There will be an adverse visual impact from the development given the scale of the proposal as a whole and the proposed lighting of the stadium & sports pitches will have a detrimental impact on the character of the area.

Summary

Taking these points and the other aspects detailed in this report together the officer recommendation is a finely balanced one, but is to recommend that the application be approved subject to the completion of a section 106 agreement.

The policy position on this application is neutral due to the conflict between a Development Plan which has shortcomings in that it is out of date and does not recognise current development needs and an Emerging Plan which has been subject to objections and carries limited weight.

The reasons for the approval following the balancing exercise is due to the benefits of the scheme in terms of its advantages with regard to a number of key issues as described in the report outweighing the negative impacts.

Recommendation

That, powers to determine the application are delegated to the Head of Planning & Regeneration subject confirmation from the Environment Agency that they have withdrawn their objection and subject to the completion of a Section 106 agreement in order to secure:

- The delivery of the football stadium
- The delivery of the sports pitches together with their community use and a pricing policy for their use,
- an appropriate financial contribution towards securing public realm works in the vicinity of the site,
- a financial contribution towards the improvement of public transport and/or sustainable transport initiatives, including travel planning in the vicinity of the site,

The agreement will be expected to meet the full amounts in all cases, unless a viability appraisal has been agreed with the Local Planning Authority.

Planning permission be granted subject to the following conditions (or any amendment to the wording of these conditions or additional conditions that the Head of Planning & Regeneration believes is necessary to make otherwise unacceptable development acceptable):

1. A subsequent application for the approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:

[a] The expiration of five years from the date of this permission;
or
[b] The expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter approved.

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

2. Before any development is commenced in regard to those aspects of the development that have been submitted in outline only, (a) reserved matters application(s) must be submitted to and approved by the Local Planning Authority in respect of the following reserved matters:

Nos. 1,2,3 & 5.

(Reserved matters are:-

1. Layout
2. Scale
3. Appearance
4. Access

5. Landscaping

This permission is an outline planning permission and details of these matters still remain to be submitted.

3. Prior to the commencement of the development hereby approved, a scheme including details of all existing and proposed levels across the site and finished ground floor levels of all buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development is undertaken in a satisfactory manner.

4. Notwithstanding any denotation on the approved plans samples of the roof treatment and wall cladding [both inclusive of colour] shall be submitted to and approved by the Local Planning Authority prior to the commencement of any built development works on site. Thereafter only those approved materials shall be used in the development unless otherwise agreed in writing with the Authority.

In order to ensure a satisfactory standard of development.

5. Samples of materials proposed for all hard surfaced areas of the site shall be submitted to the Local Planning Authority for prior to the commencement of any surfacing work on site, and thereafter only approved materials shall be used either during the initial works or subsequently in any repairs to the surfaces.

In the interests of visual amenity and to contribute to the overall quality of the development.

6. Prior to the commencement of the development hereby approved, a scheme for the external lighting of the whole site including all buildings, sports provision & street lighting [including degree of illumination] shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented to the satisfaction of the Local Planning Authority prior to each phase of the development; any addition or alteration to the scheme shall be agreed in writing with the Authority. The proposed lighting scheme shall be designed so as not to exceed the levels of light spill at the receptors identified in table 3 of the Hoare Lea Lighting report unless agreed in writing with the Local Planning Authority

In the interests of visual & residential amenity and to ensure no adverse impact on protected species.

7. Landscaping for the elements of the proposal applied for in full, including hard surface landscaping shall be carried out and preserved in accordance with a scheme and programme which shall be submitted to and approved by the Local Planning Authority before any development is commenced. Specific details shall include finished levels, means of enclosures, car parking [as applicable] hard surfacing materials, minor artefacts and street furniture, play equipment, refuse receptacles, lighting and services as applicable. Soft landscape works shall include plans and written specifications noting species, plant size, number and densities and an implementation programme. It shall also

include details of any retained habitats such as trees, woodland, shrubs, grassland, riparian habitat and hedgerows, as well as habitat creation such as new hedgerows, ponds and associated wetland habitat, along with details of maintenance and enhancement of existing wildlife corridors and subsequent aftercare & management, shall be submitted to the Council for approval. The scheme shall be designed for the benefit of biodiversity. The scheme and programme shall thereafter be varied only in accordance with proposals submitted to and approved by the Local Planning Authority and such variations shall be deemed to be incorporated in the approved scheme and programme. The approved landscaping scheme shall be implemented in a timetable of planting to be agreed in writing with the Local Planning Authority but which in any event shall be undertaken no later than the next available planting season. The developer shall advise the Local Planning Authority in writing of the date upon which landscaping works commence on site prior to the commencement of those works.

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

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

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

9. Prior to the commencement of any development hereby approved, a schedule of all boundary treatments around the site perimeter, between individual neighbouring plots and between plots and the internal access roads shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in full accordance with this approved schedule of boundaries.

To provide an appropriate finished appearance of the development.

10. Prior to the first occupation of any building on the site or the first use of the sports provision, whichever is the sooner, details shall be submitted to and approved in writing by the Local Planning Authority of the on-going maintenance of the communal areas of internal access roads and footways, areas of landscaping and all associated features such as streetlighting, signage, drains and boundary treatments that lie within these areas. The development shall thereafter be maintained in accordance with the approved schedule of maintenance.

To ensure that the development is implemented and maintained to a satisfactory degree into the future.

11. The use of any part of the application site for car boot sales, markets and concerts shall not take place without the written consent of the Local Planning Authority.

In order to protect the amenities of neighbouring residents.

12. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

To prevent the increased risk of flooding, both on and off site.

13. Prior to the commencement of construction on any of the building full details of the means of foul water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. This approved scheme shall be implemented during the development and shall include that the development is drained on a separate system with only foul drainage connected into the foul sewer.

To ensure that appropriate measures are taken to provide suitable drainage from the site as required by Policy EP25 of the Fylde Borough Local Plan.

14. Prior to the fitting out or use of the second floor of the main stand an application for the use of this area shall be submitted to and approved in writing by the local planning authority.

In order to control the impacts of this aspect of the development as no details of the use of this area of the stadium have been included with this application.

15. Immediately prior to the commencement of each phase of the development, all habitat suitable for use by common toad shall be hand searched by an appropriately qualified ecologist. Any toads or other amphibians found shall be removed to a suitable safe location (receptor site) in accordance with a scheme which shall have first been approved in writing by the Local Planning Authority and which shall detail timing, methodology and location of the receptor site.

In order to secure adequate compensatory habitat for a species of principal importance.

16. Prior to the use of any on site floodlighting, a repeat bat survey shall be undertaken in the areas of the site proposed for floodlighting to confirm the species of bats, the level of activity and the extent of feeding and commuting routes. A scheme in respect of floodlighting for all the areas to be illuminated, detailed timing of lighting operations,

location and design of floodlights shall be submitted to and approved in writing by the Local Planning Authority. In the event of the survey confirming the presence of bats susceptible to light spillage, details of measures to avoid impact on bats shall be submitted to and agreed in writing by the Local Planning Authority and the agreed measures implemented in accordance with a timetable agreed in writing with the Local Planning Authority.

In order to provide mitigation for habitat which has the potential to support bats.

17. There shall be no engineering, site operations or other construction works including works to any trees, shrubs or other vegetation, carried out anywhere on site during the period commencing the first week of February to the last week of July inclusive, until or unless it has first been confirmed by an ecologist that breeding birds are not present. Details of the provision and implementation of alternative bird breeding habitat to compensate for any losses shall be provided to the Local Planning Authority and approved in writing prior to the commencement of work on development.

In order to protect breeding birds.

18. At least two weeks but less than six months prior to commencement of any ground works on site involving excavation of land or the use of light or heavy machinery, there shall be a repeat survey for the presence of badgers on site to include a distance of 30 metres from the site boundaries. The report of the survey along with proposals for mitigation & compensation, where required, shall be submitted to and approved in writing by the Local Planning Authority. Any measures necessary for the protection of badgers shall be implemented in full.

In order to provide adequate mitigation for protected species.

19. Prior to the commencement of each phase of the development hereby approved, a scheme detailing the noise insulation/prevention measures for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The proposed development shall be designed so that cumulative noise from the proposed noise sources does not exceed 50dB L_{Aeq} (16 hour) from 07.00 to 23.00, 45dB L_{Aeq} (8 hour) from 23.00 to 07.00 and 60dB L_{AFmax} from (19.00 – 0700 or 2300-0700) for single sound events at the façade of the nearest noise-sensitive property, or any such level as agreed in writing by the Local Planning Authority. Prior to the submission of an application for full planning permission a noise study shall be undertaken to demonstrate that the development meets this requirement.

In order to protect residential amenity.

20. The proposed development shall be designed so that cumulative noise from the proposed noise sources does not exceed 55dB L_{Aeq} (16 hour) from 07.00 to 23.00 at the outdoor living areas of the nearest noise-sensitive property, for example rear gardens and balconies, or any such level as agreed in writing by the Local Planning Authority. Prior to the submission of an application for full planning permission a noise study shall be undertaken to demonstrate that the development meets this requirement.

In order to protect residential amenity.

21. Construction times shall be limited to 08.00-18.00 Monday to Friday; 08.00 – 13.00 on Saturdays and no activity on Sundays or Bank Holidays.

In order to protect residential amenity.

22. Prior to any on site construction, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Plan is to include method and details of construction; including vehicle routing to the site, construction traffic parking and any temporary traffic management measures, times of construction, access and deliveries, storage of plant & materials used in construction, the erection and maintenance of security hoardings where appropriate, a management plan to control the emission of dust & dirt during construction identifying suitable mitigation measures, a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site), a Management Plan to identify potential ground & water contaminants; details for their storage and how water courses will be protected against spillage incidents and pollution during the course of construction; and a scheme to control noise during the construction phase.

To maintain the safe operation of the pedestrian and highway network in the area during construction given the proximity to residential properties.

23. No part of the development hereby approved shall commence until a scheme for the construction of all site access and the off-site works of highway improvement have been submitted to, and approved by the Local Planning Authority. The site access and off-site highway works shall be completed before the development is occupied. The following schemes to be covered by this condition include:

- Access junction roundabout
- Toucan crossing located on the southern approach arm to the A585 roundabout junction with the B5192; scheme to include surface treatment as necessary all subject to detailed design. Also to include connecting cycleway and footways to the proposal site
- Toucan crossing located on the northern approach arm to the A585 roundabout junction with the B5192 to tie in with the diverted Public Right of Way. LCC consider the detailed design of this crossing may highlight the need to provide a crossing wider than the standard 2.7m to allow greater pedestrian numbers to cross safely at peak times, such as on large attendance match days!
- Bus stop with associated lay-by and shelter on the A585 northbound carriageway.
- Bus stop without lay-by or shelter on the southbound carriageway of the A585. No shelter or lay-by due to the available width.

The details shall include the following:

Indicative layout drawings for off-site highway works which are agreed 'in principle'

subject to detailed design were included in the CRA letter of 2nd May 2014. The off-site highway works are shown in the following CRA drawing numbers:

- DRG. No. 075-01/GA-02 Rev A (Site Access and southern toucan crossing and pedestrian/cycle links)
- 075-01/GA-03 Rev A (northern Toucan crossing, bus stops, lay-by and pedestrian /cycle links)

Delivering these works will require a review, consultation and implementation of new/or changes to TRO's; the full cost for these to be funded by the developer. Locations include A585 and adjacent residential areas (to include parking restrictions and speed limit reduction).

The position of the bus stops will be subject to detailed design. Currently, the southbound stop is shown located within the zigzag markings of the proposed Toucan crossing (LCC consider there may be safety benefits in locating the stop in a suitable location to the south of this position). The new bus stops on the A585 will be required to be to Quality Bus Standard (QBS) and Disability Discrimination Act (DDA) compliant.

In order to satisfy order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide safe access to the site for all users (motorised and non-motorised) and ensure that users of the development have satisfactory access to PT services.

24. No part of the development hereby approved shall be occupied until the approved scheme referred to in condition number 23 has been constructed and completed in accordance with the scheme details.

In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

25. The new estate road/access which serves the site up to the roundabout junction with Fleetwood Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place on each phase of the development.

To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative

26. Upon the commencement of development, facilities shall be provided within the site by which means the wheels of vehicles will be cleaned before leaving the site. These wheel washing facilities shall be permanently retained during the construction period to the satisfaction of the Local Planning Authority.

To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

27. No part of the development hereby approved shall commence until a scheme for the construction of the internal access road, cycleway and footway networks has been first submitted to, and approved in writing by the Local Planning Authority. The scheme shall satisfy the needs of all elements of the site and be constructed in accordance with the approved details prior and thereafter retained.

In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options.

28. Development shall not begin until a phasing programme for the whole of the proposal site and for the highways works referred to, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved phasing programme.

To define the permission and in the interests of the proper development of the site.

29. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order Town & Country Planning (Use Classes) Order, there shall be no subdivision of the proposed Aldi foodstore without the express consent of the local planning authority.

In order to prevent the subdivision of the retail store into smaller units which may compete with established traders within Kirkham Town Centre which may undermine its vitality and viability.

30. The Framework Travel Plan as approved/accepted/agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.

To ensure that the development provides sustainable transport options.

31. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.

To ensure adequate visibility splays are maintained at all time.

32. Prior to the commencement of the development hereby approved, a Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The deliveries to the site shall take place in accordance with the plan unless the Local Planning Authority is notified in writing and agreement is reached regarding any proposed alterations.

In order to ensure highway safety is maintained at all time.

33. The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the development hereby approved being occupied, unless otherwise agreed in writing with the Local Planning Authority. The car park shall then be available at all times whilst the site is occupied.

To ensure that there is adequate parking for the development proposed when the buildings are occupied

34. Prior to the commencement of the use of the development hereby approved, a fully detailed Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The management of the car parking at the site shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that a satisfactory car parking management strategy is implemented for the development.

35. Prior to the commencement of the use of the development hereby approved, a fully detailed Event Management Plan (covering events at AFC Fylde Football Stadium) shall be submitted to and approved in writing by the local planning authority. The Event Management Plan shall also include a detailed Traffic Management Plan. The management of events shall be fully implemented in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that there are satisfactory event management procedures in place for the development in order that reliability and safety of the local highway network are maintained and to ensure the amenity of the adjacent (new and proposed) residential areas will not be adversely affected.

36. Prior to the use of the Stadium hereby approved for any large scale non sporting events, full details of the proposed event including the nature, the proposed hours, the expected number of visitors and the proposed car parking arrangements shall be submitted to and approved in writing by the Local Planning Authority. The event shall then be operated in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

To ensure that a satisfactory strategy is implemented for the development in order that reliability and safety of the local highway network are maintained and also the amenity of the adjacent (new and proposed) residential areas will not be adversely affected.

37. The 8 No. outdoor sports pitches shall not be used in the one hour before, also during, and two hours after any AFC Fylde home football match with an expected attendance in excess of 1000 spectators or other large scale event (as identified prior

to the start of each season through the procedures set out in the Stadium Management Plan and AFC Fylde Traffic Management Plan). The development shall then be operated in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

In order to minimise the peak demand within the area and to ensure the availability of appropriate car parking within the site.

38. No part of the development shall be occupied until space and facilities for bicycle parking have been provided in accordance with the approved drawings. The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

To ensure that adequate provision is made for bicycle parking so that persons occupying or visiting the development have a range of options in relation to mode of transport.

39. Prior to the commencement of development full details of a strategy for all signing and advertisements to be displayed on the site shall be submitted to and agreed in writing by the Local Planning Authority.

In the interests of visual amenity and highway safety.

40. Prior to the first occupation of any of the proposed buildings or use of the proposed facilities, a means of vehicular access to the neighbouring Mill Farm shall be implemented to the site boundary to the satisfaction of the Local Planning Authority, in accordance with a scheme previously agreed in writing.

In the interests of highway safety.

41. The total net sales area of the proposed Aldi supermarket shall not exceed 1,140 square metres, of which the area used for the sale of comparison goods shall not exceed 228 square metres.

To ensure the proposed development does not have a detrimental impact on the Vitality & Viability of local centres

42. The unit identified as a bulky goods retail unit on the Site Masterplan shall only be used for the sale of goods falling within the following categories:
- a. Materials for the maintenance and repair of dwellings; tools and accessories
 - b. Garden plants and flowers
 - c. Furniture & furnishings, carpets and other floorcoverings
 - d. Household textiles
 - e. Household appliances (major appliances & small household appliances)
 - f. Bicycles
 - g. Motor parts & accessories

To ensure the proposed development does not have a detrimental impact on the Vitality & Viability of local centres

43. Total net sales of the proposed bulky goods retail unit shall not exceed 589 square metres.

In order to prevent harm to existing retail centres

44. Notwithstanding the provisions of the General Permitted Development Order the proposed drive through restaurant & public house shall not be used for a Class A1 retail use.

In order to protect the vitality & viability of retail centres.

45. The retail units shall not be combined to create larger units than those indicated on the Site Masterplan.

In order to protect the vitality & viability of local centres.

46. The Aldi foodstore shall not be open for trading except between the hours of:

07:30 hours and 20:00 hours Mondays to Friday
07:30 hours and 20:00 hours Saturdays
08:00 hours and 18:00 hours Sundays and Bank Holidays

Without the written consent of the Local Planning Authority

In the interests of residential amenity

47. Prior to the first occupation of the proposed sports stadium, details of the hours of operation of the stadium and its buildings shall be submitted to and approved in writing by the Local Planning Authority. Any change from the approved scheme shall require the written consent of the Local Planning Authority.

In the interests of residential amenity

48. Prior to the first occupation of the proposed warehouse, details of the hours of operation shall be submitted to and approved in writing by the Local Planning Authority. Any change from the approved scheme shall require the written consent of the Local Planning Authority.

In the interests of residential amenity

49. Prior to the first use of the proposed sports pitches (5 a side, 3rd generation & artificial pitches), details of the hours of operation shall be submitted to and approved in writing by the Local Planning Authority. Any change from the approved scheme shall require the written consent of the Local Planning Authority.

In the interests of residential amenity

LIST OF APPEALS DECIDED

The following appeal decision letters were received between 21/11/2014 and 18/12/2014. Copies of the decision letters are attached.

Rec No: 1

14 November 2014	13/0754	LAND EAST OF FLEETWOOD ROAD AND NORTH OF, MOWBRECK LANE, MEDLAR WITH WESHAM OUTLINE APPLICATION FOR DEMOLITION OF EXISTING DWELLINGS AND REDEVELOPMENT OF THE SITE FOR UP TO 264 DWELLINGS TOGETHER WITH ASSOCIATED DEVELOPMENT, OPEN SPACE, LANDSCAPING AND DEVELOPMENT RELATING TO BIODIVERSITY ENHANCEMENT / PROTECTION. (ACCESS APPLIED FOR WITH OTHER MATTERS RESERVED)	Written Representations
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Appeal Decision: Withdrawn: 12 December 2014

Rec No: 2

01 October 2014	13/0508	LAND WEST OF MEADOW VIEW, POOL LANE, FRECKLETON	Written Representations
		PROPOSED ERECTION OF STORAGE BUILDING	

Appeal Decision: Dismiss: 16 December 2014

Rec No: 3

01 October 2014	13/0509	LAND WEST OF MEADOW VIEW, POOL LANE, FRECKLETON	Written Representations
		CHANGE OF USE OF LAND FOR USE AS A CIVIL ENGINEERING/BUILDING CONTRACTORS YARD AND SITING OF TEMPORARY OFFICES FOR A PERIOD OF THREE YEARS	

Appeal Decision: Dismiss: 16 December 2014

Appeal Decisions

Site visit made on 18 November 2014

by Matthew Birkinshaw BA(Hons) Msc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16th December 2014

Appeal A: Ref: APP/M2325/A/14/2226550

Land rear of Crooklands West, Pool Lane, Freckleton, Preston, PR4 1SA

- 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 Lewis Battersby (Battersby Construction) against the decision of Fylde Borough Council.
 - The application Ref 13/0508, dated 6 August 2013, was refused by notice dated 4 April 2014.
 - The development proposed is the erection of a storage building.
-

Appeal B: Ref: APP/M2325/A/14/2226555

Land rear of Crooklands West, Pool Lane, Freckleton, Preston, PR4 1SA

- 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 Lewis Battersby (Battersby Construction) against the decision of Fylde Borough Council.
 - The application Ref 13/0509, dated 6 August 2013, was refused by notice dated 4 April 2014.
 - The development proposed is the change of use of land for use as a civil engineering / building contractor's yard and siting of temporary offices for a period of three years.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matters

3. As set out above, there are two appeals relating to the same site. Whilst I have dealt with each appeal on its own merits, to avoid duplication I have addressed both forms of development in the same decision letter, except where otherwise indicated.
4. The storage building is already in place and the temporary change of use of the land has occurred. Both applications are therefore retrospective and I deal with the appeals on the same basis. However, the temporary offices in respect of Appeal B have been removed from the site since the Council's refusal of planning permission, and no longer form part of the proposal.
5. Finally, in both cases I have referred to the site address used on the appeal forms, as this more accurately describes the location.

Main Issues

6. The main issues are:

- Whether or not the location of the storage building and civil engineering / building contractor's yard are appropriate to a rural area, having particular regard to national and local planning policies which seek to restrict development in the countryside; and
- The effect of the civil engineering / building contractor's yard on the character and appearance of the area.

Reasons

7. The appeal relates to a parcel of land to the rear of Crooklands West, located roughly 0.8 miles south of Freckleton beyond the BAE Warton Aerodrome. Constructed from concrete blockwork and metal cladding the storage building measures approximately 20m by 9m is roughly 5.6m to its eaves. At the time of my site inspection it was being used for the storage of equipment and as an office. The remainder of the site comprises roughly 1,360m² of hardcore used for the open storage of telecommunications equipment, materials and vehicles.
8. Situated within the countryside Policy SP2 of the *Fylde Borough Local Plan* is relevant. This states that development will not be permitted unless it is essentially required for agriculture, horticulture, forestry or other uses appropriate to a rural area. Other exceptions include the re-use of buildings, redevelopment of large developed sites, minor extensions to buildings, and development essentially needed for the continuation of an existing enterprise, facility or operation which would not harm the character of the countryside.
9. One of the aims and objectives of Policy SP2 is to encourage development and investment in existing settlements whilst helping to protect the intrinsic value and rural character of the countryside. This is broadly consistent with the National Planning Policy Framework ('the Framework'), which, through the Core Planning Principles states that planning should recognise the intrinsic character and beauty of the countryside and support thriving rural communities within it.
10. In establishing whether or not both appeals are appropriate to the rural area evidence provided by the appellant confirms that the building and contractor's yard are required to store materials and equipment of significant financial value. Typically 4 or 5 members of staff are present on site on a daily basis, with the rest arriving on Mondays to collect supplies before heading off to install fibre-optic broadband infrastructure across the region.
11. However, whilst suggesting that vehicle numbers are low, the appellant states that there can be up to 20 agency staff at any one time, and that some of the workforce are employed on local contracts and visit the site on a daily basis to load/unload equipment. Furthermore, in support of both appeals the appellant confirms that his business has secured the main Government-backed contract for the supply, installation and upgrade of fibre-optic broadband infrastructure across the whole of North West England, and possibly also Wales. Thus, given the nature of the business operation, its size, and the number of staff using the site, I concur with the Council in finding that neither the storage building nor the temporary contractor's yard are uses appropriate to the rural area.

12. In reaching this view I have taken into account comments that the majority of staff come from Freckleton or Warton and therefore the site is sustainably located. However, the storage building and yard are situated to the south of both settlements accessed by a single country road, which for large sections contains no dedicated footpath or street lighting. Consequently, whilst staff members may provide lifts for one another, they are nonetheless reliant upon the use of a private car or van to reach the site. In the absence of any evidence to suggest that there are no other sites available in either Freckleton or Warton, I am therefore not persuaded that the location of the business can be considered either appropriate or sustainable.
13. It has also been suggested that both appeals are needed to help sustain local jobs and support economic growth in the area. With this in mind Local Plan Policy SP2(5) allows development in the countryside which is essentially needed for the continuation of an existing enterprise, facility or operation. However, no evidence has been provided to indicate how or where the business has operated from in the past. On the contrary, the appellant confirms that the site was previously used for stabling horses, and indicates that both the storage building and contractor's yard were constructed at the same time. Thus, whilst not disputing the need to store expensive equipment, there is nothing to suggest that either form of development is essential for the continuation of an existing enterprise, facility or operation.
14. Based on the evidence provided I therefore conclude that by reason of the scale and nature of the development, neither the storage building nor the temporary contractor's yard are uses appropriate to a rural area. As a result, both appeals conflict with Local Plan Policy SP2 which seeks to encourage development and investment in existing settlements and protect the intrinsic value and character of the rural area.

Character and Appearance

15. In refusing planning permission for the storage building the Council conclude that its design, scale and appearance are not untypical of modern agricultural buildings found throughout the Borough. In some wider views it is also seen against the much larger aircraft hangers to the west.
16. However, situated in between the Ribble Estuary to the south and the Warton Aerodrome to the north the appeal site is surrounded by an area of countryside characterised by flat, open agricultural land. In contrast, Appeal B has resulted in the open storage of telecommunications equipment, materials and vehicles. The use of the site is therefore materially different to a typical farmyard, and measuring roughly 1,360m² is significant in size. Compared to the open agricultural fields that surround the site, I consider that the yard has had an urbanising and harmful effect on the rural character and appearance of the immediate surrounding area, despite the proximity of the aerodrome.
17. In reaching this view I appreciate that the yard would revert back to its previous use after three years. The harm caused would therefore be reduced by the fact that it would not be permanent. Nonetheless, because of its size, use, and the context of its open agricultural surroundings, the harm caused is still significant. Moreover, no evidence has been provided to substantiate comments that a temporary planning permission would enable the appellant to relocate to purpose-built premises thereafter. As a result, in this case the temporary nature of Appeal B does not justify granting planning permission.

18. I therefore conclude that by reason of its size and use for the open storage of equipment, materials and vehicles the temporary contractor's yard is harmful to the character and appearance of the area. Notwithstanding whether or not it is essentially needed for the continuation of an existing enterprise, facility or operation, Appeal B conflicts with Local Plan Policy SP2 due to the harm that it causes to the character of the surrounding countryside. It also conflicts with one of the Core Planning Principles of the Framework which states that planning should take account of the character of different areas, recognising the intrinsic character of the countryside.

Other Matters

19. In reaching my conclusions against the main issues I have taken into account that the Framework seeks to support economic growth in order to create jobs and prosperity. In particular, both parties refer to paragraph 28 which states that plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings. Likewise, paragraph 19 advises that planning should operate to encourage, and not act as an impediment to sustainable growth, with significant weight placed on the need to support economic growth through the planning system.
20. With this in mind both appeals would help support local employment, with a number of young people from the area having already benefitted from the training, skills and expertise gained from working for the local firm. The appellant also confirms that the existing contracts will secure employment for local people for the next 3 years and possibly beyond, which will have a positive knock-on effect from a social and economic perspective. These factors therefore weigh in favour of allowing both appeals.
21. However, the Framework confirms that there are three dimensions to sustainable development, which should not be undertaken in isolation because they are mutually dependant. Through the Core Planning Principles it also confirms that planning should recognise the intrinsic character and beauty of the countryside and contribute to conserving and enhancing the natural environment.
22. In this case the storage building and temporary contractor's yard are not uses appropriate to a rural area, are not situated within a sustainable location and in the case of Appeal B, is harmful to the character and appearance of the area. Based on the evidence provided I consider that this harm significantly and demonstrably outweighs the benefits of a new storage building and temporary contractor's yard in the countryside. As a result, neither appeal proposal represents the sustainable development for which there is a presumption in favour.

Conclusions

23. For the reasons given above, and having had regard to all other matters raised, including comments from statutory consultees, I conclude that both appeals should be dismissed.

Matthew Birkinshaw

INSPECTOR